

**Bath & North East
Somerset Council**

Bath & North East Somerset Local Plan

including minerals and
waste policies

Adopted October 2007

Planning Services



Note to the reader

Policy numbering

Whilst the paragraphs in the adopted Local Plan are numbered sequentially, the policy numbering is not sequential as some policies were deleted in the process of preparation.

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

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SECTION A OVERALL STRATEGY

A1. INTRODUCTION

WHY THE LOCAL PLAN HAS BEEN PREPARED

A1.1 The Local Plan will shape the way the District will develop, up to 2011 but it is not prepared in isolation. The Joint Replacement Structure Plan (JRSP, see para A2.12 below) sets out the overall planning framework including the broad location of new development for the 1996 – 2011 period. However, the details about where new development should take place in Bath & North East Somerset are decided through the preparation of the Local Plan.

A1.2 The Local Plan will also help protect and enhance the character of places that are locally valued and identify areas which would benefit from improvement. It is the vehicle for communities to pursue locally needed development such as affordable homes, better cycling facilities or a meeting hall. It also provides the opportunity to identify and conserve what local communities think is important in the area, such as a landscape feature or open space. Assessing community needs will also help to identify social concerns and encourage everyone to benefit. The Plan also incorporates policies on minerals and waste.

A1.3 The Local Plan should establish a robust policy framework to provide clarity for all those involved in the development process. At the same time, it should be sufficiently flexible so that unforeseen proposals can be considered.

A CHANCE TO BE INVOLVED AND HAVE YOUR SAY

A1.4 As well as your views, the Local Plan takes account of Government Guidance, the Joint Replacement Structure Plan, the Council's Local

Transport Plan and the strategies of the Council and other organisations (see Chapter A2).

HOW TO USE THIS PLAN

A1.5 The Local Plan consists of a *Written Statement* and a *Proposals Map*. The Written Statement contains policies to guide development and use of land. These are distinguished from other text in ***bold italic type***, each with its own reference number. They are preceded by a *Reasoned Justification*.

A1.6 Allocations and designations are shown on the Proposals Map which is divided into three sections. *Insets* cover more detailed areas at a larger scale.

A1.7 The Local Plan should be read as a whole. Some policies are specific to an issue whilst others are more general in their application. There are therefore usually a number of policies relevant to any one proposal. Cross references are provided but are meant for guidance only. Where more detail is needed for specific sites or topics than that provided in the Local Plan, supplementary planning guidance (SPG) will be prepared. These will be available for the public to comment on (see A4.16-A4.20).

BATH & NORTH EAST SOMERSET – A DESCRIPTION

A1.8 Bath & North East Somerset came into existence on 1st April 1996 combining the former Bath and Wansdyke District areas, becoming a Unitary Authority. Diagram 1 shows the District's location within the sub-region. Diagram 2 shows the extent of the District which covers 35,112 ha and extends some 36 km east to west and 17 km north to south.

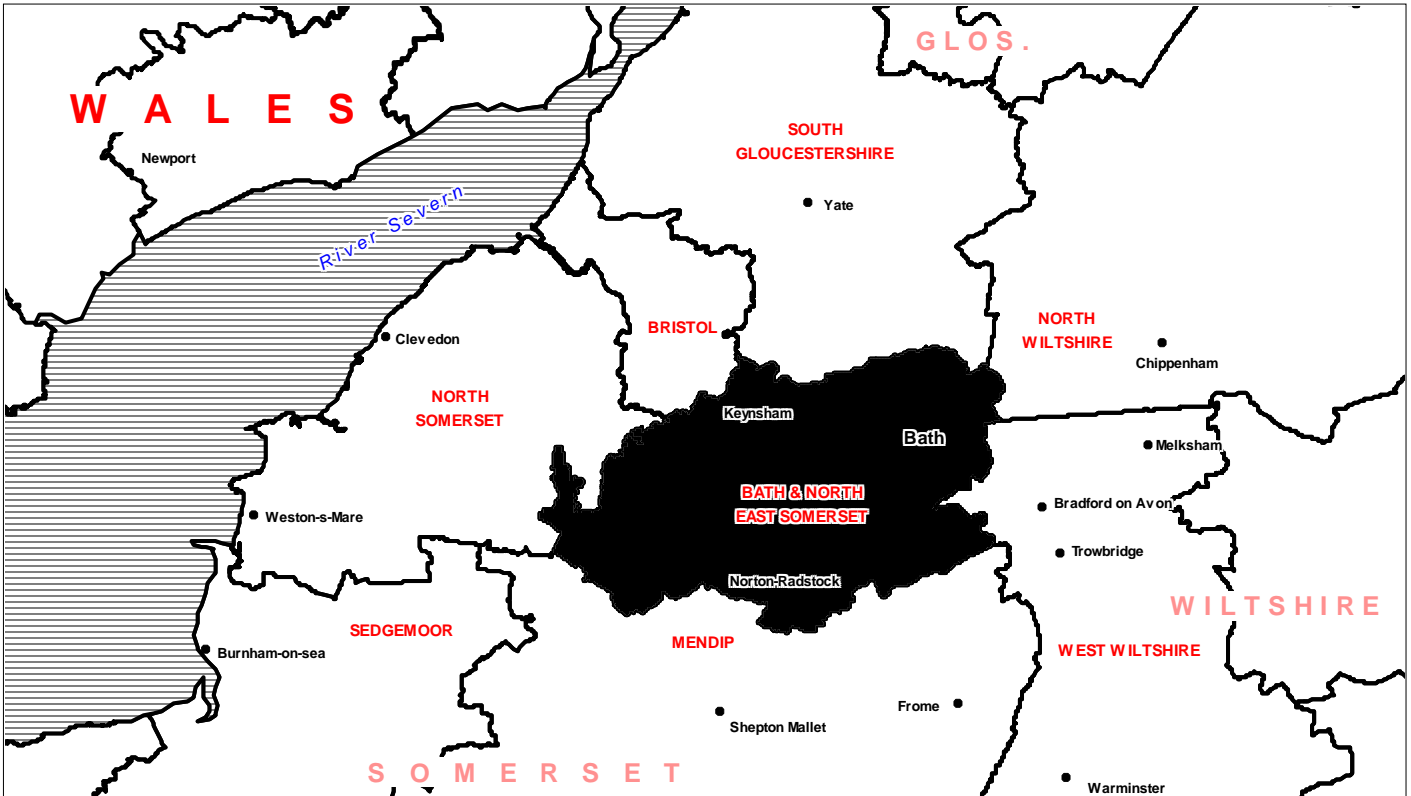


Diagram 1. The Location of Bath & North East Somerset

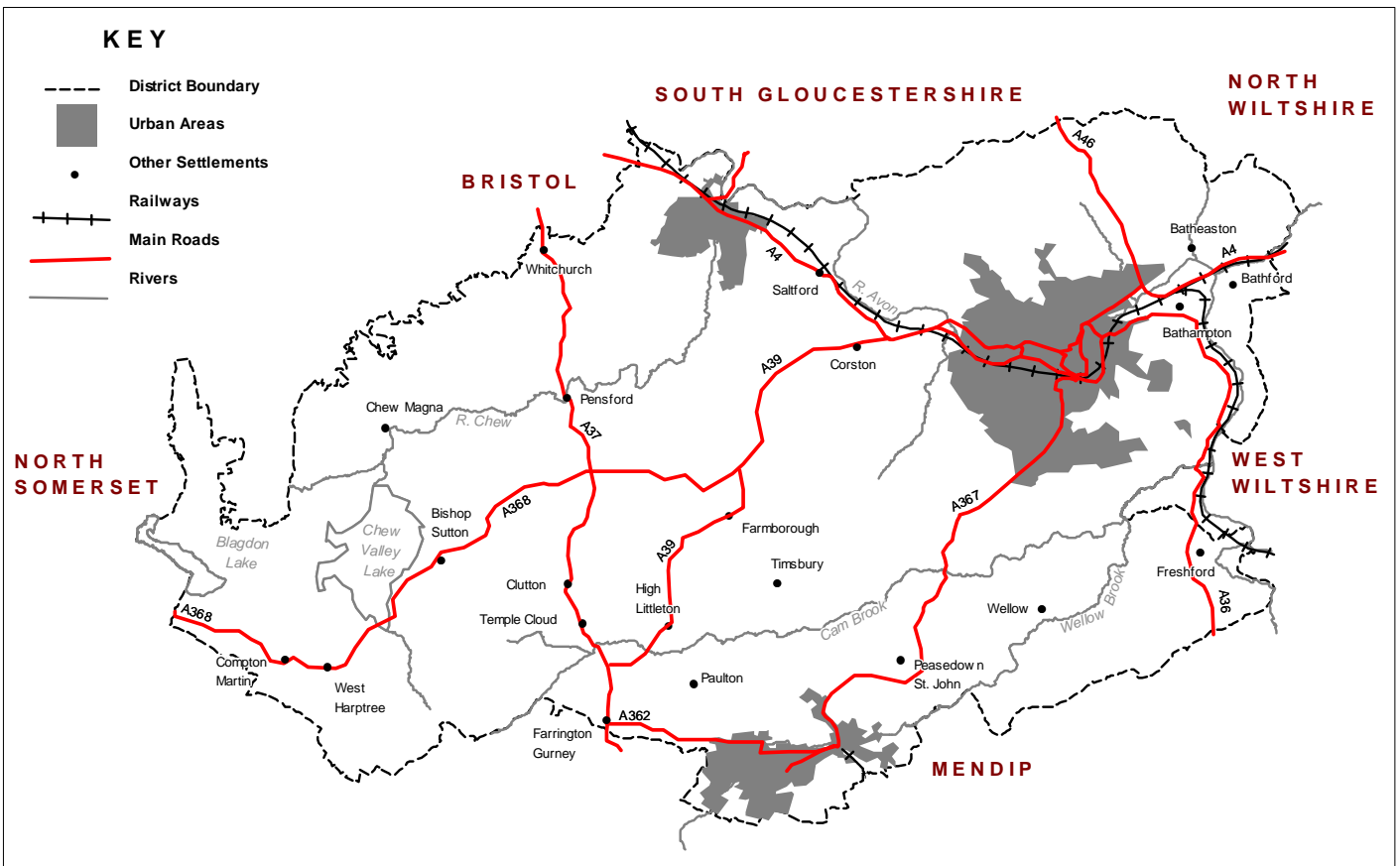


Diagram 2. Bath & North East Somerset

A1.9 Its geographical position between the Cotswold and Mendip Hills gives it a diverse and complex character. It is drained primarily by the River Avon, the main tributaries of which are the River Chew, the Cam Brook and the Wellow Brook. The highest points are at Lansdown Hill to the north of Bath and on the northern slopes of the Mendip Hills overlooking Chew Valley Lake.

A1.10 The population of the District has been slowly but steadily growing during recent decades and at the 2001 census stood at 169,040. About half the population live in the historic City of Bath with the other main centres of population being Keynsham, Midsomer Norton and Radstock. There are numerous villages and hamlets spread across 47 rural parishes (see Diagram 3) which accommodate a substantial rural population.

A1.11 The City of Bath is one of the finest in the world and was inscribed as a World Heritage Site in 1987. It is a university city, a regional shopping centre, an international tourist attraction and offers major opportunities for work, recreation and training. Its Hot Springs are the only ones in Britain and have been used as a focal point for worship, therapy and recreation for more than 2,000 years. It is well served by railway services to London, Bristol, Cardiff and Southampton. Local buses and Park & Ride schemes provide access around the City.

A1.12 The character of Bath reflects the history of the City's growth, most significant being the distinctive Georgian period of the Eighteenth and early Nineteenth Centuries, the rapid pace of Victorian development and post war development. Since the 1960s, the Green Belt has limited outward growth. The City has more than 5,000 listed buildings including the Royal Crescent and the Conservation Area covers two thirds of the City. Within the City, there are great opportunities for renewal and redevelopment.

A1.13 Some 21,000 people live in Midsomer Norton and Radstock in the

south of the District. Together these two towns are referred to as Norton-Radstock reflecting their former Urban District Council status. These towns lie at the centre of the former Somerset Coalfield and the rich legacy of the coal mining industry has considerably influenced local character. Many of the spoil heaps have been transformed with remoulding and vegetation growth and are distinctive local landscape features. The former railway lines provide existing and potential recreational routes.

A1.14 There have been more new houses built than new jobs provided in recent years and only about half the resident workforce find employment in this part of the District. Both Midsomer Norton and Radstock provide a range of facilities for local people and those in adjoining areas including the large villages of Paulton and Peasedown St. John.

A1.15 In Keynsham, the remains of the abbey and parish church, which dates back to the thirteenth century, indicate the town's long history. However, the town is overwhelmingly influenced by the twentieth century following the building of Fry's chocolate factory in 1922 and the provision of post-war "overspill" housing for Bristol. Designation of the Bristol/Bath Green Belt in 1966 has influenced the growth of the town.

A1.16 The town has good communications, being located on the main transport corridor between Bath and Bristol, and close to the Avon Ring Road. Keynsham has a population of around 16,000 people and is an important retail and service centre and whilst close to the city of Bristol it still has its distinctive historic roots.

A1.17 Rural Areas: The rural landscape of the District is striking and diverse. Around a quarter of the rural areas lie within designated Areas of Outstanding Natural Beauty. The attractive character of no fewer than 30 of the villages is recognised by Conservation Area status. Strung along the foothills of the Mendips are the villages of Ubley, Compton Martin and East and West Harptree. To

Chapter A1: Introduction

the north of the Mendips is the undulating valley of the River Chew within which lie Chew Valley and Blagdon Lakes and a network of small villages. The largest of these is the historic village of Chew Magna which acts as a community focus for villages and hamlets.

A1.18 The east of the District is dominated by the southern thrust of the Cotswolds Hills where the Oolitic limestone has strongly influenced the topography, the landscape and the built environment. Many of the villages, such as Freshford, Kelston and Hinton Charterhouse, are conservation areas. The three villages of Bathampton, Batheaston and Bathford lie to the east

of Bath close to the River Avon and the Kennet and Avon Canal. Whilst they lie in close proximity to Bath and each other, they retain their own identity.

A1.19 Former coal mining in the south of the district has left a network of villages and hamlets within the attractive ridge and valley landscape. The white/blue lias limestone has been used as a distinctive local building material evident in the coal miners terraces in villages such as High Littleton, Paulton and Timsbury. Peasedown St. John has experienced significant growth in the last decade to become the largest village in the district with a population of over 6,000.

A2. THE POLICY CONTEXT

SUSTAINABLE DEVELOPMENT

A2.1 The Local Plan's policies and proposals are influenced by a range of national and local strategies and policy frameworks. Fundamental amongst these is the need to move towards more sustainable patterns of development. The Government has defined sustainable development as *ensuring a better quality of life for everyone, now and for generations to come (A Better Quality of Life 1999, Department of the Environment, Transport and Regions)*.

A2.2 Sustainable Development is about seeking balance. It is about ensuring a high quality of life by promoting the development we need for a healthy economy and meeting social needs whilst at the same time conserving the environment. It is about making sure that all members of our communities have access to jobs and healthy lifestyles in a way that does not harm the natural or built environment. It is about considering the long term implications of decisions. The Local Plan policy framework takes account of the National Sustainable Development Objectives:

- Social progress which recognises the needs of everyone
- Effective protection of the environment
- Prudent use of natural resources
- Maintenance of high and stable levels of economic growth and employment

SUSTAINABLE DEVELOPMENT APPRAISAL

A2.3 The Local Plan Deposit Draft has been subject to a sustainable development appraisal, the results of which are available as a separate document. Appraisals take place at various stages in the production of the Local Plan in order to ensure that its policies and proposals take us nearer to achieving sustainable development. Appraisals are integral to the Local Plan

preparation process and help to clarify the Local Plan objectives, inter-connections and possible conflicts between policies. It has influenced the content of the Plan in its subsequent stages.

LOCAL AGENDA 21

A2.4 In order to encourage more sustainable ways of living and greater community involvement, the Council has worked with local communities to produce a Local Agenda 21 Initiative entitled *Change 21*. This sets out a 'Vision for the future - what local people want life to be like in 2019'. The Agenda 21 Initiative helped inform the formulation of policy in the Local Plan.

COMMUNITY STRATEGY

A2.5 In accordance with the Local Government Act 2000, the Council has prepared a Community Strategy for the District. The Strategy sets out a long-term vision to enhance the quality of life of local communities, through action to improve the economic, social and environmental well-being of the area and its inhabitants. A range of partner organisations (together forming a Local Strategic Partnership) have been involved in its preparation, including those from public, private and voluntary sectors. The Community Strategy will influence all other Council strategies, including the Local Plan as it progresses through the adoption process and is reviewed in the future.

REGIONAL PLANNING GUIDANCE

A2.6 The Regional Planning Guidance (RPG) for the South West seeks to develop the Region in a "*sustainable way as a national and European region of quality and diversity, where the quality of life for residents, the business community and visitors will be maintained and enhanced*" (RPG10

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2001). It sets out a planning framework up to the year 2016.

A2.7 The District is part of the Northern sub-region which the RPG describes as having a high quality environment and where fostering economic growth is an essential part of the RPG strategy.

A2.8 Bath is designated in the RPG as a Principal Urban Area (PUA). As such it should provide a focus for new development whilst at the same time, its unique environment should be conserved. It emphasises the need to give a high priority to reducing road traffic and congestion affecting the City of Bath and other urban areas.

A2.9 Bristol, which adjoins the north-western part of Bath & North East Somerset, is also defined as a PUA and it has a key role for economic growth regionally and nationally as well as being a focus for other development. The RPG emphasises the need for integrated public transport facilities linking nearby urban areas.

A2.10 The RPG refers to smaller towns which act as a focus for local services and seeks a greater level of self-containment of such settlements, particularly focussing on the need to reduce levels of commuting to PUAs.

A2.11 The Local Plan takes account of the principles set out in the RPG in so far as they relate to the Plan period.

THE STRUCTURE PLAN

A2.12 The Joint Replacement Structure Plan (JRSP) sets out the broad planning policy framework for the former Avon County area up to the year 2011 based on the principles of sustainable development. The JRSP sets out the overall need for new housing and guides the broad location of new development. This is within the context of seeking to *"reconcile, balance and integrate the protection and enhancement of the environment, the maintenance and enhancement of economic prosperity and meeting the social needs and aspirations of people of the area..."* (JRSP Policy 1)

A2.13 A key function of the JRSP is to decide how much development should take place in Bath and North East Somerset and, in general terms, where it should go. Key objectives of the JRSP are described in para A2.14. The Local Plan is required to conform generally with the JRSP. The JRSP was adopted in September 2002.

A2.14 The Structure Plan locational strategy proposes that in Bath & North East Somerset:

1. Priority should be given to the re-use of previously developed land and buildings within or immediately adjacent to urban areas.
2. Existing employment sites should be safeguarded for employment, unless there are particular reasons for changing that use.
3. Bath & North East Somerset should make land available for 6,200 new homes up to 2011.
4. Development for housing, jobs and other facilities should be concentrated within and, where it is in accordance with Green Belt policy, immediately adjacent to the built up area.
5. Residential development which cannot be accommodated within Bath should be directed towards Keynsham, which lies on a good public transport network with comprehensive access (including by rail) to the major centres of employment and other facilities at Bath and Bristol.
6. There should be no strategic changes to the Green Belt with the exception of adjustments at Keynsham to provide land for future housing and other uses.
7. Provision for economic development in Norton-Radstock should primarily be for local employment needs, addressing current imbalances between housing and employment provision and aiding regeneration.
8. Whilst the open countryside should be protected from harmful development, limited development within or adjoining rural settlements can be allowed in

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order to maintain economic and social vitality of rural areas, subject to accessibility to facilities and employment, character and Green Belt considerations.

9. City and town centres should be the priority locations for retail, office and major recreation/leisure facilities.

The Secretary of State has made a Direction save relevant policies from the JRSP beyond 27 September 2007. The list of 'saved policies' can be viewed on the Council's website.

LOCAL TRANSPORT PLAN

A2.15 It is essential that transport policies are fully integrated with land-use planning. Planning decisions on land-use will impact on the strategy in the Local Transport Plan and similarly the transport strategy will have implications for development plan policy.

A2.16 The Local Transport Plan for Bath & North East Somerset was approved in 2000. The five key themes of the Local Transport Plan relate to:

- the continued overview and management of road traffic in the District to minimise the adverse impacts of traffic;
- the ongoing promotion of better public transport and walking, cycling, safety and community togetherness;
- management and control of parking;
- the involvement of the public in the transport planning process with a view to successful implementation of transport and behavioural changes;
- the improvement of the local environment across the District through a transportation programme in sympathy with the World Heritage status of Bath, its immediate surrounds, the two Areas of Outstanding Natural Beauty and the distinctive character of the towns and villages.

NATIONAL GUIDANCE

A2.17 Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs) set out the Government's policies on different aspects of planning. They cover a range of issues and must be taken into account in the preparation of Local Plans. PPG and PPS advice may also be material to individual decisions on planning applications and appeals. Minerals Planning Guidance Notes provides advice on aspects of planning for minerals development. PPGs and other Government planning guidance are produced by Department of Communities and Local Government (formerly the Office of the Deputy Prime Minister).

A2.18 The regard the Council has had to matters specified in regulation 20 of the Town & Country Planning (Development Plan) (England) Regulations 1999 is set out in the reasoned justification to the Local Plan as stated below:

- a) Economic, environmental and social considerations - these matters are considered throughout the Local Plan policies on Living & Working, Environmental Assets and Access based on the principles of sustainable development as set out in Chapters A2 - A3;
- b) The National Waste Strategy 2000 - Chapter B.8 on Waste sets out some of the principal requirements of the Strategy which influences the content of the policies in this section;
- c) The objectives of preventing major accidents and limiting the consequences of such accidents and the need (i) in the long term, to maintain appropriate distances between establishments and residential areas, areas of public use and areas of particular sensitivity or interest; and (ii) in the case of existing establishments, for additional technical measures in accordance with Article 5 of Directive 96/82/EC so as not to increase the risks to people. Chapter B5 sets out policies on Energy, Utilities, Health & Safety including Policy ES.13 on safety hazards.

A3. LOCAL PLAN STRATEGY

LOCAL PLAN OBJECTIVES

A3.1 Detailed Local Plan objectives are defined to provide the context for the development of policies. They set out the Council's intentions for the Plan period against which success of policies and proposals can be measured.

A3.2 Issues about where we live, work and shop and how we travel are complex and cannot be easily unravelled. However, to assist in clarifying the Local Plan's objectives, these issues are grouped into four sections: Overall Strategy; Living and Working; Environmental Assets; and Access. This also emphasises the interconnection between these issues and helps in presenting the Local Plan policies and proposals.

Living and Working

A3.3 Thriving cities, towns and rural areas are essential in moving towards a more sustainable pattern of development and balanced communities. To achieve this the Government stresses the need to strengthen local economies, meet people's social needs, improve local surroundings and transportation networks, reduce crime and address problems of social exclusion. The Local Plan has an important role to play in achieving these.

KEY OBJECTIVES –LIVING AND WORKING

Social Inclusion

- L.1 *To enable people to enjoy a better quality of life.*
- L.2 *To enable development which meets the needs of all sections of the community.*

Resources

- L.3 *To promote the best possible use of existing resources and infrastructure and encourage the re-use of land and buildings.*

L.4 *To provide for the safe and sustainable management of waste.*

L.5 *To reduce all forms of pollution and emissions including air, noise and light, pollution.*

L.6 *To ensure that adequate infrastructure is in place to serve all new development.*

Housing

L.7 *To meet the District's housing needs by providing a range of housing types, including affordable homes, at locations with convenient access especially by means other than the car to employment, shops, services and other community and recreational uses.*

Economy

L.8 *To maintain and enhance Bath's regional, sub-regional and local importance as a centre for business and employment.*

L.9 *To maintain and enhance opportunities for business and employment in the towns of Keynsham and Norton-Radstock.*

L.10 *To provide for business and industrial development in locations which respond to competitive needs, are readily accessible by a variety of means of transport and which are well related to housing areas.*

Urban Areas

L.11 *To enhance the role of Bath, Keynsham and Norton-Radstock as attractive, safe places to live and work.*

Rural Areas

L.12 *To improve sustainability of rural areas, enhancing economic and social vitality and accessibility while maintaining and enhancing character and local distinctiveness.*

Shopping, Services and Leisure

L.13 *To maintain and enhance the vitality and viability of city, town and local neighbourhood and community centres in urban and rural areas.*

L.14 To ensure provision of sufficient, good quality and accessible community, leisure, recreational and sports facilities and open space including improved access to the countryside.

Environmental Assets

A3.4 A high quality natural, historic and built environment provides the underlying framework for a high quality of life and contributes to balanced communities.

A3.5 Overall the District has a high quality urban environment within an outstanding and extensive rural setting. The quality is recognised in the many statutorily designated sites including the unique World Heritage Site status for the City of Bath, parts of the Cotswolds and Mendip Hills Areas of Outstanding Natural Beauty, wildlife sites, Scheduled Ancient Monuments, listed buildings and conservation areas. In addition there is a wide range of sites and areas of local interest and distinctive character.

A3.6 As a community, we have a duty of care to ensure that the integrity of this resource is passed on to future generations. The Local Plan can help to enhance as well as safeguard these intrinsic qualities when we take our decisions about what type of developments to allow and where.

KEY OBJECTIVES – ENVIRONMENTAL ASSETS

- E.1 To conserve, enhance and make positive use of the historic environment.*
- E.2 To conserve and enhance the local character and distinctiveness of settlements and the countryside.*
- E.3 To secure the effective stewardship of the area's biodiversity (wildlife and habitats), and geology.*
- E.4 To secure improvements to degraded landscapes and derelict land.*
- E.5 To conserve and reduce the consumption of non-renewable resources including greenfield land,*

soils, minerals, water and fossil fuels.

- E.6 To maintain and improve the quantity and quality of water resources necessary for the well being of the natural environment and for consumption.*

Transport and Access

A3.7 Our quality of life depends on being able to get about with ease. We need an efficient transportation system to support a prosperous economy and to meet our everyday needs. A better quality of life means addressing the traffic congestion and pollution.

A3.8 A greater choice in travel would enable everyone, including those who don't own a car or cannot drive (often the young, the old and the less well off) to gain access to employment, shops, services and other facilities. Alternatives to the car, especially for short journeys, will increase the ability to take part in more activities and reduce feelings of isolation. It can also help tackle environmental issues such as air pollution and noise which can damage health and the built environment.

A.39 The Council co-operates with its neighbours in the West of England Partnership to devise the policies and proposals which are required to achieve the fully integrated transportation network which is needed to support the level of development in the area advocated by the Regional Plan. Many of the suggested demand management measures and infrastructure enhancements such as road user charging and rapid transit lines will not be introduced within the lifetime of this Plan. It is however hoped that substantial progress will have been made in implementing the measures which are included in the Greater Bristol Bus Network and Bath Package (successful bids for Government funding) by 2011.

Information about these proposals can be found in the Access chapter.

KEY OBJECTIVES – TRANSPORT AND ACCESS

- T.1 To co-ordinate development and transport measures to reduce car-usage and to ensure alternative forms of transport are available in an integrated way.*
- T.2 To increase accessibility by a choice of means of transport including public transport, cycling and walking.*
- T.3 To maximise the safety of all types of movement.*
- T.4 To reduce the adverse impact of all forms of travel on the natural and built environment.*

BALANCED COMMUNITIES - OVERALL STRATEGY

A3.10 The following Overall Strategy for Bath & North East Somerset (as set out in paras A3.11 – A3.27) takes account of the JRSP locational strategy, the Community Vision and key objectives. In working towards Balanced Communities, most of the Plan's objectives will need to be applied to development throughout the area. The ability of different parts of the District to accommodate the levels of development suggested by the JRSP varies considerably and the overall strategy considers this spatial dimension.

City of Bath

A3.11 As a World Heritage Site, a careful balance is needed in order to accommodate development whilst preserving and enhancing Bath's historic and architectural qualities. The natural surroundings in which the City is set give it a unique character. Bath is an evolving, living City and offers an important opportunity as a focus for new initiatives in Bath & North East Somerset during the Plan period. Bath offers many advantages:

- 1) It provides a wide range of housing, jobs, shops, services, community and leisure facilities accessible by public transport, walking and cycling;
- 2) It offers significant opportunities to promote social inclusion and a better quality of life, such as through the provision of jobs, housing, recreation and community facilities;
- 3) It offers opportunities for the re-use of and regeneration of derelict (brownfield) land;
- 4) It offers the opportunity for quality mixed-use design to enhance Bath's unique character, including development at higher densities and with a reduced car parking provision in areas well supported by public transport;
- 5) It offers the opportunity to reinforce the City as an important regional centre for business and international tourism, shopping, culture and entertainment; and
- 6) It provides a high quality environment set in a nationally important landscape with a rich biodiversity – an attractive place in which to work and live.

A3.12 In order to maintain the character and setting of the City, consistent with its status as a World Heritage Site and with the objectives of the Bristol/Bath Green Belt, the focus for development and change will be the existing built up area. The Plan makes one change to the Green Belt boundary to allow for the expansion of the University of Bath.

Keynsham

A3.13 An alteration to the Green Belt at Keynsham to accommodate new housing and associated social infrastructure and employment opportunities will facilitate the town's increasing importance within the District. Whilst it will result in some

greenfield development at Keynsham there are particular advantages:

- 1) New development where there is already a good range of services and where there are good public transport links to the cities of Bath and Bristol.
- 2) It will stimulate investment to improve the vitality and viability of the town centre, and bring forward new initiatives.
- 3) It will provide sustainable development opportunities, with mixed uses including local employment, services and community facilities. Integrated with existing communities these will contribute to social inclusion and quality of life objectives for the residents.

Norton-Radstock

A3.14 Norton-Radstock is not so well placed in respect of access to Bath and Bristol. There has been considerable housing growth in recent years and there remain substantial commitments. The town needs to achieve a better balance between housing and local employment which calls for improved connections to the national motorway network. This accords with Regional Planning Guidance, which seeks greater self-containment for towns such as Norton-Radstock. The completion of the Avon Ring Road should help in this respect and further improvements may follow the proposed A362 and A37 route studies. The proposed re-opening of the railway between Radstock and Frome may also help to bring employment to the area. (See para B7.27).

A3.15 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.

A3.16 The ongoing regeneration in Radstock centre and environmental improvements in Midsomer Norton town centre, together with an emphasis on high quality design, will improve the area's attractiveness and accessibility. It will also enhance the area's role for tourism based on its mining and railway heritage and other assets. This heritage, together with the towns' distinctive landscape setting will continue to contribute to the area's attractiveness as a place to live.

Rural Areas

A3.17 Over 90 % of the District is classified as rural. The District's 47 rural parishes are illustrated in Diagram 3. The Government's vision for the countryside is a living, working, protected and vibrant countryside.

A3.18 Villages range in size and type and lie within landscapes of varied and distinctive character. Almost a third of the District lies within Areas of Outstanding Natural Beauty. The District's varied geology, topography and soils have given rise to a rich biodiversity, with some wildlife sites such as Chew Valley Lake being of international importance.

A3.19 The District's rural areas have been settled since prehistoric times and this has given rise to a diverse cultural heritage. This extensive historic interest is reflected in the existence of over 50 Scheduled Ancient Monuments, more than 30 Conservation Areas and over 1000 Listed Buildings.

A3.20 In line with national guidance, the Local Plan strategy is to continue to safeguard the countryside for its own sake and policies to protect and enhance environmental resources will continue to take a high priority.

A3.21 In addition, with over 45,000 residents living in villages, hamlets and other locations in the countryside, it is essential to sustain economic and social

A4. IMPLEMENTATION

INTRODUCTION

A4.1 A Local Plan will only meet its objectives if its policies and proposals are successfully implemented. The outcome should be an improved quality of life with a protected and enhanced environment and development of a high standard of design, in the right locations, meeting the needs of communities, and promoting economic development.

A4.2 The Plan needs to act as a catalyst for action by engaging with other Council strategies and those of other outside agencies leading to positive and joint actions toward its implementation. The implementation of the Plan will therefore involve a wide range of participants and activities as follows:

- 1) The planning application process involving developers, organisations and individuals seeking planning permission for development or having an interest in such applications, and the local planning authority determining planning applications;
- 2) Positive action taken by the Council in using its powers to improve economic, social or environmental well-being by:
 - (a) promoting specific development sites or strategies by working in partnership, providing funding, and attracting funding or action from government or other agencies; and
 - b) implementing a range of Council strategies e.g. Transport Plan, Community, Housing, and Economic Development strategies by ensuring land use implications of such strategies are incorporated in and are in harmony with the Local Plan overall strategy.

1) PLANNING APPLICATION PROCESS

Development Control

A4.3 Applicants seeking planning permission may range from the large companies developing large sites to individuals extending their dwelling. Their first point of contact is likely to be with the Council's Planning Services. Within this the Development Control function will make a major contribution in implementation of the Plan's policies and proposals by determining planning applications in accordance with the Plan, unless material considerations indicate otherwise (see paras A4.21- A4.23) in an efficient, effective and open way. This requires the needs of all participants to be fairly considered. To achieve this, the Service will provide guidance and advice with the aim of overcoming difficulties through discussion and negotiation wherever possible. Paragraphs A1.5 - A1.7 already explain that a range of policies are likely to be applicable to consideration of a proposal. To assist applicants in addressing relevant issues a list of policies is found in the front of the Plan and planning staff can also provide advice.

A4.4 The Council supports the general principles of the Local Government Association 'Planning Concordat' which sets out the roles, priorities and responsibilities of the Local Government Association, the voluntary and business sectors in the planning process. This demonstrates the Council's commitment to improve the planning service it provides.

A4.5 The Development Team approach, introduced by the Council in 1999 assists in this by providing an opportunity for would-be applicants to be advised on the acceptance of more complex proposals before submitting planning applications.

Conditions and Planning Obligations

A4.6 In granting planning permission or in negotiating with developers, the Council may seek to secure modifications or improvements to the proposals submitted for approval. Permission may therefore be subject to conditions necessary to ensure conformity with planning policies thus enabling the development to go ahead.

A4.7 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. Planning obligations are either legal agreements between the landowner and local planning authority or undertakings by the developer. Whilst generally conditions are used in preference to obligations, the latter may be particularly relevant in circumstances where financial contributions are sought, where infrastructure or land is to be transferred to the local authority, where the developer is not the owner of the site or to achieve environmental mitigation and/or gains.

A4.8 Planning obligations may address a range of issues e.g. transport related matters; provision of community, recreational or sports facilities; affordable housing; measures to safeguard and enhance the natural and built environment; ensuring balance of uses in mixed-use development; and phasing of proposals. However, their use must be necessary, relevant to planning, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other respects.

A4.9 A range of policies and proposals in the Local Plan require that certain provisions are made in connection with various types of development including:

- transport improvements

- affordable housing
- community and recreational facilities
- educational facilities
- environmental enhancement

A4.10 Such requirements are not confined to large developments, as in a geographical area a series of small developments may generate as much need, say for transport improvements or community and recreational facilities, as a single large development.

A4.11 Planning obligations will therefore be sought, not on the basis of size of development, but on whether the development generates a demonstrable need for infrastructure facilities or services that cannot be secured through conditions. This may be by the developer making such provision, or by contributing to provision of new or improvement of existing facilities. The Council will publish supplementary planning guidance in respect of the levels of contribution which may be sought according to the characteristics of the development. Policy IMP.1 below sets out circumstances in which it will be appropriate for the Local Planning Authority to seek planning obligations. The policy should be read in conjunction with the other policies in the Plan and complement them.

POLICY IMP.1

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

- i) where a particular form of development is required to comply with policy; or***
- ii) to provide compensatory provision for what is lost or damaged as a result of the development; or***
- iii) to mitigate an otherwise unacceptable impact of the development on local facilities***

and infrastructure; or
iv) to overcome any other identified harm which would make the development otherwise unacceptable.

Information to Determine Planning Applications

A4.12 In order to determine applications in an effective and efficient way and to assist in meeting Government targets on deciding planning applications in 8 weeks, it is essential that applicants play their part by providing relevant information in support of the proposal.

A4.13 This will vary from case to case. For certain types of development likely to have a significant effect on the environment by virtue, inter alia, of their nature, size or location, applications for planning permission may need to be accompanied by an Environmental Impact Assessment (EIA) prepared in accordance with the requirements of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999.

A4.14 For most applications an EIA will not be necessary, but there is a range of other information and assessments that may be required and applicants should consult at an early stage with the Council in order that these can be submitted as soon as possible. In addition to the basic information other information may be required including:

- Design Statement - setting out design principles, considering landscape issues and the wider context of the development.
- Transport Assessment – setting out modal split of journeys; measures to improve access by public transport, walking and cycling; and measures to reduce the number and impact of motorised journeys.
- Archaeological Assessment and evaluations - an initial assessment

of whether a proposed development site is likely to contain archaeological remains. Where important remains exist, the applicant should arrange for an archaeological field evaluation.

- Landscape and Visual Assessment - an assessment of the impact and potential impact of the development proposal on landscape interests.
- Nature Conservation Assessments - to include ecological surveys and impact assessments.
- Land Contamination and Stability Assessments - setting out the nature of problems and the remedial measures required.
- Waste Audit - setting out an estimate of type and quantity of waste generated and methods for reduction and re-use.
- Noise Assessments - setting out the noise environment created by the development, or that the development will be exposed to, and measures for mitigation.
- Air Quality Assessments, particularly within or adjoining 'Air Quality Management Areas' (AQMA's) - setting out the impacts created by the development or that the development will be exposed to.
- Arboricultural Impact Assessment - an assessment of the impact and potential impact of the development on trees and woodland interests.
- Details of foundations and other underground works where the development might affect the flows of underground water associated with Bath's hot springs.
- Flood risk and drainage assessment - to include consideration of the use of Sustainable Drainage Systems (SuDs).

A4.15 Where such information is relevant to the application but not provided, it may result in delays in the determination of the application. In some cases, in the absence of the information, the Council may be more

likely to conclude that the development would cause demonstrable harm to interests of acknowledged importance, resulting in the refusal of the application.

Supplementary Planning Guidance (SPG)

A4.16 To provide more detailed guidance on the way in which the policies in the Plan will be applied in particular circumstances or areas, the Council will be preparing, sometimes in partnership with other organisations, a range of supplementary planning guidance (SPG). These will assist in the process of implementation of the Plan and provide useful guidance to applicants.

A4.17 They do not form part of the Plan, but once approved they will be a material consideration in determining planning applications. They may take the form of design guides, development briefs or supplement other specific policies e.g. on village design, landscape, archaeology and affordable homes provision. Their preparation will be subject to public consultation.

A4.18 The Secretary of State has made it clear that he will give substantial weight to properly prepared SPG provided it is consistent with the Plan policies and it is not being used to circumvent statutory Local Plan procedures by the introduction of new policies and proposals.

Existing Supplementary Planning Guidance

A4.19 Current SPG already prepared is as follows:

- Walcot Street Works (1997)
- Larkhall Character Statement & Development Principles (1998)
- MoD Foxhill Development Brief (1998)
- External Lighting (1997)
- External Building Materials
- Cherishing Outdoor Places (1994)
- Mendip Hills AONB - New Farm Buildings (2001)
- Paulton Village Design Statement 2001
- Peasedown St. John Village Design Statement (2001)
- Advertisements & Illuminations (1998)
- Policy Notes for Bath 1-11 (1993-1996)
- Sawclose Planning Guidance Note (1996)
- Bath Western Riverside SPG (2003)
- Rural Landscapes of Bath & North East Somerset: A Landscape Character Assessment (2003)
- Chew Magna Conservation Area SPG (2003)

Future Supplementary Planning Guidance

A4.20 The following SPGs are being considered for future publication:

- Design Guide including importance of the public realm
- Development Briefs on general development sites
- Conversion/re-use of upper floors of commercial properties e.g. design, parking etc
- Care and repair of Historic Buildings
- Development Control guidance for waste management sites
- General Archaeological Guidance
- Bath, Keynsham, Norton-Radstock and Chew Magna Archaeological Guidance
- Site of Nature Conservation Interest designation criteria
- Farm diversification
- Protection of biodiversity within new development
- Affordable Housing
- Conservation Area Appraisal Guidelines
- Parking standards
- Public Realm Strategy
- Radstock & Midsomer Norton Streetscape Strategy
- Developer contributions
- Tree and Woodland Action Plan
- Trees and development guidelines
- Planning & the Forest of Avon - A Guide for developers
- Commercial riding establishments.
- Other village design statements
- Others as identified

Flexibility in a Plan Led System

A4.21 The Government is committed to a plan-led system of development control. This is given statutory force by section 54A of the 1990 Act. Where an adopted Local Plan contains relevant policies, section 54A requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise. Conversely, applications which are not in accordance with relevant policies in the Plan should not be allowed unless material considerations justify granting a planning permission.

A4.22 Material considerations give flexibility to the plan led system, enabling up to date or changing information and circumstances to be taken into account. They may be particular planning circumstances or factors relevant to the proposed development, it may be new Government planning guidance or legislation or advice from other Government agencies such as English Heritage or the Countryside Agency.

A4.23 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.

2) ACTION BY THE COUNCIL

Introduction

A4.24 Part 1 of the Local Government Act 2000 introduced a new discretionary power to local authorities to enable them to promote or improve economic, social or environmental well-being in

their area. The aim is to encourage innovation and closer joint working between local authorities and their partners to improve communities' quality of life.

Promoting Development Projects

A4.25 The Council has already embarked on a number of projects, concentrating its resources to help achieve this objective. Many of these projects have influenced the content of the Plan and will be key in the implementation of its policies and proposals. This has involved working in partnership with other organisations, such as the Environment Agency and the South West Regional Development Agency. These are set out below:

Western Riverside, Bath

A4.26 The part-derelict former industrial area of Western Riverside covering an area of about 35 ha is the subject of major proposals to create a vital and viable place which reconnects the urban fabric of Bath and offers a high quality residential and employment environment and reinforces the World Heritage status of the City. This brownfield site will provide the location for a significant part of the housing requirement of the District and for considerable work opportunities served by good transport links.

A4.27 The Council is actively promoting the comprehensive regeneration of this site in partnership with a Master Developer Partner, the South West Regional Development Agency (SWRDA), the landowners and local groups. A Supplementary Planning Document (SPD) has been produced outlining the key principles and land-use planning requirements in redeveloping the site. It is envisaged that this SPD will provide the framework for a Masterplan.

Southgate, City Centre, Bath

A4.28 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. It will make an important contribution to meeting Local Plan objectives providing 35,000 sq.m. of modern retail floorspace, leisure facilities, residential uses and a more efficient transport interchange. The scheme is now under construction.

Bath Spa

A4.29 The Bath Spa Project was a £21 million project funded by the Millennium Commission, Bath & North East Somerset Council and a private sector investor/operator. The Project involved the restoration of five listed buildings and the construction of a new, contemporary style Spa building. The heritage buildings include the Hot Bath – considered to be one of Europe's most important existing Georgian spa buildings, and the Cross Bath – a Grade 1 listed 18th century spa bath and pump room. The new Spa will create jobs – some 60 direct and up to 200 indirect – and additional income in the local economy. It is estimated that, in all, the Spa will generate local revenues of at least £3.8m per annum and £5.4m spend locally.

MoD Foxhill, Bath

A4.30 Restructuring of the Ministry of Defence requirements for accommodation in Bath led to the Council being awarded Konver funding in 1997 in order to prepare a Development Brief for the site at Foxhill. The proposals for a mixed-use development on this 19 ha site contained in the resultant development brief are now incorporated into this Local Plan.

Norton-Radstock Regeneration Schemes

A4.31 A successful bid through the Single Regeneration Budget was made in 1996 by the Norton-Radstock

Regeneration Partnership. An award of £2.9 million to carry out a number of projects will attract further funding from private and other sources giving a total of around £12 million. Part of this funding is to be used to enable the regeneration of former railway land in the centre of Radstock in accordance with Policy GDS.1. A planning application was submitted in August 2006 for the railway land. Other initiatives will improve the environment of Midsomer Norton town centre.

A4.32 Much of the former coal mining town of Radstock was designated a Conservation Area in 1999. Since then a Heritage and Economic Regeneration Scheme has been approved for the area. The grant aid has encouraged improvements to shopfronts in the town centre and contributed to the repair and re-use of historic buildings.

A4.33 Norton-Radstock and surrounding parishes have also attracted funding from the SWRDA Market and Coastal Towns Initiative for the South West. This initiative will provide investment for communities to help them plan their future and build skills. It will provide a 'gateway' to funding programmes to make things happen such as provision of affordable housing, workspace, community transport and High Street improvements.

Combe Down Stone Mines, Bath

A4.34 The Council has attracted a £1.7 million grant funding toward investigating the problem of abandoned stone mines in the Combe Down area of the City and to find appropriate measures to deal with it. The DTLR funding is for phase 1 of a 7 year programme and further funding will be sought to resolve the problems. It will contribute to meeting Local Plan objectives and policies on securing a safe environment and remediation of unstable land.

Bath Community Partnership SRB Funding

A4.35 Early in 2000, the Bath Communities Partnership was formed to make a bid to the Government's Single Regeneration Budget, Round 6 on behalf of the neighbourhoods and communities in the City with greatest needs. It now has a wider agenda to work together for the benefit of Bath communities. The Partnership brings together local community groups and voluntary organisations with the Council and all the other main agencies who provide services to local people. It aims to create an effective working partnership between the public, private, voluntary sector and community organisations working for the regeneration of neighbourhoods and communities in Bath. It will provide the basis for seeking future regeneration funding contributing to meeting Local Plan objectives.

Kennet and Avon Canal

A4.36 The Council contributes to the Kennet and Avon Canal Partnership, formed to restore the structure of the Canal with Heritage Lottery Funding. After completion of the major works in 2003 the Council will continue to contribute towards its ongoing maintenance and enhancement meeting Local Plan objectives on recreation, tourism and the environment.

Forest of Avon

A4.37 The Forest of Avon Community Forest initiative, financially supported by the Council, has been established around Bristol and its surrounding towns and villages. It promotes the creation, regeneration, and multi-purpose use of well-wooded landscapes, providing wildlife and amenity benefits and opportunities for economic diversification. It can assist in improving the quality of the urban fringe and enable more people to enjoy the countryside close to home.

Biodiversity

A4.38 The Council has played a key role in initiating the "Wild Things"

Partnership which is implementing the Biodiversity Action process for the Bath & North East Somerset area. The Partnership, launched in November 2000 will co-ordinate the activity of a wide number of environmental groups within the area, focusing on a priority list of locally important habitats and species. With the support of English Nature the Council also provides small grants for Biodiversity projects.

Environmental Partnerships

A4.39 The Council is also a key partner in a number of environmental partnerships which extend beyond the Bath & North East Somerset area i.e. Forest of Avon, Cotswolds AONB, Mendip Hills AONB and the Avon Valley Partnership. These initiatives provide a co-ordinated framework for tackling environmental and quality of life issues, drawing in funding from outside sources including the Countryside Agency and the Forestry Commission. The Cotswolds AONB has recently attracted almost £1.5m from the Heritage lottery fund for a variety of projects.

Council Environmental Grants to Voluntary Organisations

A4.40 A Programme of Grants to voluntary bodies also assists in the implementation of the Local Plan's objectives. Grants are available to groups, for example, who carry out environmental and heritage projects of benefit to their local community.

MONITORING

A4.41 As indicated in PPG12, the Plan needs to be kept as up to date as possible with a review at least every 5 years. The timing of the review will depend upon how effectively the Plan is functioning in achieving its objectives and whether changes in national, regional or strategic policies have a significant bearing on the Plan's overall strategy and its detailed policies and proposals.

A4.42 In order to measure if the Plan is making progress in achieving its objectives, targets and indicators are

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identified. These will provide a consistent basis for monitoring the Plan and help inform whether a review is needed and its timing.

A4.43 Those identified can be readily measured but do not cover every aspect of the Plan's objectives. Further targets and indicators may be identified and used during the Plan period.

Living and Working: Targets and Indicators Relating to Key Local Plan Objectives L.1 – L.14

| | Target | Indicator |
|-----|---|--|
| 1. | Development of all allocated employment land within the Plan period. | Proportion of allocated employment land development within the Plan period. |
| 2. | To maintain representation of independent stores and national/regional multiples in Bath City centre, Keynsham and Midsomer Norton town centres. | Changes in representation of type of retailer. |
| 3. | Reduce shop vacancy rate in City and town centres. | Vacancy rates (number of vacant units as a percentage of all shop units). |
| 4. | No loss of A1 shop units in primary shopping frontages at City and town centres. | Loss of A1 shop units in primary frontages. |
| 5. | No loss of A1 shop units in district, local and village centres. | Loss of A1 shops in district, local and village centres. |
| 6. | Make provision which will deliver 6,855 additional dwellings within the Plan period. | Dwelling planning permissions and completions. |
| 7. | 35% of affordable homes provided on all sites of 0.5 ha. or more, or with 15 or more dwellings in Bath, Keynsham, Norton-Radstock, Paulton and Peasedown St. John and on all sites of 0.5 ha or more, or with 10 or more dwellings in other villages. | Number of affordable homes built or with planning permission as a proportion of the total. |
| 8. | Enabling of rural exceptions schemes for affordable homes | Number of rural exceptions schemes for affordable housing. |
| 9. | Recycle/compost at least 50% of household waste by 2009/10. | Number and capacity of materials recovery facilities and composting facilities (Targets 9 - 11). |
| 10. | Recover value from 40% of municipal waste by 2005 and 45% by 2010. | |

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| | | |
|-----|--|---|
| 11. | Reduce landfilling of biodegradable household waste to 75% of 1995 levels by 2010. | industrial/commercial and construction/demolition wastes deposited at disposal facilities (Targets 9 - 11). |
|-----|--|---|

Environmental Assets: Targets and Indicators relating to Key Objectives E.1 – E.6

| | Target | Indicator |
|-----|--|--|
| 12. | No net loss of area of designated nature conservation sites as a result of development | Net change to area covered by designated nature conservation sites over Plan period as a result of development |
| 13. | 50% of new dwellings on previously developed (brownfield) land. | Number of new dwellings completed on brownfield sites. |
| 14. | Number of planning permissions granted contrary to the advice of the Environment Agency | Amount of new development permitted in Environment Agency defined floodplains. |
| 15. | No archaeological remains of national importance will be adversely affected by development during the Plan period. | The number of planning permissions which allow harm to be caused to archaeological remains of national importance. |
| 16. | Increase number of City, Town or Village Design Statements (V.D.S.) to be undertaken. | Total number of Village Design Statements. |

Access: Targets and Indicators Relating to Key Objectives T.1 – T.4

| | Target | Indicator |
|-----|--|---|
| 17. | 80% of new homes on large sites built within 400 m. of a bus stop with reasonable service and within 600 m. of food shop and primary school. | Proportion of new homes on large sites built: (a) within 400 m. of bus stop with adequate service*; and (b) within 600 m. of food shop and primary school. <i>* reasonable bus service frequencies =</i> - 4 buses/hour in Bath - 2 buses/hour in Keynsham and Norton Radstock - 1 bus/hour elsewhere |
| 18. | Increase in the number of travel plans to 100% for schools and 25 for major employers by 2011. | Number of Council approved school and major employer travel plans. |

A5. DESIGN AND URBAN DESIGN

INTRODUCTION

Background

A5.1 The aim of this section of the Local Plan is essentially about place making. Ensuring that we make better places, and make existing places better. Better places are not just for those people who live or work in those places, but for the wider community that will use or experience them.

A5.2 Wherever development takes place, it should be of high quality, and of benefit to the area in which it is located. The intention is that development should enhance the environment in which it occurs, whilst contributing to meeting the needs of the locality and wider region.

A5.3 Design issues need to be considered carefully by those submitting planning applications. The policies in this section will cover the fundamental aspects of design that need to be taken into account.

A5.4 Supplementary Design Guidance will therefore be produced to support the policies in this section, and to explain in greater detail the approach to be adopted.

Design and Urban Design

A5.5 Design has relatively recently become a much more central feature of the planning system, with a more proactive stance now advocated in Planning Policy Statement 1 (PPS1) which supersedes Planning Policy Guidance Note (PPG1). In particular there has been an increasing emphasis on the importance of urban design in the planning system.

A5.6 The visual appearance of buildings is a very important planning consideration. However, in the determination of planning applications it is one that has tended to dominate the whole concept of design. There are

broader aspects such as landscape design, how a development responds to landscape, and an ecological or environmental view of design and how a site is organised, for example, in terms of traffic, access, and mix of uses. These aspects are included in a much broader and inclusive view of design: urban design.

A5.7 Urban design is about how places look, the relationship between buildings and spaces, and the places that they create, and about how people use places; how they work. Good urban design is also about the *process* of making places. PPG1, which underpinned the formulation of this chapter, states that:

'urban design should be taken to mean the relationship between buildings and the streets, squares, parks, waterways, and other spaces which make up the public domain; the nature and quality of the public domain itself; the relationship of one part of a village, town or city with other parts; and the patterns of movement and activity which are thereby established: in short, the complex relationships between all the elements of built and unbuilt space.'

A5.8 An important aspect of urban design is that it is a term with just as much relevance in a small village such as Hinton Charterhouse or Temple Cloud, to larger settlements such as Bath or Keynsham. It is principle based rather than standard based, and therefore applicable to all development situations.

Policy Objectives and Themes

A5.9 This section of the Plan is organised so that the broader issues are considered before the detailed issues. This is a fundamental approach. There is little point in considering the detailed designs of a scheme, if the broader issues have not been fully explored.

A5.10 The urban design objectives provide the basis for the subsequent policy themes. They provide a broad and overarching context for development in the whole of Bath and North East Somerset. It must however be recognised that places within the District are different, and that the essential differences between them will be their character. It is only by responding appropriately to character that development proposals will be successful in achieving planning permission.

A5.11 Secondly, and in order for high quality design to be achieved, the section is divided into the following policy themes:

- Character - provides a basis for ensuring that development maintains or enhances the character of areas within the District.
- Public Realm - focuses on the space between buildings and how such spaces appear and are used.
- Townscape - focuses on the physical response to character;

from how a development responds to its environment to detailed issues of building design.

A5.12 Overarching these themes will be the requirement to submit a design and access statement with certain types of planning applications and consent (see para A5.71).

A5.13 The following objectives have been taken from the Government's publication 'By Design - Urban Design in the planning system: towards better practice' published in 2000. They provide the context and framework for thinking about urban design. Good urban design will not be achieved by the blind application of standards or specifications, but by a greater understanding, appreciation and application of these urban design objectives. The policy themes that follow take these objectives forward and provide greater clarity and certainty as to what types of development will be permitted in Bath and North East Somerset.

Urban Design Objectives

| | |
|--|--|
| Character A place with its own identity | <i>To promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development, landscape and culture.</i> |
| Connectivity A place that is easy to get to and move through | <i>To promote accessibility and local permeability by making places that connect with each other and are easy to move through, putting people before traffic and integrating land use and transport.</i> |
| Continuity and Enclosure A place where public and private spaces are clearly distinguished | <i>To promote the continuity of street frontages and the enclosure of space by development which clearly defines private and public areas.</i> |
| Quality of the public realm A place with attractive and successful outdoor spaces, incorporating public art | <i>To promote public spaces and routes that are attractive, safe, uncluttered and work effectively for all in society, including disabled and elderly people.</i> |
| Legibility A place that has a clear image and is easy to understand | <i>To promote legibility through development that provides recognisable routes, intersections and landmarks to help people find their way around.</i> |
| Adaptability A place and buildings that can change easily | <i>To promote adaptability through development that can respond to changing social, technological and economic conditions.</i> |
| Diversity A place with variety and choice, within sites and within close proximity | <i>To promote diversity and choice through a mix of compatible developments and uses that work together to create viable places that respond to local need.</i> |

CHARACTER

A5.14 How development responds to character is an overriding principle in relation to design in Bath and North East Somerset, and needs to be a prime consideration when seeking to fulfil the other policies in this Plan.

A5.15 This approach has been derived from best practice and the characterisation approach adopted in the Joint Replacement Structure Plan, where the character and distinctiveness of settlements and their settings are to be protected and enhanced.

A5.16 In relation to character, the difficulty can lie in judging what aspects of character are of particular value. It is clearly inappropriate for development to reflect the character of a place that is not of particular value. Being 'in keeping' or reflecting the context of a place is therefore not necessarily enough and can be a counter productive approach to achieving high quality and innovative design solutions.

A5.17 The character of Bath and North East Somerset is rich and diverse. Varied landscapes include the Cotswolds, the Mendip Hills, and the Avon Valley. Building materials are typified by white lias limestone in the Norton-Radstock area, the use of Bath stone around the City, with sandstone in the Chew Valley and Mendip areas. How the landscape and buildings relate to each other is also an issue, with developments responding to their topography in different ways. There are many issues that relate to character, including social activity and economic function.

A5.18 In some cases character assessments or Village Design Statements such as for Paulton and Peasedown have already been prepared. Applicants should respond to such documents in the preparation of their development proposals.

A5.19 Where development is proposed the positive and negative characteristics of the site and the local

context must be analysed in order to determine their special qualities. These should then be reflected in the design proposed. These features could be an existing tree or other landscape feature, or the pattern of streets, views, building heights or materials used.

A5.20 The design should then reinforce and evolve local characteristics that are of particular value. Innovative solutions may be as characterful as more traditional designs, and can make a greater contribution to the ongoing development of our settlements. Local characteristics considered poor in terms of design and which undermine the overall character of an area should not be used as a precedent, for example buildings that back onto roads.

DESIGN AND PUBLIC REALM

Introduction

A5.21 The public realm is all space to which the public has ready physical and visual access. It includes all streets and roads, be they distributor roads or quiet lanes, public spaces, green spaces, private gardens, squares, footpaths, and parks.

A5.22 This policy theme outlines a number of fundamental issues concerning the public realm, followed by a criteria based policy. All of these issues will be expanded upon in Supplementary Design Guidance.

Connectivity - layout

'Connecting a development to the rest of the town or city is a key priority in designing successful urban form. This is as relevant to new settlements and settlement extensions as it is to the regeneration of existing areas ...'

Source: Towards an Urban Renaissance

A5.23 The places in which we live and work are inextricably linked with other places within the same street, village, city or region. New developments need to become part of the settlement in which they are built, used by people

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that already live there, as well as the new residents, occupiers, and visitors.

A5.24 To make new developments that successfully integrate with their wider context, they need to be visually and physically connected to the place in which they are located. They should therefore be physically knitted into their surrounding environment, with as many safely designed access points as possible.

A5.25 The more direct the route and the greater the number of connections, the more integrated a development is likely to be. Existing and potential pedestrian and cyclist desire lines should be taken into account.

A5.26 A connected environment helps reduce the need to travel by providing for a greater choice of routes, and ensures that local facilities are more easily available to a greater number of people. Additionally, such a layout for development encourages activity throughout an area and contributes to natural surveillance. Whilst highway safety issues are clearly of concern, routes used by vehicles as well as pedestrians and cyclists tend to be more secure environments than segregated routes. They provide a focus of activity with different users.

A5.27 The need to respect the public realm is paramount in the consideration of all new development proposals: the creation of places and spaces should guide the layout of the built form. This can also influence the flow and density of traffic, whilst creative traffic management schemes and shorter streets can help to reduce traffic speeds.

A5.28 Where necessary and in order to achieve the objectives of greater connectivity the Council's Compulsory Purchase Powers may be used to help achieve land assembly.

Positive relationships - layout

A5.29 All new development should have a positive relationship at street level for pedestrians. This is normally

achieved with buildings facing onto streets with entrances and main habitable rooms orientated towards, and clearly visible from, the street. This maximises activity and overlooking of the public realm. There also needs to be a clear distinction between the public realm and private space.

A5.30 Blank elevations fronting onto the public realm should be avoided. This includes all roads within and surrounding development sites. Where highway or safety concerns seek to limit the number of access points onto roads, then parallel access roads or traffic calming measures should be considered in order to ensure that a positive relationship to that road is achieved.

A5.31 In applying this approach account must be taken of the character of an area. There may be circumstances where the dominant characteristic is that buildings are set back, with high walls or a dense landscaped frontage to the street. In such circumstances, and where these dominant characteristics are particularly valued, the aim of overlooking of the public realm may be less of a priority.

Density

A5.32 A development site with existing or potentially high levels of public transport accessibility and close proximity to local facilities will make a greater contribution to the sustainability and urban design objectives of the Plan if built at a higher density. A site in a rural location where perhaps there is limited access to local shops or public transport will benefit much less from being built at a higher density, and other factors are likely to be of greater relevance.

A5.33 The character of an area should take precedence over the desire to maximise density.

A5.34 For specific allocated sites where planning briefs are to be prepared, more detailed information will be

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provided regarding the densities required (see Policy GDS.1).

Mixed uses

A5.35 The creation and safeguarding of mixed use environments is one of the three Government themes (the others being design and sustainability) that underpin their approach to the planning system, as outlined in PPS1. Whilst encouraging mixed use development, attention needs to be paid to the needs of the location and issues of character, residential amenity, security, and reducing the need to travel. Variety in the size and specification of office or workshop developments, and variety in the tenure, type and size of residential properties, is also of particular importance.

A5.36 Proposals should respond to the local context, either by increasing the existing mix of uses in an area, or by introducing a mix in an otherwise single use area, where this is seen as appropriate and deliverable. Proposals should not reduce the existing mix of an area.

A5.37 In encouraging mixed uses the Council will promote the mixing of uses within buildings, for example with offices or residential over retail premises, see Policy HG.12. Such an approach is an effective way of achieving mixed uses in the implementation of development proposals.

Car Parking

A5.38 In order to reduce the impact of parking on the character of an area, the built form needs to be considered first, with roads and parking fitted into the spaces created. In order to create valued places, a flexible approach to the location of and requirement for car parking provision is necessary. Further information is provided in PPG13 and PPG15.

A5.39 Different approaches will be required in residential and non-residential developments, and further

information is contained in the Access chapter where locational aspects are explored in more detail. The following paragraphs relate to residential car parking.

Residential Car Parking

A5.40 The provision of individual on-plot parking spaces can limit the range of built forms and layouts that can be created, and should only be provided where a satisfactory design solution can be achieved. A mixture of locations for parking, including on-street, allows for far greater flexibility in building form and layout, enabling the creation of attractive places to live, and to pass through. On-street parking can also encourage 'eyes on the street', enhancing the natural surveillance of, and activity on, the public realm. On-street parking should only be encouraged where highway design means that it can be safely accommodated.

A5.41 Small parking courts that relate to particular development proposals can be a useful way of accommodating cars. For security reasons and to avoid over-dominating views, there should generally be no more than 10 spaces in a parking court. The parking court should be designed so that it is properly overlooked from most or all of the development that it serves. The inclusion of dwellings within parking courts can assist in natural surveillance and therefore security levels.

A5.42 PPG3 required local authorities to "place the needs of people before ease of traffic movement in designing the layout of residential developments" and to "seek to reduce car dependence by facilitating more walking and cycling, by improving linkages by public transport between housing, jobs, local services and local amenity, and by planning for "mixed use". PPS3 makes reference to the "contribution to be made to cutting carbon emissions from focusing new development in locations with good public transport accessibility and/or by means other than the private car ..."

A5.43 More information on parking standards and accessibility issues in general is contained in the Access chapter.

Community Safety

A5.44 The design of our built environment can be a determining influence on the occurrence of crime, and on the more widespread problem of fear of crime. An appropriately designed environment will enhance feelings of well being and instil a sense of ownership and of care. It is important to recognise that well designed environments should not make strangers feel excluded, and such a fortress approach, is not endorsed. This works against the need to create connected places, and strangers provide the informal surveillance necessary to deter the occurrence of crime. Creating a clear distinction between public and private spaces, where buildings front onto public space, is one of the key measures to deter crime and to help create feelings of community safety.

A5.45 Many issues concerning community safety, such as achieving natural surveillance and positive relationships in layouts, have been addressed in the preceding paragraphs. It is no coincidence that attractive and well designed environments are also places where people feel safe, and the opportunities for crime to occur are reduced. Achieving community safety requires an integrated approach, not one that only seeks a bolt on solution. Bath & North East Somerset and the Police are committed to reduce the impact of crime by ensuring that all development proposals have satisfactorily sought to design out crime.

A5.46 Circular 5/94 'Planning out Crime' (now superseded by PPS1) states that crime prevention is capable of being a material consideration in determining planning applications. The 'Secured by Design' Police initiative is also an important consideration, and dialogue will take place on relevant planning applications between the local

planning authority and the Police's Architectural Liaison Officer.

Council Initiatives

A5.47 The Council is currently involved in a number of important initiatives throughout the District, and will instigate more throughout the Plan period. Examples are many and include the preparation of Supplementary Planning Guidance, Character Assessments, as well as the emerging Public Realm Strategy for Bath, the Norton-Radstock Streetscape Strategy, the Landscape Character Assessment, the Biodiversity Action Plan, the Public Art Strategy, and the World Heritage Site Management Plan.

A5.48 It is important that development proposals take account of the objectives of these initiatives.

POLICY D.2

Development will only be permitted if:

- a) schemes are well connected to their surroundings and, where appropriate, it is easy and safe to move through the development site;***
- b) the character of the public realm is maintained or enhanced and the development is of high quality design;***
- c) buildings relate positively to the public realm, and a clear distinction is made between the public realm and private space;***
- d) car parking and access roads do not dictate the design of the development, nor dominate the quality of the public realm;***
- e) safe and secure environments are created for all users of the public realm, where natural surveillance is of a high level; and***
- f) the proposed development will not cause significant harm to the amenities of existing or***

proposed occupiers of, or visitors to, residential or other sensitive premises by reason of loss of light, or increased overlooking, noise, smell, traffic or other disturbance.

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

Public Art

A5.49 The Council's Art Development Strategy is a key initiative to encourage the increased provision of public art throughout the District. Although the provision of public art is voluntary, a key mechanism for achieving this is through the development process.

A5.50 Including the work of artists in the creation and regeneration of the public realm is usually referred to as Public Art. Public Art is not an artform in itself. It comes about where an artist's skill, vision and creativity have been used to enhance the quality of a particular site. Public Art should say something about a particular site, its history, special qualities or the people who inhabit it.

A5.51 Public Art has one consistent quality: it is specific to the site and relates to the context of that site. Other than that it can take as many forms as artists have ways of working.

A5.52 Good quality Public Art adds value to new development and the input of artists can help to deliver other policy objectives in a more creative way. It provides additional benefits to the quality of development schemes, enhancing the attraction to future occupiers and investors. It enhances the quality of buildings, the public realm and people's experience of it. The Art Development Strategy contains advice and information on how to achieve public art.

A5.53 To achieve the best quality public art, it is important that a public

artist is engaged at an early stage in the development and design process, rather than public art being seen as an add on.

TOWNSCAPE

A5.54 Townscape policies generally differ from those for the public realm in that they relate more to the visual aspects of development rather than the more functional public realm issues.

A5.55 Townscape acts at a variety of levels, from the way a development responds to the landscape in which it is placed, to how a building's size may contrast with its neighbours. It is about how a development physically and visually responds to its context. The townscape approach is the mechanism to achieve the desire to maintain and enhance the character of an area. It should also be recognised that the quality of the townscape and landscape varies within the District and as such it is important that new development should complement what is attractive and should improve on what is poor.

A5.56 Whether new development respects or contrasts with local character can only be determined on a site by site basis when contextual issues can be taken into account. Existing policy documents will provide useful information about the character of the District, one example being the 'Landscape Character Assessment' (see para C2.7).

Townscape:

- Considers the wider context and immediate setting. The role of development in relation to location, landmark or background buildings.
- Is concerned with the overall visual relationship of building to context - both its setting and its site.
- Is more than defining building forms and needs to assess public and private spaces and their role in the urban experience.
- Encompasses views, including skyline.

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- Reinforces established patterns of built form, spaces and movement routes.
- Is concerned with how scale and detail should relate to pedestrian movement.

A5.57 Developments need to provide an appropriate response depending on the character of the area in which it is placed. This is a broad issue encompassing many more detailed concerns such as orientation, materials, proportion and scale. For example a corner site could be visually prominent where a more dominant, landmark building could be an appropriate response.

Landscape and Landscape design

A5.58 It is important to ensure that a development responds sensitively to the landscape in which it is placed. The appearance of land includes its shape, form, ecology, natural and man-made features, colours and the way that these components combine. New planting should conserve and/or enhance the wildlife, landscape, amenity, productive and cultural value of an area, in terms of setting, layout and species selection.

A5.59 Landscape design used creatively and as part of the design process should enhance the quality of schemes. It is inappropriate to use planting to hide developments: disguising a building infers it responds poorly to its context. Landscape design also embraces hard material for example for surfacing, structures and walls.

Pattern of streets, buildings and spaces

A5.60 The form and structure of our settlements includes the pattern of streets, blocks, plots, the individual elements of buildings, and the relationships of one to another. The form and structure of places are important aspects of their character. New development should therefore generally reflect the form and structure of surrounding areas in terms of the

pattern of streets, buildings and spaces, and of the development site itself.

A5.61 A thorough analysis of the form and structure of an area should provide a suitable range of design options for new development. For example in regarding the position of a building on its plot, an analysis should determine whether it is most appropriately built directly on the back of pavements, set back behind front gardens, or a combination or range between the two.

Scale, height and massing

A5.62 Scale is taken to mean the size of parts of a building or its details, particularly in relation to the size of a person.

A5.63 Height generally determines the impact of development on views, vistas and skylines.

A5.64 Massing is the combined effect of the arrangement, volume and shape of a building or group of buildings in relation to other buildings and spaces.

Adaptability

A5.65 Places and buildings need to be designed to allow for, and to accommodate, change over time. Buildings originally designed for one purpose will undergo pressure to change to other uses, or simply to be adapted to accommodate a growing family. Buildings should therefore be designed with enough flexibility to allow a new use to be satisfactorily accommodated. It is about providing for developments and layouts that can reasonably be adapted to help meet the demands of future generations.

Appearance

A5.66 The visual appearance of development encompasses many aspects. It includes the craftsmanship, building techniques, styles and lighting of a building or structure. The number and composition of elements on the building's façade, and the contrasting relationships between them, as viewed from near and far, help to determine visual quality and interest.

A5.67 The issue of the visual appearance and style of development is particularly controversial, and is where much debate about the preoccupations and subjectivity of design control is located. It is however, of proper public interest and a legitimate planning concern.

A5.68 The general approach to be taken in Bath and North East Somerset should be a contextual one, where the visual appearance of new buildings responds appropriately to their surroundings. The attractive qualities and local distinctiveness of settlements will be identified in SPG or SPD such as Conservation Area Appraisals and Village Design Statements (see paras A4.19 and A.20). The aim of adopting this approach is to ensure that the valued character of the District is respected and poor environments improved, whilst enabling the use of high quality innovative solutions. Extensions should respect and complement their host building.

Materials

A5.69 One of the common characteristics throughout the District is that its many areas are made distinct by the use of similar materials. Bath is a prime example of this where the same type of stone is used throughout most of the City. This contributes so much to the unity of the City's appearance, and to its character, and is very unusual for a settlement of its size. Most villages and towns also exhibit similar characteristics, and it is important that, for most buildings, the materials used reflect the context. There will be some circumstances where the building proposed may be unusual, be it in its design or use, and where other materials are more appropriate.

POLICY D.4

Development will be permitted only where:

- a) it responds to the local context in terms of appearance, materials, siting, spacing and layout; reinforces or complements attractive qualities of local distinctiveness; or improves areas of poor design and layout;***
- b) landscaping enhances the development and complements its surroundings;***
- c) buildings and layouts are capable of adaptation;***
- d) the appearance of extensions respect and complement their host building.***

THE DESIGN STATEMENT

A5.70 Design Statements demonstrate how schemes have been designed to respond positively to the character of the area in which they are proposed.

A5.71 From August 2006 there is a requirement for design and access statements to accompany applications for certain types of permission and consent. Circular 01/2006 'Guidance on Changes to the Development Control System' provides detailed advice on exemptions to this requirement and on preparing a design and access statement. They should always be clear and precise, avoiding unnecessary waffle or ambiguity, and suitably illustrated to explain ideas with greater clarity.

A5.72 The provision of a design and access statement, if undertaken appropriately, should aid the decision making process and should enable a wider audience to understand the rationale for adopting a particular approach to design and access in relation to a particular proposal.

SECTION B LIVING & WORKING

B1. SETTLEMENT CLASSIFICATION

B1.1 In order to implement the overall strategy, a settlement strategy is proposed which classifies settlements according to their ability to accommodate new development. This is based on an assessment of each settlement's level of and accessibility to a range of services, facilities and employment and the impact development would have on the environment including character, setting, the historic environment and biodiversity. This classification provides the basis for other policies in the Plan on the level and type of development appropriate to different settlements.

URBAN AREAS

B1.2 Joint Replacement Structure Plan (JRSP) Policy 2(a) defines Bath as a Main Urban Area where the general policy is to concentrate development for jobs, housing, shops, recreational and community facilities within and, where it is in accordance with Green Belt policy, immediately adjacent to the built up area.

B1.3 Not all development can be concentrated in Bath. In accordance with JRSP Policy 2(d), the next priority should be those settlements which have significant existing advantages over other locations in respect of public transport access to major employment areas and other important facilities. The Urban Area of Keynsham has good bus links to Bath and Bristol and significant potential to improve upon existing reasonable rail services. It also has a good range of local facilities and services. The town is therefore suitable for significant levels of development. To accommodate this, JRSP Policy 2(l) provides for a change to the Green Belt.

B1.4 The Urban Area of Norton-Radstock does not have the same

level of accessibility enjoyed by Keynsham. Whilst there are good bus services to Bath there is no rail link and accessibility to Bristol is more limited. However it does have good access to a range of local facilities and services 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.

RURAL AREAS

B1.5 Within the rural areas outside Bath, Keynsham and Norton-Radstock there are many villages and hamlets which have varying degrees of accessibility to services and facilities, housing and employment areas. In line with the overall strategy and JRSP locational strategy the overriding objectives for development in these locations are the protection and enhancement of the character of the countryside and its settlements, and the maintenance of economic and social vitality of rural areas.

B1.6 Provided these objectives are met JRSP Policy 2(h) allows within, or subject to Green Belt policies, immediately adjoining settlements, limited development which is appropriate to their character, setting and accessibility to local facilities and employment.

B1.7 Within the context of providing only limited development in rural settlements and in line with PPG3, PPS7 and PPG13, the main focus of development in rural areas should be in those settlements that act as local service centres. These act as focal points for housing and transport and may serve other nearby villages or be the key villages

Chapter B1: Settlement Classification

in settlement clusters where a range of services may be shared. They are defined in the Local Plan as those villages which have a good level of provision of local shops, community facilities and which have reasonable access to major employment areas and other important facilities by public transport.

B1.8 Limited development is likely to be appropriate in these local service centres except in cases where lack of local employment opportunities and Green Belt character, setting and other environmental constraints militate against this. The villages that meet the service and accessibility criteria described in para B1.7, and are not subject to the constraints described in para B1.8, are referred to as R.1 Rural Settlements. They are Bathampton, Batheaston, Bathford, Paulton, Peasedown St John, Saltford and Timsbury.

B1.9 Chew Magna acts as local service centre but environmental and other factors limit development opportunities and it is excluded from R.1.

B1.10 There are a number of other villages included in the R.1 category because, although not acting as local service centres, they do have at least a reasonable provision of local services and reasonable access by public transport to a local service centre, town or city and are not within the Green Belt. These are the villages of Whitchurch, Bishop Sutton, Farmborough and High Littleton. The latter three also contribute to provision of services for village clusters.

B1.11 Clutton and Temple Cloud are also included under R.1 as they are in close proximity and combine to provide a reasonable level of local services and facilities, with a reasonable level of accessibility between them.

B1.12 In so far as development is required to maintain economic and social vitality of rural areas, development will be focussed at R.1 villages.

B1.13 A second category of villages, R.2 Rural Settlements, are those where there is limited provision of and accessibility to local facilities, services and employment. Some also have environmental constraints and therefore development should be more restricted than envisaged within R1 Settlements. This approach will avoid exacerbating unsustainable travel patterns and protect the countryside. Many of these settlements are also covered by Green Belt designation which further restricts development to infilling and these are categorised as R.3 Rural Settlements.

B1.14 There are a number of other villages and hamlets which have very limited accessibility to local facilities and employment and in some cases are very small. The promotion of development in these locations would be contrary to the aims of sustainable development, and increase the need to travel for nearly all purposes. In some cases it would adversely affect the character and setting of the settlement.

B1.15 Policy for development for these villages as for other hamlets and small groups of dwellings together with the open countryside is therefore restrictive.

POLICY SC.1

The following settlement classification applies:

Main Urban Area

Bath

Urban Areas

1. Keynsham
2. Norton-Radstock

R.1 - Rural Settlements:

Bathampton, Batheaston, Bathford, Bishop Sutton, Clutton / Temple Cloud, Farmborough, High Littleton, Paulton, Peasedown St. John, Saltford, Timsbury and Whitchurch.

R.2 - Rural Settlements:

Camerton, Compton Martin, East Harptree, Farrington Gurney, Hallatrow, Hinton Blewett, Ubley and West Harptree.

R.3 - Rural Settlements:

Chew Magna, Chew Stoke, Claverton, Combe Hay, Corston, Englishcombe, Freshford, Hinton Charterhouse, Kelston, Marksbury, Monkton Combe, Newton St. Loe, Pensford, Priston, Shoscombe, South Stoke, Stanton Drew (including Upper Stanton Drew and Highfields), Tunley, Upper Swainswick, and Wellow.

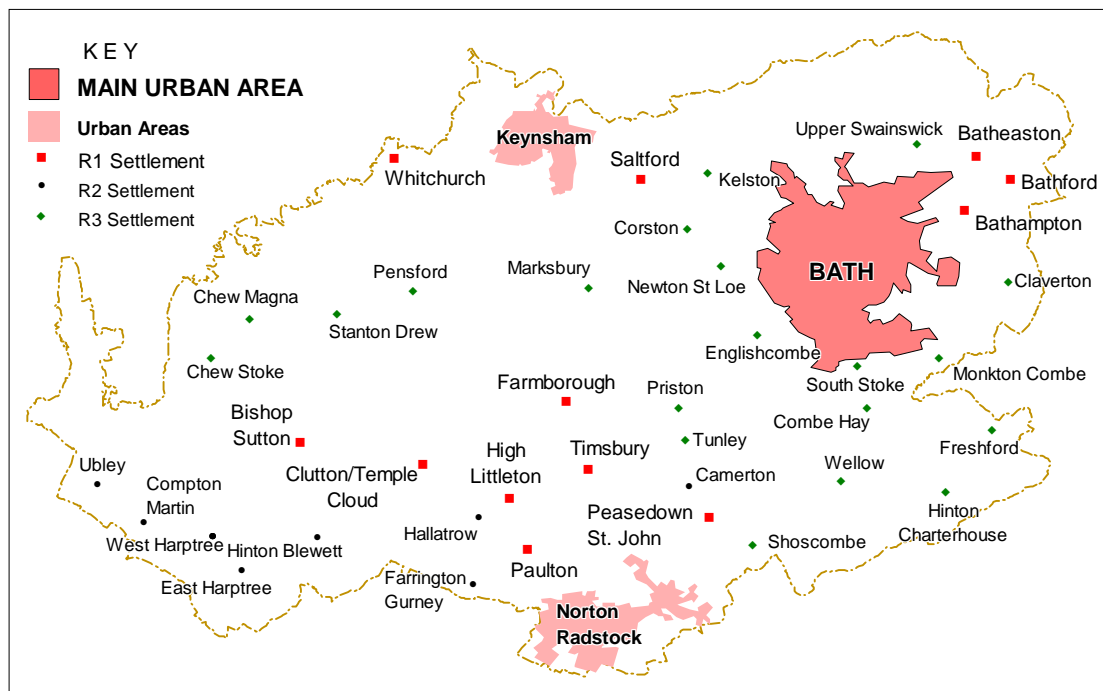


Diagram 4. Settlement Classification

B2. ECONOMY, TOURISM & AGRICULTURE

BACKGROUND

Policy Context

National Planning Guidance

B2.1 As set out in PPS1, a key objective of sustainable development is "the maintenance of high and stable levels of economic growth and employment" (see Overall Strategy section).

Regional Guidance

B2.2 The Regional Planning Guidance (RPG) highlights the potential of the Northern sub-region, within which Bath & North East Somerset lies, to continue as a major focus of economic growth. It anticipates that economic expansion in this part of the region is likely to be above the regional average. At the same time, it emphasises the need to manage development pressures so that the environmental qualities of the South West are conserved, both for their own sake and to underpin the region's attractiveness as a place to live and work.

B2.3 The South West Regional Development Agency has prepared a strategy for the South West which seeks to promote business competitiveness, increase productivity, and address problems of skills shortages, social exclusion and physical decay.

B2.4 The JRSP provides a strategic locational strategy which guides the broad location of employment generating development. Particularly relevant JRSP policies are 1, 2, 6, 30, 31 and 32. The implications for the detailed location and scale of new development are set out in the Overall Strategy section of this Local Plan.

Local Policy Context

B2.5 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:

- Where possible local needs should be met locally, including food production. Local goods and services should be locally branded
- Inward investment should encourage a wide range of sustainable businesses to develop - both industrial and commercial.
- Community enterprises should be encouraged to thrive.
- Sustainable tourism should increase.
- People will recognise their influence on the local economy.

B2.6 The Council has a 10 year Economic Strategy "Towards 2013 - A Thriving Sustainable economy for Bath & North East Somerset" covering the period 2003 – 2013. This framework recognises the continuing high dependence on service sector employment and highlights the need to ensure adequate land and buildings are made available to meet future economic and employment needs in key growth sectors. The strategy has four building blocks underpinned by the themes of sustainability, partnership and inclusion:

- *Business creation and growth:* Supporting the creation of new businesses and promoting sustainable economic growth in key future employment sectors.
- *Community Regeneration:* ensuring that all sections of the community of Bath & North East Somerset can participate in and benefit from the area's prosperity
- *Environment and infrastructure:* Seeking an integrated approach to transportation issues which will meet future economic needs and maintain a high quality of life locally.
- *Skills and Training:* Promoting a lifelong learning culture amongst

employers and the workforce which will address skills shortages in an ageing workforce.

Source: 10 year Economic Plan

The Bath & North East Somerset Economy

B2.7 Within the national and regional context, Bath & North East Somerset has experienced, in recent years, a relatively prosperous and buoyant economy. Unemployment rates are low compared with national and regional rates and there has been considerable demand for commercial space, particularly in the City of Bath. The District's high quality environment is a considerable asset in attracting and retaining employers. It is anticipated that the workforce within the

District will continue to grow over the Plan period.

B2.8 Employment in the District is dominated by the public sector, with over a third of employment being within the public administration, education, defence and health sectors (see Table 1). However, it is not anticipated that there will be significant employment growth in these sectors over the Plan period and the number of jobs in these sectors may even contract. Tourism is also an important provider of jobs with around a quarter of all employment being within the distribution, hotels and restaurant employment sectors. Other important employment sectors are banking, finance and insurance which contribute around 15% of all jobs in the District as does manufacturing.

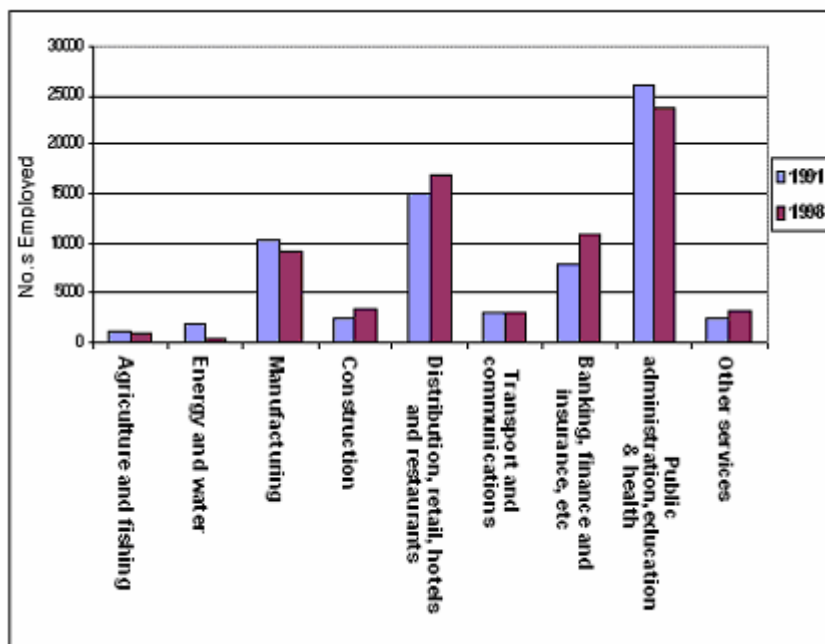


Table 1. Annual Employment Land Survey

B2.9 It is anticipated that the sectors offering greatest opportunity for employment growth over the Plan period are retail, business and professional services and tourism. There is also considerable potential for growth in computing/high technology sectors, particularly generated through the Higher Education sector.

B2.10 The performance of the manufacturing sector is likely to be mixed, with growth in some companies anticipated but overall employment is expected to continue to decline slowly. This has more significance for the southern part of the District which has a greater proportion of its workforce in that sector.

B2.11 As is the case nationally, the health of the agricultural sector has worsened and the considerable decline in farm incomes is masked by the low overall levels of unemployment in rural wards. Agriculture has been a fundamental influence on the character of rural landscapes and its current problems raise long term implications for the appearance of the countryside as well as rural poverty.

B2.12 The overall economic success within the District is not experienced uniformly. Some wards, particularly in Bath but also in Radstock, experience comparatively high levels of deprivation and unemployment (see Diagram 5). Improving opportunities for all to find work is essential in overcoming poverty.

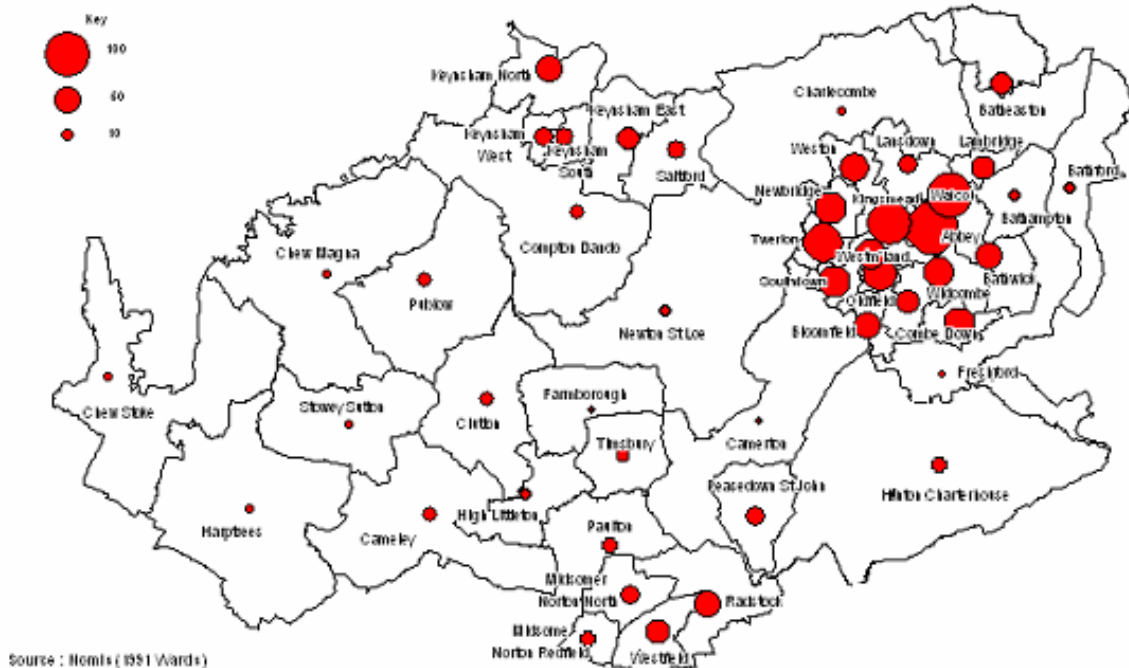


Diagram 5. Total unemployed in Bath & North East Somerset 2001

B2.13 Furthermore, within the District, there is a dependence on a relatively small number of large employers whose local operations are susceptible to national and international decisions. The Local Plan has a key role in ensuring that development land is available for a diverse range of economic activities both in type and size of business.

Travel to Work

B2.14 Bath is the largest employment centre in the District with 45% of all employees in the District working in the City. It also serves as an employment centre for parts of adjoining districts

such as West Wiltshire, Mendip and South Gloucestershire. The RPG and Structure Plan seek to maintain Bath's economic role in line with Government guidance on urban regeneration. Bath has the benefit of being accessible by a range of transport modes including bus and train. Furthermore the local employment opportunities in Bath help maintain local sustainability with 71% of the local workforce finding work in Bath (2001 Census).

B2.15 Bristol also provides a significant source of employment for Bath & North East Somerset residents, particularly from the Keynsham area. Elsewhere in

the District, the towns of Keynsham, Midsomer Norton and Radstock are also employment centres but experience significant levels of out-commuting.

Employment Land Objectives:

B2.16 Based on this strategic and local policy context, the Local Plan's overarching objective for Bath & North East Somerset is to achieve more 'Balanced Communities'. For employment issues in the District, this means ensuring:

- a range of opportunities in terms of size and location are available for employment land development;
- retention and enhancement of opportunities to work locally;
- the economic role of Bath as a major business and employment centre is retained and enhanced;

- sufficient employment land is available in the Norton-Radstock area to enable regeneration and in Keynsham to provide greater opportunities for residents to work locally;
- there are sufficient employment opportunities in rural areas to sustain and enhance economic vitality; and
- land is available and well-located to encourage regeneration.

B2.17 The policies in this section set out the planning policies which seek to achieve these objectives in relation to office and industrial uses. Other policies in the Local Plan also have a considerable impact on the District's economy and employment generation.

Table 2. Business Employment Change and Floorspace Requirements (sq. ms.) 2001-2011

| | Bath | Keynsham | Norton-Radstock | Rural | Bath & North East Somerset |
|--------------------------------------|----------|----------|-----------------|----------|----------------------------|
| Employee Jobs | | | | | |
| <i>Industrial sectors</i> | - 500 | -100 | -400 | - 300 | -1,200 |
| <i>All Office Sectors</i> | 900 | 0 | 100 | 200 | 1,200 |
| Net Floorspace change sq. ms. | | | | | |
| <i>Industrial</i> | - 17,500 | -3,500 | -14,000 | - 10,500 | - 45,500 |
| <i>Offices</i> | 18,000 | 0 | 2,000 | 4,000 | 24,000 |

MAINTAINING A VIBRANT ECONOMY

The general approach to employment land

B2.18 The JRSP does not set out a target requirement for employment land in the District and Policy 31 seeks to limit the release of new greenfield sites for employment development. Consequently the Local Plan's starting point is to concentrate employment-related development on land already

used for such purposes, including development undertaken as part of mixed use schemes, with greenfield employment land released only where necessary.

B2.19 The Local Plan aims to maintain and enhance the economic prosperity of the District by ensuring that sufficient employment land is always available to meet development needs so that a diverse and buoyant economy can be preserved. Employment generating development should take place in locations that best accord with

sustainable development objectives such as reducing the need to travel (through proximity to public transport and potential walking/cycling routes) and moving towards 'balanced communities'.

Forecast changes in demand for employment floorspace 2001-11

B2.20 The Business Location Requirements Study 2003 (BLRS) provides an analysis of local employment trends up to 2011, forecasting market demand for floorspace during the period

2001-11 within the District and its four sub-areas. The study forecasts the need for an increase in office floorspace (B1a & b), mainly in Bath, and a managed reduction of industrial-type floorspace (B1c/B2/B8). These forecasts are incorporated in Policy ET.1 as indicative guidance on the scale of changes which would be appropriate in employment floorspace provision. The Council will carefully monitor progress being made towards these guidance figures as a means of informing future planning decisions.

POLICY ET.1

Employment land: overview

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

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

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

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

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

B2.21 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.

B2.22 Information will be compiled and published annually, cataloguing the net changes in the above types of floorspace resulting from new build developments, redevelopments and changes of use. This information will be used to provide an important input into a plan-monitor-

manage approach to achieving the objectives of this policy, implemented through Policies ET.2 and ET.3 below.

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

B2.23 The Council will seek to work towards the indicative scales of change set out in Policy ET.1 through a mix of new provision, safeguarding of sites defined as core employment sites and the adoption of a criteria-based approach to proposals for change on other existing employment sites (see paragraphs B2.24 to B2.27 below).

New employment floorspace provision

B2.24 The City of Bath is relatively self-contained from the employment standpoint, with 71% 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).

B2.25 Bath is expected to be the main focus of office development. Policies ET.1, ET.2 and GDS.1 therefore make provision for significant new office development in the city. Western Riverside has the potential to provide large capacity extending well beyond the Plan period, and there may also be long term potential at MOD Foxhill, but such schemes are unlikely to be achieved in the short to medium term. In the short term the supply of offices in Central Bath is likely to remain tight as there has been relatively little speculative office development in the past 10 years. It is therefore considered important to safeguard this supply against pressures for changes of use to other purposes until alternative developments become

available. Policy ET.2 therefore defines a Core Office Employment Area in the City Centre within which the loss of office floorspace will be resisted unless certain criteria are met.

B2.26 Keynsham has a high level of out-commuting with more than 63% of its employed residents travelling elsewhere to work in 2001. 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 GDS.1/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.

B2.27 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 2001. In addition, although numbers have fallen in recent years, around 2,700 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 (site NR4). A small site is also allocated at the former sewage works at Welton Hollow (Site NR3) and provision is made for rounding-off Midsomer Norton Enterprise Park (Site NR12). Otherwise there is potential for a mixed use redevelopment at the Welton Bag factory (Site NR14) and in the Coomb End area of Radstock

(Site NR13). There is also potential for new employment development at the printing factory site in Paulton, near Midsomer Norton (Site V3).

B2.28 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 (Site V8), as

described in paragraph C1.44. Office development in the rural areas is likely to be small scale, through conversions, rural diversification and redevelopment of existing sites.

B2.29 The key employment development opportunities described above, both those with planning permission and those allocated under Policy GDS.1 are shown in Diagram 6.

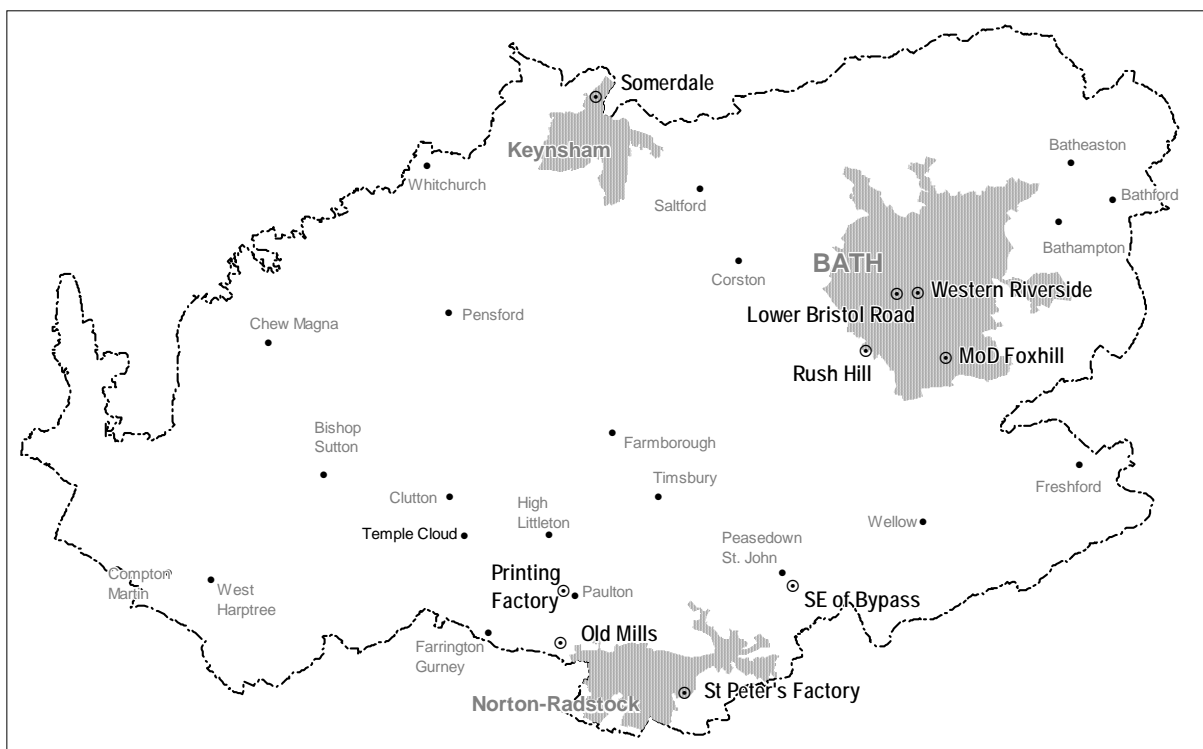


Diagram 6. Major Employment Development proposals in Bath & North East Somerset

Safeguarding Core Business Areas

B2.30 As part of the process of managing an orderly planned reduction in industrial floorspace the Council has identified a number of Core Business Areas based on factors such as their location and environment, the concentration, range and quality of their existing premises, and the scope for further consolidation by development or redevelopment within their boundaries. The Council wishes to safeguard business premises within these areas

against any pressures for redevelopment or change of use to other, often higher value, purposes as an important part of ensuring that there is sufficient accommodation to meet the demands of small and medium scale local businesses and prevent the loss of local employment activities and a possible increase in out-commuting. Policies ET.2 and ET.3 give effect to this.

B2.31 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.

B2.32 Also in Bath, the Lower Bristol Road area has been considered for designation as a Core Business 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.

B2.33 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.

B2.34 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.

B2.35 There is also significant employment in the industrial sector in the rural areas varying from large sites within or adjoining villages such as the printing works at Paulton, to

freestanding industrial estates in the countryside such as Hallatrow and Burnett Business Parks and Clutton Hill Farm. Some result from conversions of buildings formerly in other uses while others are long-established industrial sites. They often provide relatively low-cost premises and make an important contribution to providing employment in rural areas.

Changes within employment sites outside Core Business Areas

B2.36 There is a wide range of premises used for employment purposes outside the Core Business 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.

B2.37 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 500 sq.m. or less. In appropriate circumstances the Council will consider whether it would be right to support mixed use redevelopments providing opportunities for continuing employment, subject to the criteria set out in Policies ET.3 (3) and HG.4.

POLICY ET.2

Office development (class B1a & b):

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

(1) Development for new office floorspace will be focused primarily on the sites identified for mixed use development in Policy GDS.1. Subject to site-specific considerations new office floorspace will also be acceptable elsewhere in the defined core area as an element of mixed use developments.

(2) Planning permission will not be granted for developments involving the loss of established office floorspace unless:

- (i) it can be demonstrated that the aims of Policy ET.1(A) for an increase in office floorspace in Bath will be met without retention of the premises in question; or**
- (ii) the site is no longer capable of offering office accommodation of adequate standard; or**
- (iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the city centre; or**
- (iv) the proposal brings benefits to the city centre which assists the overall objectives of the Plan and outweighs the loss of the office floorspace.**

Elsewhere in the District:

(3) 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.

(4) Proposals for net losses in stand-alone office floorspace will not be granted in the protected core business areas or within or very close to the central areas of Keynsham, Midsomer Norton and Radstock unless:

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

POLICY ET.3

Non-office business development (class B1c, B2 and B8)

(1) *Proposals for non-office development in the business use classes will be supported in principle within:*

(a) *the following Core Business Areas identified on the Proposals Map:*

Bath

- *Brassmill Lane***
- *Locksbrook Road, Bath***
- *Wessex Water Site, Claverton Down***
- *Wansdyke Business Centre***
- *Midford Road, Odd Down***
- *MoD site at Ensleigh***

Keynsham

- *Paper Mill/ Broadmead/ Ashmead/ Pixash Industrial Estate including Keynsham Paper Mill***

Norton Radstock

- *Westfield Industrial Estate***
- *Mill Road, Radstock***
- *Midsomer Enterprise Park, Radstock Road***
- *Haydon Industrial Estate, Radstock***
- *Norton Hill Factories (Coates and Alcan), Midsomer Norton***

Villages

- *Old Mills, Paulton***
- *Hallatrow Business Park***
- *Farrington Fields, Farrington Gurney***
- *Cloud Hill Factories, Temple Cloud***
- *Bath Business Park, Peasedown St John***

(b) *sites identified for the purpose in Policy GDS.1 or elsewhere in the Plan, and*

(c) *other appropriate sites currently or last used for such purposes, and*

(d) *in villages in accordance with Policy ET.4.*

(2) *Planning permission will not be granted for proposals which would*

(a) *result in the loss of land or floorspace for non-office business use within the core employment areas identified on the Proposals Map or*

(b) *run counter to the objectives of Policy GDS.1 in cases where such uses are proposed.*

(3) *In all other locations proposals for the loss of land and floorspace for the above uses will be judged against the extent of positive or negative progress being made in achieving a managed reduction in floorspace on the scale sought by Policy ET.1(B) and against the following additional criteria:*

(i) *whether the site is capable of continuing to offer adequate accommodation for potential business or other similar employment uses; or*

(ii) *whether continued use of the site for business or other similar employment uses would perpetuate unacceptable environmental or traffic problems; or*

(iii) whether an alternative use or mix of uses offers community benefit outweighing the economic or employment advantages of retaining the site in business or other similar employment uses.

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

A BUOYANT RURAL ECONOMY

B2.38 In rural areas, the JRSP seeks to encourage economic and social vitality. In line with JRSP Policy 32, there are opportunities for small-scale business and industrial developments in locations well related to villages, especially those settlements which are more accessible by a range of transport modes. These villages are identified in Local Plan Policy SC.1 and fall within categories R1 and R2 of that policy. There is also scope to encourage new small scale purpose built visitor accommodation, such as self-catering, pub accommodation and caravan and camping facilities. Such development can encourage rural diversification but must be compatible with the scale, character and appearance of its surroundings (Policy ET.4). Any schemes coming forward under this policy will be subject to a range of other Local Plan policies which seek to ensure sustainability in new development, e.g. policies seeking a high standard of design, that surrounding character and amenity is protected and safe access is achieved. Greater restrictions apply in Green Belt (R3) villages.

B2.39 In addition, where existing rural buildings become available, the Council supports their re-use, particularly to provide business opportunities (Policy ET.9). Farm diversification schemes are also encouraged as set out in Policy ET.8.

B2.40 More generally, within North East Somerset, there has in particular been a growth in self-catering, farmhouse and pub accommodation, thus providing an opportunity to diversify and to support the rural economy. The Tourism Development Plan for Norton-Radstock identifies that the volume of quality

accommodation is limited and in the short term the emphasis should be on improving and expanding existing accommodation.

B2.41 Outside Bath, there is therefore scope to encourage new developments in certain sectors, such as self-catering, pub accommodation and good quality caravan and camping facilities.

POLICY ET.4

Development proposals for office, industry or storage uses (Use Classes B1, B2 and B8) and small scale purpose built visitor accommodation will be permitted at rural settlements (i.e. defined in Policy SC.1 as R1, R2 or R3 settlements) provided that such development:

- a) is appropriate in scale and character to its surroundings; and***
- b) in the case of R1 and R2 villages, lies within or adjoining the settlement; or***
- c) in the case of R3 villages, is infilling in line with Policy GB.1.***

B2.42 In line with Government guidance and the JRSP, strict control will be exerted over new building in the 'open countryside'. The need to retain the openness of the Green Belt is also a consideration (Policy GB.1). However, there are opportunities for the re-use of rural buildings for employment uses (Policy ET.9). Replacement building will be permitted under certain circumstances and where this involves a building of a similar size on the same site. New development will only be

permitted in the context of Policy ET.8 as farm diversification or where it involves limited expansion, intensification or redevelopment of existing premises. In all cases it must be of a small scale and a design appropriate to its surroundings. Such facilities should have the capacity to deal with anticipated waste output and not cause pollution or adversely affect health or safety.

POLICY ET.5

Development proposals for office, industry or storage uses (Use Classes B1, B2 and B8) in the countryside, (i.e. those parts of the District outside the scope of Policy SC.1) but outside the Green Belt, will be permitted only where it is small scale and where:

a) it involves the re-use of existing buildings in line with Policy ET.9;

b) it involves new building in line with Policy ET.8;

c) it is a replacement building of a design well-related to its context;

d) it involves the limited expansion, intensification or redevelopment of existing premises; or

it does not lead to dispersal of activity that prejudices town and village vitality.

AGRICULTURE

B2.43 Agriculture is the single most extensive land use within Bath & North East Somerset, with around 70% of the District's land area utilised for farming. In 2001 the agriculture workforce was around 1000. The trend has seen a decrease in the full time workforce and a big increase in seasonal or casual labour representing nearly 50% of the total.

B2.44 As elsewhere in the country farming in the area has come under increasing pressure due to factors such as global competition, a slump in commodity prices, livestock disease, falling financial support and growing demands to manage the countryside so

that its beauty and richness are enhanced.

B2.45 The Local Plan emphasis is therefore to support changes in the industry to enable it to become more competitive, flexible and diverse. The policies of the Plan seek to reconcile the twin economic and environmental roles of rural areas and thus promote sustainable development.

Agricultural Development

B2.46 Agriculture plays an important role in the local economy and provides the basis for other economic activities in the Plan area. It is the largest user of land in the District and is the use that most influences the physical appearance and character of the landscape.

B2.47 The 1995 Permitted Development Order grants planning permission for certain types of agricultural development on farm units of 5 hectares or more. However, these permitted development rights cannot be exercised in many cases without the farmer or other developer notifying the Council. This notification allows the Council to decide whether or not details of the development need to be submitted for approval. In the case of holdings of less than 5 hectares permitted development rights are strictly limited. Permitted development rights do not apply when buildings, structures or works are particularly tall or large in floor area nor generally to livestock buildings, or to slurry tanks and lagoons which are located within 400 metres of housing and other 'protected buildings' normally occupied by people.

B2.48 The distinctive character of the landscapes within the District, the relatively dense pattern of farm holdings, important historic environment, rich biodiversity and network of public rights of way combine to put great emphasis on achieving a high standard and sensitivity in the siting, design and appearance of agricultural buildings and other development.

B2.49 A range of policies in the Plan will apply to agricultural development but

Policy ET.6 emphasises the need to consider siting, design and appearance either under the prior notification system or normal planning applications. Policy NE.16 seeks to conserve the District's resource of valuable agricultural land.

POLICY ET.6

Development involving the erection of new, or carrying out of significant extensions or alterations to existing agricultural buildings; or installation of plant or machinery; or construction of access roads 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.***

Non-Agricultural Development on Agricultural Land

B2.50 PPS7 puts forward advice on the differing effects that non-agricultural development can have on farming. Severance and fragmentation of holdings can have a significant impact on farm businesses particularly in districts like Bath & North East Somerset where units are generally small. Trespass and other forms of disturbance can be damaging to agriculture and the loss of buildings and other fixed equipment can reduce efficiency.

B2.51 These agricultural considerations are set out in Policy ET.7. The policy also seeks to minimise the potential for future conflict between new development, especially housing, and the agricultural activities of the District's many farms, for example the silage or

slurry storage facilities associated with dairy or other livestock units.

POLICY ET.7

Development on or in the vicinity of agricultural will not be permitted where:

- i. it has an adverse effect on the efficient operation of an agricultural enterprise, including irrigation and drainage;***
- ii. it leads to the fragmentation or severance of a farm holding.***

Farm Diversification

B2.52 With the existing pressures on traditional agriculture, farmers increasingly look to diversify beyond the agricultural industry in order to supplement income giving some protection against market fluctuations.

B2.53 PPS7 points out that increasingly farm diversification is vital to the viability of many farm businesses and the 2000 Rural White Paper stresses the need for planning to take a positive approach to it. In line with the Council's desire to promote the rural economy Policy ET.8 seeks to support farm diversification where it would not have an adverse impact on the environment and social and economic vitality of rural areas.

B2.54 Farm diversification schemes can cover a range of new uses: businesses such as food processing and packing, farm shops, equestrian facilities, sporting facilities, nature trails, craft workshops, information technology, holiday accommodation and light industrial uses. Many diversification schemes can make use of farm buildings while others will utilise farmland.

B2.55 Schemes are often likely to be in the open countryside away from existing settlements where new buildings are not usually acceptable. New or replacement buildings, necessary for a diversification scheme to proceed or expand may be acceptable provided they satisfy

sustainability objectives of the Plan, respect their rural surroundings and are within an existing complex of buildings. Planning considerations will vary depending on location and the proposals and a range of Local Plan policies may apply including those for the Green Belt and access. As indicated in PPG13 schemes will be more acceptable where it enables access by public transport, walking and cycling.

B2.56 In rural areas, reform of the Common Agricultural Policy (CAP) means that subsidies will no longer be so closely linked to farm production, and this should lead to more efficient farm businesses as a result. The expansion of the second 'pillar' of the CAP, the Rural Development Regulation, is likely to encourage greater diversification away from agricultural activity, and an increased desire on the part of farmers to diversify their capital assets, for example into workspace.

B2.57 Planning applications for development related to diversification should support the continuation of a farms operation and be seen within the context of its future business plan. The choice to diversify does not mean that farmers give up their traditional role of food production. Indeed, the aim of diversification is to add value to the existing farm business and to help to retain its viability. Change that has not been properly thought through will be of little long-term benefit to the holding or to the rural economy. It may lead to future environmental problems through neglect, or the eventual establishment of inappropriate alternative businesses in premises which fall vacant if the original diversification scheme fails. Whole farm plans should, therefore be submitted with applications for significant farm diversification proposals in order to help ensure a coherent approach is undertaken, and to build in some predictability about the future activities of holdings. Farm plans, would not, however, be a requirement in every case, but may be requested before considering an application.

POLICY ET.8

Proposals for farm diversification involving the use of agricultural land or buildings will only be permitted where:

- i) existing buildings are used or replaced in accordance with the criteria in Policy ET.9.***
- ii) the development would not result in a dispersal of activity which prejudices town or village viability.***

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.

Re-use of Rural Buildings

B2.58 PPS7 advises that the re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas for commercial and industrial development, as well as for tourism, sport and recreation. It can reduce demands for new building in the countryside, avoid leaving an existing building vacant and prone to vandalism and dereliction, and provide jobs. It advises that re-use should apply both to traditional and modern buildings provided that their form, bulk and design are in keeping with their surroundings and they respect local building styles and materials.

B2.59 Structure Plan Policy 32 encourages the re-use especially for farm diversification.

B2.60 In order for re-use to be acceptable a range of environmental issues will need consideration including impact on character of the area, the historic environment, wildlife, Green Belt and accessibility. The creation of a curtilage around a newly converted

building, especially residential, can have a harmful effect on the character of the countryside and the setting of the building with the introduction of domestic structures and open storage. The Council will therefore consider the withdrawal of permitted development rights when granting permission for conversions.

B2.61 Proposals for re-use of complexes of rural buildings with a large aggregate floor area or especially large individual buildings can have an unacceptable impact, whether individually or cumulatively, on the environment. They can result in dispersal of employment or residential activity, which could prejudice economic or social vitality of the existing towns and villages. This level of development will generally be resisted.

B2.62 Diversification into non-agricultural activities is often vital to the continuing viability of many farm enterprises. Policy ET.9 lays down criteria to be applied to planning applications for farm diversification projects. The Council will be supportive of well conceived farm diversification schemes that help to sustain the agricultural enterprise, and are consistent in their scale with their rural location.

POLICY ET.9

Outside the scope of Policies HG.4 and HG.6 the conversion of a building or buildings to a new use will be permitted unless:

- 1) its form, bulk and general design are not in keeping with its surroundings and the proposals for conversion do not respect the style and materials of the existing building;***
- 2) the appearance of the building would be adversely affected;***
- 3) the building:***
 - a) is of temporary or insubstantial construction;***
 - b) is not capable of conversion without substantial or complete reconstruction;***

- c) requires major extension;***
- 4) individually or cumulatively it results in dispersal of activity which prejudices town or village vitality;***
- 5) In the case of a proposed residential conversion:***
 - a) the applicant has not made every reasonable attempt to secure suitable business re-use;***
 - b) it is in a position isolated from public services and community facilities and unrelated to an established group of buildings; and***
- 6) The development would result, or be likely to result, in replacement agricultural buildings or the outside storage of plant and machinery which would be harmful to visual amenity;***
- 7) in the case of buildings in the Green Belt, it would have a materially greater impact than the present use on the openness of the Green Belt or would conflict with the purposes of including land within the Green Belt.***

Where permission is granted for the re-use of buildings in the Green Belt, strict control will be exercised over extensions, alterations and any associated uses of land surrounding the building.

VISITOR ACCOMMODATION

B2.63 It is important to secure a proper balance between demand for tourist accommodation on the one hand, and protecting permanent residential accommodation and safeguarding the environment and amenity of local residents on the other. This is a particular issue in Bath where the City's ability to absorb increasing numbers of visitors at peak times is limited without having a detrimental effect on residential amenity and character.

B2.64 The Local Plan reflects the need to protect the existing housing stock and ensure that tourist development does not result in a reduction in the number of dwelling spaces. This is especially significant in Bath given the shortage of land available for development in the city.

B2.65 A larger house in single family occupancy (i.e. 4 or more bedrooms), with parking available within its curtilage, or in the vicinity, may be considered suitable for use as an hotel or guest house with an unspecified number of bedrooms. This is provided part of the property is reserved as one or more self-contained residences.

B2.66 In the case of smaller houses (i.e. less than 4 bedrooms) in single family occupancy where it is proposed to use vacant bedrooms for bed and breakfast, the Council will usually seek to restrict the impact of the use on the neighbourhood in terms of noise and increased on-street parking. This will be achieved by strictly limiting the number of guests and requiring the proprietor to continue to live in the house. Account will be taken, inter alia, of the number of bedrooms proposed for use as visitor accommodation and the availability of on- and off-street parking in the determination of any application.

B2.67 In considering guesthouse and bed and breakfast proposals, it is important to ensure that tourism accommodation does not harm existing residential amenity, and that the character of an area is not adversely affected by insensitive parking provision or unsightly extensions.

B2.68 Competition for trade can result in a large number of advertisements, and the provision of parking within front gardens can involve demolition of garden walls and the loss of trees and hedges which can detract from the appearance of an area. Noise generated by hotels, guesthouses and bed and breakfast accommodation, can be considerable and can result not only from activities within the premises but from people and vehicle related activity. This will be

taken into account when determining applications (see Policy ES.12).

B2.69 Access to public transport will also be a consideration, particularly in farm diversification schemes (see Policy ET.8).

POLICY ET.13

The change of use of an existing dwelling to a hotel, guesthouse, or to provide bed and breakfast accommodation will be permitted where:

- i) in the case of large residential properties, a substantial private residential unit is retained, and any existing or proposed parking within the curtilage of the property which does not detract from the appearance of the property is made permanently available; and***
- ii) in the case of small residential properties, a satisfactory residential accommodation is retained which is not occupied independently of the proposed use.***

B3. COMMUNITY FACILITIES & SERVICES

INTRODUCTION

B3.1 One of the key principles of sustainable development is to meet the present and future social needs and aspirations of local communities through providing opportunities for and access to community services and facilities.

B3.2 Government guidance advises that planning proposals should aim to serve all sections of the community. The provision of community facilities and services are therefore vital to the social well being of the community. JRSP Policies 1 and 2 make reference for the need to ensure that a full range of facilities is provided in accessible locations.

B3.3 Community facilities that are known to, or likely to attract large numbers of people, should be located within urban areas. Schools, health centres, libraries and other service providers should be located in residential areas or local centres. New community facilities in rural areas should be focused within villages, where housing, employment and other services can be provided in close proximity, rather than in the open countryside. Community facilities, whether in urban or rural locations, should be well served by public transport wherever possible.

B3.4 This chapter deals with the land use implications of community and service provision in Bath and North East Somerset and sets out policies that seek to meet the needs of local communities.

SAFEGUARDING COMMUNITY FACILITIES

B3.5 Land and buildings in community use are a valuable local resource. If they are displaced by redevelopment or change of use then it is unlikely that they will return to community use. This could mean that future requirements for community use might lead to pressure to develop facilities on previously undeveloped land in

less accessible locations. This would be contrary to Government guidance which places importance on facilities being in accessible locations for the community they serve that the need to travel, especially by car, is reduced.

B3.6 Community facilities include a wide range of facilities crucial for the well being of the residents of Bath and North East Somerset. Provision includes community meeting places, youth centres, education facilities at schools and colleges, health care provided at hospitals, clinics and surgeries, libraries, places of worship and venues for community arts.

B3.7 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. Policy CF.1 thus sets out a variety of circumstances where the loss of a community facility would be acceptable.

B3.8 The Council will also, where appropriate, promote the dual and multi-use of facilities as well as keep the overall provision under review.

POLICY CF.1

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

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

activity depending on the nature of the proposal and the Council will encourage management agreements that facilitate this.

B3.12 Policy CF.2 sets out criteria against which proposals for community facilities will be considered. Any proposals in the Green Belt will be considered in the context of Policies GB.1 and GB.2.

POLICY CF.2

- A. Development of community facilities will be permitted provided they are within or well related to a settlement defined in Policy SC.1, or in the case of existing facilities outside such settlements, they are well related to existing buildings***
- B. Development of community facilities which cannot be accommodated in accordance with Part A will only be permitted in locations that are accessible by a range of transport modes.***

PROVISION OF NEW OR REPLACEMENT COMMUNITY FACILITIES

B3.9 Planning applications for new community facilities or extensions to existing facilities which meet the current and future needs of the local community will be considered sympathetically provided they are in easily accessible locations, wherever possible, by a range of transport modes including cycling, walking, buses and within or immediately adjacent to settlements.

B3.10 The Bath & North East Somerset Community Safety Strategy 2000-2001 Implementation Plan advocates there should be safety advice in all development guidelines e.g. safer routes to buildings, car parks, bicycle storage and that this advice should be reflected in consideration of all proposals for community facilities.

B3.11 Favourable consideration will be given to the land and/or building's capacity for accommodating more than one use or

DEVELOPER CONTRIBUTIONS

B3.13 In certain circumstances there may be a need to provide for community, education and/or health facilities in association with new development proposals. This is likely where the scale of the development gives rise to new community, educational or health care needs requiring additional provision or enhancement of existing provision or the replacement of the displaced existing facilities. In such cases, the Council will assess the availability of existing facilities to serve the development.

B3.14 Where replacement, additional or enhanced facilities are required, the developer will be expected to make provision directly related in scale and kind to the need generated by the development. This can either be in the form of direct provision by the developer or where this is not possible or appropriate, in the form of a financial contribution in accordance with the guidance contained in Circular 05/2005

'Planning Obligations'. Policy CF.3 deals with the issue of developer contributions.

POLICY CF.3

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.

ALLOCATION OF LAND FOR COMMUNITY MEETING USE

B3.15 Land is allocated at Westfield under Policy CF.4 to meet the known requirements for community facilities where a suitable site has already been identified.

POLICY CF.4

Land is allocated for the development of community facilities on the following site:

| | |
|---|---|
| <i>Westfield, Norton- Radstock: Land south of Waterford Park</i> | <i>0.83 ha for provision of community uses including community hall and recreational facilities, to include open space and equipped play area (NEAP); account to be taken of the site's nature conservation interests.</i> |
|---|---|

EDUCATIONAL FACILITIES

B3.16 Bath & North East Somerset Change 21, 'Vision for a Better Future', as outlined in the Overall Strategy, seeks to ensure that a range of educational opportunities will be accessible to all members of the community, regardless of age or location. This is also a key objective of the Local Plan.

Primary and Secondary Education

B3.17 There are a total of 68 state primary schools (includes infants and juniors): 25 of these are within Bath, 6 in Keynsham, and 10 in Norton-Radstock. The remaining 27 serve the other settlements. State secondary school education is concentrated in Bath (7), Keynsham (2) and Norton-Radstock (3), whilst Chew Valley School serves the rural western area. The majority of the independent schools in the District are within or on the outskirts of Bath.

Special School Provision

B3.18 There are currently five special schools in the District with a further six special units attached to mainstream primary and secondary schools. The Council's Education Service is undertaking a review of special education provision in the City of Bath. One outcome of this review may be that a new site is required for a special school. Should the Council's Education Service identify any need to upgrade or replace the existing provision in order to meet future special educational requirements within the Plan period, then any development proposals will be considered within the context of Policy CF.2.

Child Care Provision

B3.19 Bath and North East Somerset is also responsible for two day nurseries, one in Bath and the other in Keynsham. There are another 34 privately run nurseries throughout the District. This provision is supplemented by a number of crèche facilities, play groups, play schemes and registered child minders.

B3.20 The Council's Childcare Audit 2000–2001 has identified various areas of childcare need across the District. Whilst existing local authority schools and nurseries will be able to make up some of the shortfall in provision, the Council will seek contributions for additional provision or enhancement of existing provision in association with new development proposals (see paras B3.13 - B3.14 and Policy CF.3).

Further Education

B3.21 The Council's Education Service is responsible for providing further education in its schools. The service has developed a strategy for the provision of education for 16-19 year olds which is likely to lead to a review of existing post-16 education. A possible outcome of this review may mean that additional sites are required or that existing sites are no longer used for post-16 education.

B3.22 Further (and Higher) education is also provided by the City of Bath College located in the centre of Bath, plus Norton-Radstock College which has branches in Norton-Radstock and Keynsham. Further Education Colleges operate independently of the Council. During the Plan period, it is possible that the Colleges will seek to dispose of surplus accommodation and develop replacement facilities.

Higher Education

B3.23 The University of Bath is a purpose built development located on the outskirts of the City. It currently has 7,930 students. Its campus is also home to the English Institute of Sport South West. Current and future plans for the University include 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.

B3.24 Future development as outlined in the Master Plan endorsed by the Council will not meet the University's expansion requirements for the whole Local Plan period. 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. The Council will require that a revised Masterplan is prepared and agreed by the Council, setting out a long term development and transportation strategy for the whole campus.

B3.25 Bath Spa University is based in the grounds of the historic Newton Park at

Newton St Loe and has a further campus at Sion Hill/Somerset Place in Bath. The University has around 4,000 students and provides a range of full and part time pre-degree study, undergraduate and postgraduate courses. Although within the Green Belt the University is identified as a Major Developed Site under Policy GB.3 which will allow opportunities for the improvement of facilities under the terms of the policy. The University is currently undertaking the preparation of a Masterplan which will set out future needs for academic and student accommodation.

Development Proposals

B3.26 Although the Council's Education Service is being advised to consider the disposal of surplus school buildings, school roll numbers could increase significantly as a result of new housing development during the Plan period. There could be changes in the national curriculum and there may be other competitive pressures (especially for colleges and independent schools) to acquire additional or replacement facilities.

B3.27 This could result in educational establishments coming forward with proposals to redevelop or expand their facilities. In principle these will be supported provided the proposals conform with Policy CF.2 and other relevant policies in the Plan. Depending on the specific nature of the scheme, the Council will encourage the development of facilities that can be made available for wider community use and will seek to prevent the loss of facilities that are already being used for other community activities e.g. for pre-school or meetings.

B3.28 PPG13 'Transport' advises that proposals for new and expanded schools should be accompanied by a school travel plan which promotes safe cycle and walking routes, restricts parking and car access at and around the school as well as changing facilities and cycle storage.

B3.29 There have been problems with temporary classrooms being on site longer than originally intended. In cases where there is a temporary need, the erection of a temporary classroom will be considered, subject to its satisfactory design, scale and siting, and provided it is removed when no

longer required i.e. when there is no longer a specific need for the building or it is replaced by a permanent building.

B3.30 New buildings for educational purposes should be designed to high standards taking account of the surroundings in which they are to be located. All proposals will need to meet the criteria in Policy CF.2 before permission is granted.

ALLOCATION OF LAND FOR EDUCATIONAL PURPOSES

B3.31 The Council's Education Service has identified the improvements needed to existing primary school provision. Much can be achieved on or within existing sites but for others, additional land will be required. This mainly relates to school building but in some cases, playing field provision is required. Policy CF.5 therefore allocates land for this purpose where such a need has been identified. However, it is acknowledged that particularly in Bath, there is a shortage of land for development. Should a site that is not allocated in Policy CF.5 come forward for the development of educational facilities, it will be assessed under Policy CF.2, together with other relevant policies in the Plan.

B3.32 The Council's Education Service has undertaken a review of primary school provision in the Radstock area. The Education Committee has replaced Radstock Infant School and Clandown CE Primary School with a new school, Trinity Primary School, on the north of Woodborough Lane, Radstock. The Council has also merged St. Nicholas CE Infant School and St. Nicholas CE Junior School creating a new primary school on the current St. Nicholas Junior School site.

B3.33 A need for a playing field to serve St Mary's Primary School in Bathwick has been identified by the Council, but there are currently no suitable sites to locate such a facility. However, should a site for a school playing field come forward it can be considered against Policy CF.2 and other relevant Local Plan policies.

B3.34 A new primary school is required in association with the redevelopment of Western Riverside. This requirement is also amplified in the Western Riverside SPD.

POLICY CF.5

The following land is allocated for primary educational purposes:

Bath

- 1. Oldfield Park Junior, Claude Avenue: Reservation of 0.53 ha. to allow for extension.***
- 2. St John's RC Primary, Oldfield Lane (0.74 ha.) to allow for replacement school.***
- 3. St Andrew's CE Primary, Northampton Buildings: Reservation of 0.46 ha. to allow for extension.***
- 4. St Saviour's Primary, Larkhall: Reservation of 0.1 ha. to allow for extension.***

Norton-Radstock

- 5. Welton Primary: Reservation of 1.1 ha. to allow for extension.***
- 6. St. Mary's Primary, Writhlington: Reservation of 1.0 ha. to allow for provision of playing field.***
- 7. Woodborough Lane: Reservation of 1.76 ha site to allow for development of new Primary School.***

Villages

- 8. Camerton Primary: Reservation of 0.6 ha. to allow for extension.***
- 9. Clutton Primary: Reservation of 0.6 ha. to allow for extension.***
- 10. East Harptree Primary: Reservation of 0.25 ha. to allow for provision of playing field.***
- 11. Farrington Gurney Primary: Reservation of 0.6 ha. to allow for long-term replacement.***
- 12. Freshford Primary: Reservation of 0.3 ha. next to existing school for provision of a playing field.***
- 13. High Littleton Primary: Reservation of 0.1 ha. to allow for provision of playing field.***
- 14. Marksbury Primary: Reservation of 0.8 ha. to allow for site extension.***
- 15. Shoscombe Primary: Reservation of 0.4 ha. to allow for extension.***
- 16. Stanton Drew: Reservation of 0.4 ha. for new school of 80 places.***

COMMUNITY CARE FACILITIES

B3.35 The Council produces a three yearly Community Care Plan and outlines the type of care provision that can be arranged in the District. Its principal aim is to provide a range of services which enable vulnerable sections of the community to live independently in their own homes as far as possible. Services available include home care, community meals, occupational therapy, day services and residential care. The main client groups are disabled people, those with learning difficulties, mental health problems, those who misuse drugs/alcohol those with HIV/AIDS and the elderly.

B3.36 The Council is currently responsible for 8 residential homes for the elderly and there are a further 44 independently run residential homes in the District.

B3.37 New residential care homes or day care facilities that are likely to be required during the Plan period will be considered against the criteria in Policy CF.6 and other relevant policies in the Plan. Other community care facilities will be considered under Policy CF.2.

POLICY CF.6

Development of residential or day care facilities will be permitted provided:

- (i) in the case of new buildings, they lie within a settlement defined in Policy SC.1;***
- (ii) they are well related to the public transport service and within reasonable walking distance of a city, town, district or local centre;***
- (iii) there is adequate communal garden space within the curtilage of the property to meet the needs of the residents.***

OTHER COMMUNITY FACILITIES

Public Houses

B3.38 Another important aspect of community life is the local public house particularly in rural areas and some urban locations where access to other community

meeting places may be limited. Loss of this valuable resource including associated buildings, which are also often used as venues for social activities, can have a detrimental impact on both the economy of the settlement and the social well being of the community.

B3.39 In a changing economic climate many pubs may be also able to provide additional community facilities or services such as a cash back facility, and public information and Information Technology (IT) access. The Council is able to exercise some control to ensure a public house is not lost to another uses. 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.

POLICY CF.7

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

- i) the operation of a public house serving the local community is not viable and the premises have been effectively marketed as a public house without success; or***
- ii) the development or change of use***

would result in the provision of alternative facilities of equivalent or greater benefit to the local community.

Allotments

B3.40 The nine statutory allotments in Bath, together with those at Radstock Road in Midsomer Norton, are complemented by other non-statutory allotments scattered throughout the District. Bath, Keynsham and Norton-Radstock currently have the highest concentration of allotments. There are also a few in private ownership.

B3.41 There have been concerns in the past over the loss of allotment land throughout the District to other uses and development. The Council's Green Space Strategy referred to in Chapter B4: Sport and Recreation identifies existing allotments provision in the District and includes local standards for future provision. The current level of provision in Bath is 2.22 sq.m. per person, in Keynsham 1.13 sq.m. per person and in Norton Radstock 0.55 sq.m. per person. Research underpinning the Green Space Strategy clearly demonstrates that over the last 5 years there has been a large increase in demand for allotments with nearly every site across the District now full with a waiting list. The local standards will be reviewed regularly to ensure that provision is progressing towards meeting demand. Any erosion of this valuable resource should be resisted, as once lost, this land is unlikely to be replaced.

B3.42 Allotments are not only an important leisure resource but also should be recognised for their value as open spaces especially in urban areas, for their contribution to sustainable development objectives, biodiversity, healthy living, community development and their potential for educational opportunities.

B3.43 Policy CF.8 sets out the Council's approach to the retention of allotments and encourages the provision of new allotment sites to meet increasing demand during the Plan period unless otherwise allowed in the Plan. Development involving the loss of an existing or vacant

allotment will only be permitted where its importance outweighs the community value of the site as an allotment. Developers will also be required to provide equivalent replacement allotments on land that is suitable for horticultural use. New and replacement allotments should be in accessible locations (i.e. within 1000 metres of the majority of their potential users).

POLICY CF.8

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

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

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

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

Cemeteries

B3.44 In addition to the many churchyards in the District there are a number of cemeteries located in or near Bath, Keynsham, Midsomer Norton, Paulton, Peasedown St. John, Whitchurch, Combe Hay, East Harptree, Freshford and Wellow.

B3.45 The Council owns and manages the Haycombe Cemetery on the edge of Bath and Harptree Cemetery and is responsible for the maintenance for 30 closed cemeteries. Others are owned and managed by the Town and Parish Councils or Parochial Church Councils.

B3.46 Keynsham Town Council has opened the extension to its cemetery at Durley Hill with an estimated capacity to meet demand until around 2020–2025.

B3.47 Haycombe Cemetery is likely to require additional land in the next few years. Land to the north east of the existing site is therefore safeguarded for future cemetery provision with capacity to beyond the Plan period. Land is also set aside for an extension to the existing cemetery at Eckweek Lane in Peasedown St John. Both cemetery extensions are shown on the Proposals Map and safeguarded under Policy CF.9.

B3.48 Investigations suggest the cemeteries at Timsbury and Whitchurch may reach capacity by the end of the Plan period, although the proposed extension to Haycombe cemetery will be able to meet projected needs.

B3.49 Cemeteries are traditionally tranquil, relatively undisturbed areas, thus providing suitable habitats for wildlife and other nature conservation interests. Any further proposals or extensions to existing cemeteries not already identified will be considered in the context of relevant policies in the Plan including those relating to nature conservation.

POLICY CF.9

The following land is allocated for the provision of cemeteries:

Bath:

- 1. North-west of existing Haycombe Cemetery.***

Peasedown St John:

- 2. East and south of existing cemetery, Eckweek Lane.***

B4. SPORT AND RECREATION

CONTEXT

B4.1 Government advice on sport and recreation is contained in PPG17, PPG3 and PPG13 with the emphasis on providing recreational opportunities for all. The development plan system should ensure that adequate land and water resources are safeguarded for both organised sport and informal recreation.

B4.2 PPG17 'Sport and Recreation' says that councils should formulate local standards. The Council has prepared and is proceeding towards adoption of a Green Space Strategy based on a comprehensive assessment and audit of recreation space, including allotments but not land used exclusively for outdoor sport. The assessment and audit were carried out in line with PPG17 and its Companion Guide. A Playing Pitch Assessment has also been carried out towards developing local standards for these facilities to be included in a Council Sports Facilities Strategy which will cover indoor and outdoor provision. However until Green Space Strategy is adopted the National Playing Fields Association (NPFA) standard should be used in the plan as a basis for calculating the requirements for other forms of outdoor sport provision and children's play space.

B4.3 JRSP Policies 42–45 reflect Government guidance in promoting sport and recreation through the provision of new facilities and retention of those existing both in urban and rural areas and settlements so long as there are no adverse implications for the environment.

PROTECTION OF PLAYING FIELDS AND RECREATIONAL OPEN SPACE

B4.4 Government guidance in PPG17 advises local authorities to resist the loss of open space, sports and recreational facilities unless an assessment has been undertaken which has clearly shown it to be surplus to requirements. Surplus to requirements should include consideration

of all the functions that open space can perform. Sports facilities not only have recreation and amenity value but also make a vital contribution to the conservation of the natural and built heritage of the area.

B4.5 Outdoor sports include provision for playing pitches, bowling greens, tennis courts and athletic tracks. In the past, playing fields and other areas used for formal recreation have been lost to other development, particularly that in private ownership in Norton-Radstock and Bath. This depletes the stock and increases pressure on other facilities in other areas of the District.

B4.6 Many school and college playing fields are also available for community use and contribute to the overall provision in the area. Proposals for alternative uses resulting from changes in roll numbers and school curriculum requirements as well as from other competing pressures can result in irreplaceable losses in the overall provision of open space.

B4.7 The Council has undertaken a playing pitch assessment of football, rugby, hockey and cricket to establish needs up to 2011. Further studies of other outdoor sports such as tennis, bowling and athletics will be undertaken in the future. The playing pitch assessment analysed the current provision of playing fields by establishing how many are currently publicly available (this can include public or privately owned pitches including school pitches, as long as there are formal agreements for public use) and how many teams play in the area and thus need playing pitches. The study looked at provision in four catchment areas, on the basis that travel to facilities is more likely to occur within these areas, but also to give a geographical dimension to current and future provisions. However, the catchment areas do not necessarily reflect all travel patterns to facilities.

B4.8 The playing pitch assessment estimates the required provision of playing pitches until the year 2011 taking into account population projections, using

estimated team generation rates to predict future demand for playing pitches. It also takes account of matters affecting usage such as drainage problems. Without any net loss or gain of playing fields until 2011, the surplus/shortfall of playing pitches for the year 2011 is set out in Table 3 below.

B4.9 The four catchment areas perform very differently with high overall deficiencies in Keynsham and Norton-Radstock, an equilibrium in Bath and an over provision of some sports in the Chew Valley Area. The overprovision in the Chew Valley area is mainly due to the large

provision of pitches from the Chew Valley secondary school and of pitches in the Whitchurch area, which mainly cater for Bristol Clubs.

B4.10 The types of green space not used exclusively for playing fields and covered by the Council's Green Space Strategy include parks and gardens, soft surface open spaces for less formal activities, recreation grounds, natural areas (e.g. woodland, natural and semi-natural areas), allotments and spaces designed for children and young people.

Table 3: Estimated supply of sports pitches for Bath & North East Somerset for 2011.

| PMP calculations 2011 | Supply of football pitches | Supply of Junior football pitches | Supply of Cricket pitches | Supply of Rugby Pitches | Supply of Junior Rugby pitches | Supply of Hockey Pitches | Total Surplus /Shortfall of Pitches |
|---------------------------------------|----------------------------|-----------------------------------|---------------------------|-------------------------|--------------------------------|--------------------------|-------------------------------------|
| Bath Catchment Area | 22.6 | - 9.8 | - 7.9 | 4.5 | -1.5 | -6.4 | 1.4 |
| Keynsham Catchment Area | 7.5 | -11.5 | 0.0 | 0.5 | - 1.0 | -0.9 | -5.4 |
| Norton-Radstock Catchment Area | 7.4 | - 10.0 | -3.1 | -3.0 | -4.5 | -0.8 | -14.0 |
| Chew Valley Catchment Area | 9.5 | -2.0 | 4.7 | 3.5 | 2.0 | 0.0 | 17.7 |

B4.11 The Strategy identifies where the supply or quality is deficient, so that resources and funding bids can be concentrated into those areas. This will assist in protecting existing green space from development, and ensure that where development does take place, an appropriate level of green space is provided. Often this will involve improving existing facilities rather than simply providing new ones.

B4.12 A key part of the Green Space Strategy is the establishment of a set of standards for green space provision that will be applied across Bath & North East Somerset. Local standards are set out in that document. Background data providing the justification for the standards is contained in the Green Space Strategy. The provision standards define the quantity, distribution and quality required for a range green space types. Also, the

Strategy provides a management framework to enable the owners of all publicly accessible green space to manage their spaces to the full benefit of the community.

B4.13 As with sports grounds, these open spaces are often as important for their amenity value as for their recreational value and contribute to the enhancement of the environments in which they are located, making them attractive places to be in or pass through.

B4.14 Thus, Policy SR.1A seeks to protect recreational open space throughout the District, including that not currently available for public use such as some school playing fields. There may, however, be circumstances where the development of existing land of recreational value can be justified, but in such cases the existing facility will have to be suitably enhanced or

appropriate alternative provision found elsewhere to recompense the loss.

POLICY SR.1A

Development involving the loss of all or any part of playing fields or other recreational open space, including those shown on the Proposals Map, or land last used for such purposes will not be permitted unless:

- i) there is no longer a demand or evidence of future need for the recreational use of the site and a deficiency would not be created in the short or long term by the development; or***
- ii) the proposed development only affects land which is incapable of being used for recreation; or***
- iii) suitable replacement facilities of at least equivalent quality, quantity and community benefit are provided in an easily accessible locations well served by a range of transport modes; or***
- iv) the proposed development is for an indoor or outdoor sports facility with at least equal benefit to the development of sport to outweigh the loss of the existing or former recreational use.***

ALLOCATION OF LAND FOR SPORT AND RECREATION

Outdoor Sports Facilities

B4.15 There is currently sufficient amounts of publicly accessible outdoor playing space in or close to *Bath* taking into account the availability of many of the school outdoor sports facilities to the public. However, provision varies across the city.

B4.16 The existing outdoor facilities in *Keynsham* are estimated to be insufficient by the year 2011. This takes into account private facilities at the Somerdale site and Crown Fields as well as some community use of the two secondary schools.

B4.17 These facilities are also used by a larger catchment area, which creates additional demand for their use. Some facilities lie within the floodplain of the River Avon and are therefore prone to flooding at certain times of the year. Built development in the floodplain to support these uses is unlikely to be acceptable. In order to meet predicted shortfalls there is scope to re-designate pitches, improve drainage and formalise use of school pitches.

B4.18 The situation in the *Norton-Radstock* area is similar to that in *Keynsham* with the existing supply of outdoor sports facilities being insufficient to meet expected need until 2011.

B4.19 To secure adequate long term provision land is allocated at Manor Road, Writhlington for outdoor sports pitches. Developers with proposals for new housing will be expected to contribute to this provision (see Policy SR.3).

B4.20 Provision for outdoor sports facilities in most *villages* appears to meet anticipated needs until 2011. There is a range of facilities including pitches and courts, again supplemented by the community use of schools including those outdoor facilities on the edge of *Bath*. However, the assessment has identified a shortfall of four junior football and one cricket pitch in *Paulton* and a shortfall of four junior football pitches in *Mendip Ward*. The allocation at Manor Road, Writhlington will help to meet some of these deficiencies and there is scope in the *Chew Valley* catchment area to re-designate pitches.

B4.21 Of all the *villages* *Peasedown* has seen the greatest growth in residential development in the past few years and some 4 ha. of land previously allocated for outdoor recreational provision to meet the increased needs of the expanded settlement has now been implemented.

Indoor Sports Facilities

B4.22 Application of Sport England's Facility Planning Model (1998) indicates that the current level of provision for indoor sports broadly meets demand in the District. However, the Council will keep the

overall provision of indoor facilities under review and seek to make better use of existing sports facilities including those in private ownership for use by the general public. Proposals for the improvement of existing facilities and provision of new indoor facilities will be considered in the context of Policies SR.4 and SR.5 and other relevant policies in the Plan.

B4.23 There is an identified need for an indoor sports hall in *Norton-Radstock* that could be achieved by an extension to South Wansdyke Sports Centre, with Norton Hill School being another option for the facility. Three secondary schools have indoor facilities for community use.

Informal Recreation and Play

B4.24 In Keynsham open space adjacent to the River Avon at County Bridge is allocated under Policy SR.2 for additional recreational use.

B4.25 Land is also set aside at Foxhills, Radstock for informal public open space as part of a comprehensive redevelopment of the former railway and wagon works (see Policy GDS.1/NR2).

B4.26 Although there is access to the countryside for informal recreation pursuits there is a recognised need for a centrally located park to serve the Norton-Radstock area. Land for a *Town Park* is allocated under Policy SR.2 between Midsomer Norton town centre and Radstock Road along the Somer Valley. Here there are opportunities for improvement of the whole area by including a formal amenity area taking advantage of the River Somer together with the potential for an informal parkland area and riverside walk. Land off Clevedon Road, Welton is allocated under Policy SR.2 and will improve provision.

B4.27 The Local Plan can contribute to achieving opportunities for play by ensuring that existing outdoor play space is retained and, where development takes place, new play areas are provided. Where a suitable site has been identified to help meet the shortfalls in both formal and informal recreational provision in particular areas of the District, land is allocated under Policy SR.2.

POLICY SR.2

Land is allocated for formal and informal sport and recreational use on the following sites as defined on the Proposals Map:

Primarily for outdoor sports provision

- 1. Manor Road, Writhlington: 7.8 ha for outdoor sports pitches and essential ancillary facilities.***

Primarily for informal recreation

- 2. Land along the Somer Valley between Midsomer Norton town centre and Radstock Road: 13.3 ha for proposed Town Park.***
- 3. Land between Somerdale and the River Avon, Keynsham: 1.5 ha for improvements to existing provision.***
- 4. Former swimming pool site at Clevedon Road, Welton Vale, Midsomer Norton: 1.2 ha for general amenity area.***
- 5. Slopes above Foxhills, Radstock: 2.3 ha for informal recreation.***

PROVISION OF RECREATIONAL FACILITIES TO MEET THE NEEDS OF NEW DEVELOPMENT

B4.28 As well as children's playing space all new residential development, including allocated housing sites, has the potential to generate demand for additional recreational space including recreation grounds, playing fields and indoor sports facilities. The provision of outdoor recreational facilities will be site requirements for some sites allocated under Policy GDS.1.

B4.29 The Council will assess the availability of existing facilities to serve the development. Where replacement, additional or enhanced facilities are required, the developer will be expected to make provision directly related in scale and kind to the need generated by the development. This may take the form of on-site provision, or where the need cannot

be met on site, developers will be expected to make provision off-site and/or contributions to the provision of additional or enhancement of existing facilities in the locality of the development, including the recreational areas identified in Policy SR.2. This is in accordance with the guidance contained in Circular 05/05 'Planning Obligations'.

B4.30 Provision may also be secured through major office and retail development, development associated with reclaimed land, regeneration schemes such as the redevelopment of Western Riverside, Bath and other development sites identified under Policy GDS.1. In some circumstances, because of the type of occupier a proposed development caters for, e.g. accommodation for the elderly, it may not be appropriate to seek provision of children's playing space and such cases will be considered on their merits.

B4.31 In providing land for children's playing space the developer will also be required to make provision to lay out and equip the playing space and provide a buffer zone between it and the nearest residential properties. 'Schedule to Policy SR.3: Minimum Standard for Children's Play Provision' details these requirements in line with the NPFA minimum standards which will be used pending the adoption of the local standards set out in the Green Space Strategy. Proposals for new residential development will be assessed within the context of Policy SR.3 and para B4.5 defines the types of recreational open space encompassed by the policy which also includes playing fields and other formal recreational land.

POLICY SR.3

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

Where the need is for children's play

space, provision should be made on the basis of 0.8ha per 1,000 population in accordance with the standards set out in the accompanying schedule until superseded by the local standards set out in the Green Space Strategy when adopted.

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

The requirement for any other form of recreational open space or facilities will be assessed on a case by case basis until superseded by the local standards set out in the Green Space Strategy when adopted.

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

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

PROVISION OF NEW / ENHANCEMENT OF EXISTING SPORT AND RECREATIONAL FACILITIES

B4.32 During the Plan period it is anticipated that proposals will come forward to expand or improve existing recreational facilities or to provide new facilities to meet the needs of new activities or the expansion of others that have become more popular.

Proposals for Recreational Facilities within Urban Areas and Settlements

B4.33 The Council supports the development of new facilities for sport and recreation and the enhancement or improvement of existing facilities where there is an identified need to meet increased demand or changes in patterns of leisure activities. This includes the greater dual use of facilities such as school pitches and other outdoor facilities in private ownership that can enhance the overall provision. All development proposals for sport and recreational facilities will be considered in the context of Policy SR.4.

POLICY SR.4

Development for sport or recreational facilities will be permitted within or adjoining a settlement defined in Policy SC.1 provided:

- i) it complements the existing pattern of recreational facilities;**
- ii) it is in readily accessible locations well served by transport modes;**
- iii) there would be no adverse impact on public safety; and**
- iv) the amenities of local residents are not adversely affected by air, noise or light pollution.**

| SCHEDULE TO POLICY SR.3 | | | |
|---|---|--|------------|
| MINIMUM STANDARD FOR CHILDREN'S PLAY PROVISION | | | |
| <i>(based on the recommendations of the National Playing Fields Association 1992)</i> | | | |
| CATEGORY OF PROVISION | MINIMUM PROVISION PER 1,000 POPULATION (EXCLUDING BUFFER ZONES) | EXAMPLES OF FACILITIES | |
| (i) <i>Outdoor equipped playgrounds and other designated play facilities</i> |))))) 0.8 ha | <i>Local Area for Play (LAP): for 4-6 year olds Small low-key games area of at least 100 sq.m. 1 minute walking time (100 metres) from home.</i> | |
| (ii) <i>casual or informal playing space within housing areas</i> |))) | <i>Local Equipped Area for Play (LEAP): Mainly for 4-8 years olds; about 5 types of equipment: small games area of at least 400 sq.m. 5 minutes walking time (400 metres) from home.</i> <i>Neighbourhood Equipped Area for Play (NEAP): Mainly for older children 15 minute walking time (1,000 metres) from home.</i> | |
| BUFFER ZONE REQUIREMENTS | | POPULATION OF ANY DEVELOPMENT WILL BE BASED ON THE FOLLOWING OCCUPANCY RATES: | |
| TYPE OF FACILITY: | MINIMUM DISTANCE FROM PLAYING SPACE TO CURTILAGE OF NEAREST DWELLING: | TYPE OF DWELLING: | OCCUPANCY: |
| LAP | 5 metres | 1 bedroom | 2 persons |
| LEAP | 20 metres | 2 bedroom | 2 persons |
| NEAP | 30 metres | 3 bedroom | 3 persons |
| | | 4 bedroom | 3 persons |
| | | 5 or more bedrooms | 4 persons |

| <i>MINIMUM STANDARD FOR OUTDOOR PLAYING SPACE FOR SPORT (based on the recommendations of the National Playing Fields Association 1992)</i> | | |
|--|---|--|
| <i>CATEGORY OF PROVISION</i> | <i>MINIMUM PROVISION PER 1,000 POPULATION</i> | <i>EXAMPLES OF FACILITIES</i> |
| <i>Youth and Adult Outdoor playing space for Sport:</i> | <i>1.6-1.8 ha. (4-4.5 acres) of which 1.24 ha (3.1 acres) should be for pitch sports. In addition, 0.77 ha (1.9 acres) should be for indoor sport</i> | <i>Sports pitches, tennis courts, bowling greens, athletic tracks, training areas etc.</i> |
| <i>POPULATION OF ANY DEVELOPMENT WILL BE BASED ON THE FOLLOWING OCCUPANCY RATES:</i> | | |
| <i>TYPE OF DWELLING:</i> | <i>OCCUPANCY:</i> | |
| <i>1 bedroom</i> | <i>2 persons</i> | |
| <i>2 bedroom</i> | <i>2 persons</i> | |
| <i>3 bedroom</i> | <i>3 persons</i> | |
| <i>4 bedroom</i> | <i>3 persons</i> | |
| <i>5 or more bedrooms</i> | <i>4 persons</i> | |

Proposals for Recreational Facilities outside Urban Areas and Settlements

B4.34 Recreational activities such as golf courses and paintball games tend to require large tracts of land outside settlements in the countryside. The siting, scale of all ancillary buildings should be consistent with the aim of not harming the visual amenity of the landscape character (especially in the two AONBs). In the Green Belt the construction of many types of recreational facilities, including those for indoor sport, would be inappropriate development under Policy GB.1 unless they are essential facilities for outdoor sport and recreation and relate to small-scale ancillary buildings. The suitable re-use or adaptation of rural buildings may be more appropriate than a new building in some locations.

B4.35 Consideration should also be given to the cumulative impact of recreational uses in the countryside, especially those proposals which give rise to unacceptable air, noise or light pollution, or adversely affect the water environment. Any development proposals for formal outdoor recreation will be considered in the context of Policy SR.5 and other relevant policies in the Plan.

Ancillary Recreational Facilities

B4.36 Informal recreation in the countryside generally has little need for new built facilities. However, where it would enhance the recreational value of the area, the Council may consider granting permission for small scale ancillary facilities in suitable locations only if they complement the particular recreational use

and do not detract from the landscape character or have an adverse impact on nature conservation interests. This might include limited parking areas; refreshment, toilet or bike hire facilities; picnic sites and sculpture trails. The cumulative impact of such development on the environment quality will also be a major factor in determining applications. Any such development proposals will be considered under Policy SR.5.

POLICY SR.5

Development for sport or recreational facilities outside the scope of Policy SR.4 will only be permitted where:

- i) it cannot be accommodated elsewhere;***
- ii) in the case of ancillary facilities it is well-related to the attraction it serves;***
- iii) the proposal either by itself or together with other existing and proposed recreational facilities does not have an unacceptable impact on landscape character;***
- iv) it would not give rise to adverse environmental conditions including the impact of air, noise, water quality and light pollution and be detrimental to public safety.***

New buildings will only be permitted where the re-use or adaptation of existing buildings is not practical or viable, and they are of a scale appropriate to the location and recreational use.

COMMERCIAL LEISURE DEVELOPMENT

B4.37 Commercial leisure facilities are an important part of the local economy and tourist industry and include such uses as multiplex cinemas sometimes in conjunction with other recreation facilities, ten-pin bowling alleys and bingo halls, all of which have specific functional requirements.

B4.38 JRSP Policy 43 seeks to guide recreational development that attracts large numbers towards locations in city, town and district centres, before considering other locations within the urban areas. Facilities serving a wide catchment area should also be located within urban areas. All locations under consideration for commercial leisure use should be well related to the public transport network as well as being easily accessible by foot or cycle.

B4.39 This reflects guidance in PPG6 'Town Centres and Retail Development' which advises that large scale commercial leisure proposals will be directed to accessible locations such as town centres.

B4.40 Commercial leisure facilities in Bath have been improved through the proposed scheme on the former Kingsmead Motors site on James Street West, which includes the provision of a multiplex cinema and a fitness and leisure facility. The City & Town Centres Study (2004) suggests that there is scope to further improve the range of commercial leisure facilities in Bath e.g. through the provision of a ten-pin bowling facility not currently on offer in the city. Proposals that come forward will be considered within the context of policy SR.7 and other relevant policies in the Plan.

POLICY SR.7

Development for commercial leisure uses will be permitted firstly within Bath's Central Shopping Area, Keynsham, Midsomer-Norton and Radstock town centres as defined on the Proposals Map; or, if no suitable sites are available, on the edge of

these centres; and only then at out-of-centre locations well served by public transport.

Proposals outside the centres will be required to demonstrate that there is a need for the development and that it does not prejudice the vitality and viability of these centres.

ACCESS TO THE COUNTRYSIDE

Introduction

B4.41 The Local Plan seeks to increase opportunities for and access to a diversity of informal recreational uses in the countryside, whilst conserving and enhancing its natural beauty and amenities. This includes improving links from the City, towns and villages to informal recreational activities on the urban fringes and to the open countryside beyond. The identification of 'green routes' between residential and employment areas and town/suburban centres and the improvement of access/links to open spaces and parks and other off-road routes will contribute towards access through and beyond the urban areas and offers an alternative and more sustainable method of travelling. This is exemplified by the Community Forest Path through the Forest of Avon in the North West of the District (see also Policy NE.5).

Recreational Routes

B4.42 Pursuits like walking and horse riding, particularly in the countryside, depend mainly on the Public Rights of Way (PROW) network whilst disused railway lines often provide the best opportunities for recreational cycling.

B4.43 One of the Natural England's objectives is that all PROWs in England are legally defined, properly maintained and well publicised with the support of Highways Authorities, landowners and other interested bodies. It is also promoting the establishment of Greenways and 'Quiet Roads'. With the aid of Lottery funds, the charity Sustrans is also developing such routes as part of a National Cycle Network which also incorporates disused railway

lines, riversides and previously developed land.

B4.44 Bath and North East Somerset has an extensive network of PROW, which form an integral part of the overall leisure facilities. A number of long distance and circular routes have been established which go through the District forming part of the network. Policy SR.9 seeks to ensure that any publicly accessible routes are not adversely affected by development proposals.

B4.45 Where a recreational route follows the line of a former railway, its course is protected as a sustainable transport route under Policy T.9 as designated on the Proposals Map. The presence of the Avon Valley Railway alongside the Bath and Bristol Railway Path demonstrates that these uses can coexist.

B4.46 Where potential exists, the Council will support any opportunities to create further recreational routes during the Plan period through initiatives with private landowners in co-operation with public sector organisations. Proposals for a foot/cycle bridge across the Avon between Victoria Bridge and Widcombe Bridge and a new bridge Freshford have been mooted but are insufficiently advanced to include in the Local Plan. The Riverside Walk in Bath between Cleveland and Pulteney Bridges is a longstanding Council objective and, having been substantially implemented, is safeguarded under Policy SR.9. Any development proposals that affect publicly accessible routes will be expected to maintain and/or incorporate the route within the scheme and, depending on the location, the Council will seek to negotiate the provision of additional linkages between urban areas and the wider countryside, open spaces, the River or Canal and other water based recreational areas.

POLICY SR.9

Development which adversely affects the recreational value and amenity value of, or access to, public rights of way and other publicly accessible routes for walking, cycling and riding

will not be permitted.

Development which compromises the provision of the Riverside Walk, Bath (Pulteney Bridge to Cleveland Bridge) will not be permitted.

WATER BASED RECREATION

B4.47 Bath and North East Somerset has two significant waterways: the River Avon and the Kennet and Avon Canal which together with the Chew Valley and Blagdon Lakes, provide important resources for recreational uses.

B4.48 The Kennet and Avon Canal is owned and managed by British Waterways. The Canal was reopened in 1990 after extensive restoration and navigation is now possible between Bristol and Reading. The Kennet and Avon Canal Partnership was formed in 1994 to safeguard the future of the waterway and the Kennet and Avon Canal Conservation Plan has the broad remit to conserve the Canal's heritage and its environs for the enjoyment of future generations.

B4.49 The Avon Valley Partnership was established in 1993 to address various issues relating to the management of the countryside in the vicinity of the River Avon from Bristol through Bath to the Wiltshire border. Its priorities for successful management of the asset include developing a feasibility study into the Avon Walkway and working with the community to help achieve access for all.

B4.50 JRSP Policy 45 seeks to ensure that the recreational value of waterways is maintained and enhanced. One of the roles of the Local Plan is to help promote and optimise recreational use of the River, Canal and Lake without detracting from their intrinsic qualities and recognising the special contribution the river and canal make to the character of the landscape and nature conservation interest, which is part of their attractiveness.

B4.51 For this reason a number of Waterside Recreational Activity Areas have

been identified alongside the waterways, where visual amenity, access, sewerage and other problems can be minimised. Each waterway has its own characteristics that affect their ability to accommodate expansion of uses.

River Avon

B4.52 Within Bath, the River is a well promoted tourist attraction. The section below Pulteney Weir has the greater potential for recreation use where there are towpaths, dedicated areas for moorings, and easy access to the waterside for anglers. Above Pulteney Weir the river environment is more sensitive and riverside development that would intensify the recreational use of the river and adversely affect nature conservation will be resisted. Both sections in Bath, however, are popular for organised boat trips.

B4.53 Downstream from Bath the River Avon is well used for water sports, informal boating and angling. Mill Island/Saltford Marina around the Shallows, Mead Lane are established recreational areas with facilities for moorings. Nevertheless any further intensification of existing uses or provision of additional facilities are likely to have a considerable impact on the character of the surrounding area particularly in view of restricted access.

B4.54 Kelston Mills on the opposite bank of the River Avon is an established Marina and Hanham Lock has an information point and refuse disposal facilities for passing craft although due to limited space and access, any expansion of facilities should be resisted.

B4.55 Upstream of Bath there is no right of navigation although it is well used by pleasure boats. Public access to the river banks is restricted to stretches at Batheaston and Warleigh and angling is mainly private. To help preserve the character of the area the Local Plan does not propose any increase of public access and the emphasis is on improving existing access and reducing conflicts at existing popular spots.

Kennet and Avon Canal

B4.56 The Kennet and Avon Canal includes the canalised length of the River Avon between Hanham and Bath with short lengths of artificial canal to bypass the weirs. It is an important community resource for local recreation and education.

B4.57 With the increased use of the canal there is more pressure for moorings and other facilities. Suitable sites for visitor moorings are being investigated between Hanham and Bath. There are currently visitor moorings at Broad Quay, Top Lock and Darlington Wharf in Bath whilst there are a number of permanent moorings Sydney Wharf, Bathwick.

B4.58 At Bathampton there are three areas for overnight moorings with improved facilities. Hampton Wharf has limited space and access problems and will continue as a low key mooring area. The Pumphouse at Claverton attracts car borne visitors and is likely to remain popular as canal navigation increases and an improvement to moorings and car parking facilities along Ferry Lane is envisaged.

B4.59 The bed of the former Somerset Coal Canal at Dundas has reopened as an off-channel mooring basin with improved facilities and Visitors Centre. At Dundas Wharf there is scope for further but restricted use. Here there are short-term visitor moorings in the basin and to its east and west.

Chew Valley Lake

B4.60 The Chew Valley Lake is an important landscape feature and wildlife habitat within the Mendip Hills AONB. It attracts numerous visitors and can accommodate a range of recreational pursuits including angling, sailing, walking, bird-watching and picnicking through sensitive management by Bristol Water. Recreational facilities are concentrated in four defined areas: two picnic areas on the north east shore of the Lake and the others at the Sailing Club and Woodford Lodge angling centre on the north west shore. Facilities have improved in recent years to include a restaurant and visitor centre.

Development Proposals within the Waterside Recreational Activity Areas

B4.61 Development proposals need to be carefully controlled to avoid the gradual erosion of the inherent character of the River, Canal and Lakes and their immediate environment (see paras B7.101 – B7.103 on residential moorings). The Waterside Recreational Activity Areas (WRAAs) listed in Policy SR.10 are either within the Green Belt and/or AONB. Therefore proposals for additional facilities will need to be considered carefully, particularly in the context of Policies GB.1 and NE.2 as well as Policy SR.4, taking into account the impact of traffic and parking on these sensitive environmental locations.

B4.62 Where necessary, permission will be subject to detailed conditions regulating site activities, the number of moorings and use of craft, access, parking, the provision of amenities and any other relevant aspects of the development including the protection of water quality and features of landscape and nature conservation interest.

POLICY SR.10

Recreational development associated with the River Avon, Kennet and Avon Canal and Chew Valley Lake will only be permitted in Bath and the Waterside Recreational Activity Areas listed below and defined on the Proposals Map unless they comply with Policy SR.11:

River Avon

- 1** *land at Hanham Lock;*
- 2.** *Kelston Mill, Kelston;*
- 3.** *land adjoining the southern boundary of Batheaston public car park.*

Kennet and Avon Canal

- 4.** *area between Canal Terrace and the Tynning Road amenity area, Bathampton;*
- 5.** *area at Hampton Wharf, Bathampton;*
- 6.** *area between Claverton Canal Bridge, and The Pumphouse, Claverton including part of*

Warleigh Island adjacent to the River Avon;

- 7.** *land along the former Somerset Coal Canal between Dundas Wharf and Winsley Road, Monkton Combe;*
- 8.** *land at Dundas Wharf, Monkton Combe.*

Chew Valley Lake

- 9.** *picnic sites, Walley Lane, Chew Magna;*
- 10.** *sailing club, Chew Stoke; and*
- 11.** *Woodford Lodge, Chew Stoke.*

Development Proposals outside the Waterside Recreational Activity Areas

B4.63 Outside the WRAAs in the vicinity of the River, Canal and Lake the Council will seek to steer any activities and facilities away from these areas that are incompatible with the established recreational pattern and that have no overriding need to be in a waterside location. Policy SR.11 aims to prevent the introduction of pursuits that would be detrimental to the character of these areas including their cumulative impact on the environment. Policies GB.1 and NE.2 may also be relevant depending on the location of the proposal.

B4.64 It should be noted that the Council, through its planning powers, cannot control the activities that take place on the waterways themselves.

POLICY SR.11

In the vicinity of the River Avon and the Kennet and Avon Canal and within the Chew Valley Lake SSSI, proposals for recreational activities and facilities outside the Waterside Recreational Activity Areas identified in Policy SR.10 will not be permitted where they:

- (i)** *need not be located on or near the river, canal or lake;*
- (ii)** *would not be compatible with established recreational activities;*

- (iii) would adversely affect landscape or nature conservation interests, or be detrimental to the character or amenity value of the are;**
- (iv) would be detrimental to water quality and supply.**

COMMERCIAL RIDING ESTABLISHMENTS

B4.65 Over the past 20 years horse riding has grown in popularity. With it has come the need to provide new or extended commercial riding establishments. Such developments do not have agricultural permitted development rights and often require extensive areas of land and a range of buildings for their operation. PPS7 stresses the need to ensure that equestrian activities do not have an adverse impact on the appearance of the countryside, including the visual impact of jumps and other equipment, and that horses are well housed and cared for.

B4.66 Commercial riding establishments can re-use or adapt agricultural or other rural buildings, and contribute towards agricultural diversification. However, the demand for large scale new buildings and car parks is in conflict with the purposes of the Green Belt and schemes can be particularly inappropriate in Areas of Outstanding Natural Beauty and in other areas of landscape importance. Proposals will need to comply with other policies in the Plan including those on new buildings in the countryside or Green Belt and additional criteria, more specifically related to the development of commercial riding establishments, are set out in Policy SR.12.

B4.67 The Council will seek a satisfactory management plan setting out detailed proposals for landscaping and nature conservation including proposals for the retention, conservation or enhancement of exciting features or habitats.

B4.68 Where horse related developments are proposed in the countryside, they should be located close to an existing

dwelling, or farm complex so that the demand for a new dwelling for security reasons does not arise.

POLICY SR.12

The development of commercial riding establishments will be permitted where:

- i) there is adequate land within the curtilage of the site to allow for the proper care of the horses, including stabling, grazing and exercising areas;***
- ii) there can be adequate site supervision without the need for erection of residential accommodation;***
- iii) the site is well related to an existing bridleway network which is capable of meeting the anticipated usage levels generated by the development or the proposals make provision for adequate off road riding routes or exercise areas to cater for such usage;***
- iv) there is adequate provision for the storage and disposal of animal waste;***
- v) the impact of jumps, fences and other equipment is not detrimental to visual amenity;***
- vi) there is no unacceptable adverse impact of ground and soil erosion both on and off site;***
- vii) there will be no adverse impact upon other recreational uses in the locality.***

New building will only be permitted where the scale, siting and design have no adverse environmental impact.

B5. SHOPPING

INTRODUCTION

B5.1 Shopping is a fundamental part of day to day life. The availability of a good range of convenience and comparison shops makes an important contribution to people's quality of life. Convenience shops are those that sell essential goods, principally food, and comparison shops generally sell durable goods e.g. clothes, shoes, electrical items etc.

B5.2 The strategy of Balanced Communities means providing for a choice and diversity in shopping, ensuring that it is accessible to all especially those without a car.

B5.3 Shopping provision is primarily focused in town, district and local centres which also provide a range of other services and facilities. PPG6 (Town Centres and Retail Developments) and the JRSP stress the importance of maintaining and enhancing the vitality and viability of these centres, as they are able to meet the various shopping needs of residents and visitors in the most sustainable way. The need to travel is reduced and opportunities for walking, cycling and using public transport are increased.

B5.4 In addition shopping provision within these centres makes an important contribution to a vibrant and vital public realm. New retail development required should be directed towards existing centres in order to help ensure that their vitality and viability is maintained and enhanced.

B5.5 The assessment of how retail development requirements should be met must also be set within a context of an innovative and rapidly changing retail sector. For example Internet shopping is likely to play an increasingly important role.

Bath & North East Somerset Context

B5.6 Local plans should be based on up to date information. A City and Town Centres study (C&TCS) was undertaken on behalf of the Council in July 2000 and reviewed in 2004. The studies considered the relationships between the existing centres in Bath & North East Somerset and assessed the District's retail needs.

B5.7 Bath & North East Somerset contains a network of centres that serve not only residents of the District, but also the wider area.

Bath

B5.8 Bath city centre is a major shopping destination. Retail activity is primarily focussed in the central shopping area, which lies within the wider city centre. The central shopping area serves the convenience and comparison shopping needs of the local population. It is a regional retail and leisure centre and also contains a number of international tourist attractions. As such it contains local needs shops, national comparison multiples and a range of small independent specialist shops, which it is important to retain as they contribute to the uniqueness of the centre.

B5.9 The central shopping area is both highly successful and attractive. Its compact nature and high quality historic environment contribute to this attractiveness.

B5.10 In addition to bringing many visitors and income into the District, the retailing function of this part of the city centre is an important source of employment. It is crucial that the central shopping area continues to serve its many roles and that its current healthy market position and attractiveness is maintained.

Keynsham

B5.11 Keynsham town centre serves the day to day shopping needs of local residents and those of the surrounding rural areas. It currently contains a reasonable range of comparison and convenience shops. However, representation of national multiples is limited and it lacks a large store to act as a focus. There is significant diversion of expenditure from Keynsham to Bath and more particularly to food stores and retail warehouses in Bristol.

Midsomer Norton

B5.12 Midsomer Norton town centre serves the daily shopping needs of Norton-Radstock residents and those villages in the southern part of Bath & North East Somerset and northern Mendip District. The town has a good range of convenience shopping facilities, both within the town centre and out-of-centre at Thicket Mead (which lies within the Parish of Paulton). The town centre also provides for a range of day to day comparison goods shopping and residents tend to travel to Bath to meet their other shopping needs.

B5.13 Despite providing a range of shops there is still scope for improving the town centre. However, there are few medium or large units available that would be suitable for national multiples. Proposals funded by the Single Regeneration Budget (SRB) should help to enhance the centre by making better use of public spaces and improving linkages between different parts of the retail frontage.

Radstock

B5.14 Radstock town centre provides a small shopping area that is dominated by a large general store (Radco). The centre serves two shopping roles. The parade of shops and services acts as a local centre for Radstock residents and the Radco store serves a wider catchment area for food and comparison shopping. The centre currently has a high proportion of units in use for

services other than retail and the vacancy rate is relatively high.

B5.15 SRB funded proposals to redevelop disused railway land adjacent to the current shopping area, for mixed uses (including residential) should help to facilitate improvements to the centre. Improvements to pedestrian linkages between the Radco store and the rest of the centre have also been identified by the C&TCS as a priority.

Moorland Road District Centre

B5.16 Within Bath, Moorland Road is a sizeable and vibrant District centre. It contains approximately 60 retail units, comprising a variety of small independent convenience shops, a number of comparison goods retailers (including national multiples) and a large food store. It mainly caters for the daily shopping needs of local residents, and serves a wider than average catchment area because of the range of retail facilities and other services available. The low vacancy rate indicates that the centre is trading healthily.

Local and Village Centres

B5.17 Bath and the other towns of Keynsham and Midsomer Norton also contain a number of local neighbourhood centres, which provide for day to day and top-up shopping needs. These centres vary in size and significance according to their location and proximity to other centres.

B5.18 Outside the urban areas there are a number of villages that have concentrations of shops and other services (i.e. a village centre). These function as local service centres for residents of these and surrounding settlements.

B5.19 Of the villages classified as R.1 Rural Settlements under Policy SC.1: Bathampton, Batheaston, Paulton, Peasedown St. John, Saltford, Timsbury and Whitchurch have a village centre, as does the R.3 Settlement of Chew Magna. The R.1 Settlements of Bathford, Bishop Sutton, Clutton / Temple Cloud,

Farnborough and High Littleton do not have a defined village centre but they do contain local shops which are more dispersed (see Policy S.9).

B5.20 It is important that district, local and village centres continue to fulfil their vital shopping function and local improvements will be encouraged to help retain their vitality and viability.

B5.21 PPS6 states that the Development Plan should identify a range and hierarchy of centres where investment in new retail and other development will be

promoted and existing provision enhanced.

B5.22 Based on JRSP Policy 38, the C&TCS and local factors outlined above the hierarchy of centres proposed in the Local Plan is set out in Policy S.1. The designation of these centres relates to the shopping policies of the Local Plan and their boundaries, which are shown on the Proposals Map, are defined accordingly. The Council is seeking to sustain and enhance the attractiveness of all of these centres.

POLICY S.1

The centres within the hierarchy of shopping centres set out below and as defined on the Proposals Map will be maintained and enhanced.

HIERARCHY OF SHOPPING CENTRES

City Centre : Bath central shopping area

***Town Centres : Keynsham Town Centre
Midsomer Norton Town Centre
Radstock Town Centre***

District Centres : Moorland Road, Bath

Local Centres: In Bath – Walcot Street, Margaret's Buildings, St. James' Street, River Street Place, Lansdown Road, Nelson Place East and Cleveland Terrace/Place, London Road, Fairfield Park, Larkhall, Chelsea Road (Lower Weston), Weston High Street, Twerton, Southdown, 65-86 Lower Bristol Road, Wellsway (Bear Flat), Widcombe, Combe Down, Bradford Road (Combe Down), Frome Road/Bloomfield Road (Odd Down), Upper Bloomfield Road (Odd Down), Bathwick Hill and Bathwick Street.

***In Keynsham - Queen's Road and Chandag Road
In Norton-Radstock - Westfield***

Village Centres : Bathampton, Batheaston, Chew Magna, Paulton, Peasedown St. John, Saltford, Timsbury and Whitchurch

NEW RETAIL DEVELOPMENT

B5.23 The C&TCS, as reviewed in 2004, identified a significant projected quantitative capacity for additional retail floorspace to 2011. That growth could accommodate the levels of additional retail floorspace shown in Tables 4 and 5 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.

B5.24 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 Bath & North East Somerset 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 B5.30 below.

Table 4: Projected Quantitative Capacity for Additional Retail Floorspace for Bath & North East Somerset

| Approximate sales floor space (sq.m. net) | |
|---|----------------|
| Type | 2004-2011 |
| Convenience | 4,250 to 4,550 |
| High Street Comparison | 26,000 |
| large format/retail warehouse stores | 15,100 |

Table 5: Distribution of Projected Quantitative Capacity for Additional Retail Floorspace

| Type | Approximate Net Sales Floorspace (m ²) 2004-2011 | | |
|--------------------------------------|--|----------|--------------------------|
| | Bath | Keynsham | Midsomer Norton/Radstock |
| Convenience | 3,800 – 4,100 | 100 | 350 |
| High Street Comparison | 23,400 | 1,400 | 1,200 |
| Large format/retail warehouse stores | 14,000 | 600 | 500 |

Comparison shopping: Bath

B5.25 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.

Chapter B5: Shopping

B5.26 Located as it is within the World Heritage Site (WHS), 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.

B5.27 Furthermore, with the completion of the Southgate scheme there will inevitably be some change within the historic core as retailers relocate into new units and older shops are left vacant. It is essential to the future health of the historic core that such units are quickly taken up by new occupants to safeguard the fabric of the buildings.

B5.28 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.

B5.29 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 Bath Western Riverside (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.

B5.30 The Council will commence work on a retail strategy to show how Bath city centre will be developed to provide new shopping floorspace in the longer term, following the completion of Southgate and a period of consolidation for the centre as a whole. This will form part of the Council's Local Development Framework (LDF). The strategy will be firmly based on the sequential approach set out in PPS6. It will thoroughly explore opportunities for securing the best use of under-used central sites that have 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 WHS. At an appropriate date it may also aim to make the most of the retail potential of any suitable edge-of-centre sites, provided that they 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 strategy will provide for commitments to be made in a series of well-defined steps, subject to (and preceded by) regular monitoring and review. It will also be backed by concerted and clearly identified measures to drive through and secure implementation, including the use of compulsory purchase powers to assemble sites if necessary.

Comparison shopping: Keynsham, Midsomer Norton and Radstock

B5.31 Table 5, 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 Policy S.2 which is supportive of development in such locations.

POLICY S.2

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.***

Convenience shopping

B5.32 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.

B5.33 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 and although PPS6 advises against out-of-centre shopping the particular circumstances of Bath justify the provision of additional convenience shopping floorspace 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 Hayesfield School playing fields. This will take pressure off Sainsbury's and the congested road network around the City centre and provide good opportunities for travel to the new shopping floorspace by bus, by cycle or on foot as well as by car.

B5.34 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.

POLICY S.3

Land is allocated for retail development (use class A1) within the following redevelopment opportunity sites:

In Bath:

- ***Southgate Area, Bath***
- ***The Podium/Cattlemarket***

For convenience shopping only:

- ***Land currently occupied by Hayesfield School playing fields at Odd Down as part of a mixed use development.***

In Keynsham:

- ***Land between St. John's Court and Charlton Road, Keynsham.***

Proposals for Retail Development outside existing centres

B5.35 Paragraphs B5.25 to B5.34 set out how the identified quantitative and qualitative need for retail floorspace within the District is intended to be met. This includes the need for provision on edge and out-of-centre sites, some of which are allocated. Other retail proposals, including large-scale development, outside existing centres may still come forward.

B5.36 These proposals will only be permitted if a need can be clearly demonstrated in line with PPS6, which cannot be met within the centres identified under Policy S.1 or on the sites allocated under Policy S.3 and if the proposal, *either by itself or together with other shopping proposals*, would not adversely affect the vitality and viability of existing centres. If need can be demonstrated proposals will be considered within the sequential framework outlined in PPS6 and amplified in paragraph B5.37.

B5.37 The sequential approach gives preference to city and town centre sites; followed by edge-of-centre sites; sites in

district and local centres; and only then out-of-centre sites that are accessible by a variety of means of transport. An edge-of-centre site is one that is within easy walking distance of the primary shopping area, which, dependent on topography and other factors, is about 200-300 metres. If an out-of-centre site is proposed it should also be in an area that best meets an identified deficiency in provision.

POLICY S.4

Subject to Policy S.9, retail development (including extensions to existing retail units) outside the shopping centres identified in Policy S.1 and defined on the Proposals Map will only be permitted where:

- i) there is a demonstrable quantitative and qualitative need for the development;***
- ii) the scale of the development relates to and complements the role and function of the centre;***
- iii) the proposal is located in accordance with the sequential approach such that:***
 - (a) an appropriate site or sites cannot be made available within the city or town centre under Policy S.2; and***
 - (b) 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***
 - (c) as a second preference alternative, the site is within an out-of-centre location, is well-connected with it and provides for a high likelihood of linked shopping trips;***
- iv) in the case of proposed***

developments within edge-of-centre and out-of-centre locations, there would be no unacceptable impact on the vitality and viability of existing centres; and

- v) *in all cases, the site is or will be accessible by a choice of means of transport (especially public transport, walking and cycling) and will not unacceptably rely on private transport or add unacceptably to traffic and congestion.*

USES APPROPRIATE IN CITY AND TOWN CENTRES

Primary Frontages

B5.38 A diversity of uses and attractions within a city or town centre can help to maintain and enhance its vitality and viability. Uses that are complementary to shopping (A1 Use Class), such as banks, building societies, restaurants, cafes and pubs (A2, A3 and A4 Use Classes) can reinforce all day activity and increase attractiveness. Museums, libraries and leisure facilities (D1 and D2 uses), as well as residential use e.g. through the creation of dwellings above shops, can also play a useful role (see Policy HG.12 in the Housing Chapter).

B5.39 However, whilst this is the case for centres as a whole, there is a need to ensure that their shopping function is maintained by recognising and supporting a strong accessible shopping core.

B5.40 The attractiveness of shopping centres is dependent upon their cohesive nature. It is therefore considered important to safeguard against the fragmentation of the core or primary shopping areas through the introduction of non-shop uses.

B5.41 In Bath's central shopping area the need to protect retail uses is increased by the city's role as a major

tourist destination. This leads to considerable pressure for tourist related uses within the heart of the central shopping area.

B5.42 Primary frontages, within which retail use is protected, are defined for Bath central shopping area and Keynsham, Midsomer Norton and Radstock town centres and they are shown on the Proposals Map. They have been defined in accordance with PPS6 and take account of each centre's physical layout and shopping development pattern. It should be noted that where a primary frontage covers a shopping mall or similar arrangement of shops the notation shown on the Proposals Map and therefore Policy S.5 relates to all of the units contained within them.

B5.43 Outside the primary shopping frontage, but within the shopping areas of the city and town centres, a greater diversification of uses is appropriate. The introduction of other complementary A-use class and D1 and D2 uses may help to make the centre more attractive.

POLICY S.5

Proposals for development in the primary shopping frontages for Bath, Keynsham, Midsomer Norton and Radstock defined on the Proposals Map which result in the loss of a shop use (use class A1) from a ground floor premises will not be permitted.

A3, A4 and A5 Uses

B5.44 Whilst greater diversification of uses outside the primary shopping areas should be encouraged an over concentration of one particular use can be harmful and should be avoided. In the centre of Bath A3, A4 and A5 (pubs in particular) have clustered on the edge of the primary shopping area. This trend is reinforced by local plan policy which protects retail use within identified frontages.

B5.45 A3, A4 and A5 uses complement the shopping function of the primary areas and encourage customers to walk through them. They contribute to the vibrant mix of uses within the City centre and also help to maintain its historic fabric through the conversion and occupation of large often listed buildings.

B5.46 However, an over concentration of such uses can be detrimental to the mix of uses and therefore, the character of parts of the Conservation Area. In addition many people live within the City centre (both within and adjoining the central shopping area) and such uses both singly and in over concentration can have an unacceptable adverse impact on the amenity of nearby residential occupiers.

B5.47 In considering applications for A3, A4 and A5 uses, including variations to existing consents, within and adjoining Bath central shopping area, it is crucial that the impacts on the character of the Conservation Area and on residential amenity are carefully assessed. Where permission is granted it may be necessary, in the interests of safeguarding residential amenity, for conditions to be attached restricting the type of operation carried out and/or the hours of operation.

POLICY S.6

Subject to Policy S.5 proposals for A3, A4 and A5 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.

B5.48 Bath City centre's role as a major international tourist destination has led to growth in the number of cafes, restaurants and other food outlets (principally A3 and A4 use classes). Increasingly operators are setting up tables and chairs outside their premises, with appropriate consents, thereby extending the use onto adjoining pavements.

B5.49 This practice helps to increase street activity and can create a pleasant atmosphere. Where appropriate such activity should be supported. However, in some locations it can have unacceptable safety and amenity impacts and detract from the City's historic environment. Whilst such activity is focussed mainly within Bath City centre, operators of A3 and A4 uses elsewhere in the District may wish to set up tables and chairs outside their premises. In these areas, the same potential adverse impacts need to be avoided.

POLICY S.7

Development involving the siting of tables and chairs outside a ground floor A3 or A4 use will be permitted except where it:

- i. adversely affects highway or pedestrian safety;***
- ii. results in nuisance or loss of amenity to other occupiers; or***
- iii. adversely affects the character or appearance of that part of a Conservation Area and/or the setting of an individual group of historic buildings.***

LOCAL CONVENIENCE SHOPPING

Bath City centre

B5.50 As well as its regional shopping role the central shopping area acts as a local shopping centre meeting the day to day needs of residents and workers. The

Chapter B5: Shopping

Council recognises the significant economic and social benefit of local convenience shops and the important role they play in city centre retail provision.

B5.51 In addition there are likely to be increased numbers of people living in and close to the city centre e.g. within the redeveloped Southgate area and in accommodation that may be created over shops.

B5.52 The Council's ability to protect local convenience shops through the planning system is severely restricted by the present Use Classes Order (UCO). The UCO currently classifies retailing as an A1 use and therefore, changes of shop type within this use class do not require planning permission.

B5.53 However, the Council will seek to encourage the provision of local convenience shops through its role as a significant property owner and where appropriate will seek to use planning obligations to ensure such provision is made in new developments.

District, local and village centres

B5.54 Residents within the District are also served by a range of district, local and village centres. These centres (identified in Policy S.1) play a valuable role in providing locally available convenience and top-up shopping. Shops within these centres, such as post offices, can also provide valuable social and community benefits (see also Chapter B3, particularly Policy CF.1). The centres are essential in helping to reduce the need to travel for shopping trips and are particularly important for residents with limited mobility e.g. those without a car. Therefore, it is important to maintain their shopping function and where possible to promote investments.

B5.55 The Government operates a rate relief scheme to help ensure that shops in small villages remain viable. The Council recently commissioned a study of local and village centres not covered by this scheme to assess their current

viability and the problems they experience.

B5.56 Following this study the Council has instigated the Local Shopping Centres Initiative aimed at maintaining and improving them. It is important that where appropriate the Local Plan facilitates these improvements (see Policy S.1).

B5.57 Equally important is the need to retain existing shopping provision within the district, local and village centres. In particular the focus should be on retaining shops that meet a local need.

B5.58 Given their importance locally it is critical that the vitality and viability of these centres is maintained. Safeguarding existing shops should help achieve this objective, in addition to maintaining local shopping choice. However, these centres may be the location for other locally important community services or facilities that contribute to their vitality. These roles should also be maintained. Therefore, in particular circumstances, the loss of a shop may be acceptable where the proposal replaces it with a service or facility that is of benefit to the local community.

POLICY S.8

Within the district, local and village centres defined on the Proposals Map the change of use of an existing shop (A1 use class) to another use will not be permitted where the vitality and viability of that centre is adversely affected.

DISPERSED LOCAL SHOPS

B5.59 Outside the centres identified in Policy S.1 and on the Proposals Map there are many small shops spread throughout the District both within the urban areas and in villages. These can often serve day to day needs and offer valuable social and community benefits but a wide range of factors has

contributed to a gradual reduction in the number of such units. While most of these factors are beyond the scope of planning powers the Council will seek to encourage the provision of new small shops in suitable cases and will resist the change of use of units with the potential to provide continuing key retail services to their local residential communities. Examples could be a well-located village shop or a unit capable of serving a large residential area on the edge of a town.

B5.60 Where appropriate the provision of small-scale local shops should be encouraged. They should be located so as to be accessible by a variety of means of transport and they should not adversely impact upon the amenity of existing or new residents. In rural areas provision may also be made via farm shops. Whilst such shops can provide a useful service, their potentially adverse impact on the viability of existing village shops would need to be carefully considered (see Policy ET.10).

POLICY S.9

Outside the shopping centres defined on the Proposals Map the Council will:

- a) grant planning permission for the development of appropriately located small-scale local shops within the settlements defined in Policy SC.1 provided that there is no adverse effect on residential amenity; and***
- b) refuse planning permission for the change of use of existing buildings in A1 use in cases where these have a realistic potential to perform a continuing key role in meeting the retail needs of the local area in a sustainable manner.***

B6. ENERGY, UTILITIES AND HEALTH & SAFETY

INTRODUCTION

B6.1 Provision of electricity, gas, water supply, sewerage and telecommunications are essential for modern day living and working and to secure a high quality of life. At the same time by making prudent, efficient and effective use of resources and encouraging energy efficiency and development of renewable energy sources we can help ensure that these utilities are available for future generations.

B6.2 PPG12 *Development Plans* (now superseded) provided general advice on addressing these issues while PPG8 on telecommunications, PPG14 on development on unstable land, PPS22 on renewable energy, PPS23 on planning pollution control and PPS25 on flooding set out more detailed guidance.

RENEWABLE ENERGY

B6.3 Renewable sources of power make an important contribution to securing diverse energy supplies and are a more sustainable alternative to fossil fuels. They are an essential element of a cost-effective climate change programme.

B6.4 The Government hopes to achieve a target of 10 per cent of UK electricity supplies being provided from renewable energy sources by 2010. This will also contribute to meeting other national targets such as reducing greenhouse gases by 12.5 per cent by 2008-2012 and reducing emissions of carbon dioxide by 20 per cent by 2010. Related to this objective, the Council's commitment to reducing air pollution within the District is set out in the Local Air Quality Strategy.

B6.5 Renewable energy is derived from a variety of sources including the sun, wind and water, geothermal activity and industrial, agricultural or domestic waste materials. The Government's policy on renewable energy, set out in PPS22 'Renewable Energy', is to stimulate exploitation and development of renewable energy sources wherever they have prospects of being economically and environmentally acceptable.

B6.6 PPS22 states that proposals which aim to utilise renewables should be considered in the context of existing planning policy relating to Green Belt, Areas of Outstanding Natural Beauty, Conservation Areas and related matters. This approach is carried forward in Policy ES.1.

B6.7 A report entitled 'Renewable Energy Assessment & Targets for the South West' was produced in 2001 by GOSW and provides regional guidance for Local Authorities. The report advises that the south west region should be working towards procuring between 11% and 15% of its electricity from renewable sources by 2010. 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.

POLICY ES.1

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.***

ENERGY EFFICIENCY

B6.8 Buildings account for almost half the UK's delivered energy consumption and associated emissions of carbon dioxide, the main greenhouse gas causing climate change. Action by planning authorities to increase energy efficiency can complement building regulations.

B6.9 Paragraph 4.4 of PPG12 identified energy conservation and the efficient use of energy as one of the environmental considerations that development plans should take into account. The proposed Design Guide SPD could incorporate further guidance on energy efficiency in the design and layout of buildings (see para A4.20).

B6.10 The design, orientation, siting and layout of buildings can have a significant influence on their energy efficiency. The orientation of dwellings to maximise passive solar gain can reduce the need for energy derived from fossil fuels. Similarly, the creation of more sheltered micro-climates can minimise the amount of energy needed. Traditional building designs and layouts will often have taken energy conservation into account. It is often such layouts that

provide the inspiration for new developments that are required to reflect the character of an area.

B6.10 The desire to achieve energy efficiency in buildings will sometimes conflict with other policy objectives of the plan. A balanced approach therefore is needed.

Combined Heat and Power

B6.12 Combined heat and power (CHP) represents one of the most significant means of achieving energy efficiency. CHP provides for the generation of power from a wide range of potential sources, whilst using the heat generated from the process elsewhere on the development site. An ideal opportunity for CHP is in the development of large sites, such as Bath Western Riverside, where the economies of scale are greatest. However, smaller sites, and existing developments may be appropriate for CHP as technology improves and incentives increase. Consideration should be given to the potential for the incorporation of CHP into the development where appropriate.

POLICY ES.2

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.

Gas and Electricity Services

B6.13 Gas and electricity supply is often taken for granted but is fundamental to ensuring the quality of life enjoyed today. It is therefore essential that where new development is proposed that gas

and electric companies are able to provide these services by providing the necessary infrastructure.

B6.14 Gas and electricity infrastructure supply companies have wide ranging powers to carry out many operations without the need for planning permission. There are however exceptions to this where the specific permission of the local planning authority is needed. There are separate regulations governing the erection of overhead lines which require electricity companies to have regard to the desirability of preserving amenity and to consult the Council in most cases.

B6.15 In instances where the companies are exercising their permitted development rights Circulars 15/92 (all utilities) and 14/90 (electricity) advises them that they should inform both local planning authorities and the public of their intentions and give them the opportunity to comment on proposals. When considering such proposals or applications for other development in proximity to existing utilities infrastructure, the local planning authority will be particularly concerned about residential and visual amenity and, in addition, public safety. It will take advice from the Health and Safety Executive about adequate clearance. In response to public concerns about the effects of electromagnetic fields associated with overhead electricity cables, the local planning authority will, where appropriate, take advice from the National Radiological Protection Board.

B6.16 The Council has undertaken a number of environmental enhancement projects in the District's Conservation Areas to put unsightly telephone and low voltage overhead cables underground. Electricity companies have been involved in these projects. Opportunities to achieve similar enhancements may arise as a result of development proposed by the

companies. The Council will seek such enhancements where opportunities arise.

POLICY ES.3

Development by gas and electricity companies which involves the erection or alteration of any machinery, plant, apparatus or building should:

- i) be designed to safeguard the amenities of nearby residents and/or the occupiers or users of neighbouring land;***
- ii) maintain or enhance the visual amenity of the area; and***
- iii) comply with national and European Union guidelines on public exposure to electromagnetic fields.***

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.

WATER SUPPLY AND SEWERAGE

Water Supply

B6.17 PPG12 made it clear that the adequacy of existing water supply can be a factor in determining the location and timing of development. New developments should be located in ways that minimise or eliminate the environmental impact of additional demand for water. Policy ES.4 addresses the issue of adequate supply to new development, together with the need for development to incorporate water conservation measures (for example, sustainable

drainage systems such as reed-beds, and on-site water recycling systems). Protection of water supply sources is considered in Policy NE.13.

POLICY ES.4

Development will only be permitted where:

- (i) there is an adequate supply of water to serve the site including a wholesome supply of drinking water where appropriate; and***
- (ii) it incorporates water conservation measures.***

drainage in a more sustainable manner rather than the traditional hard sewerage systems. Sustainable Drainage Systems (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. Further advice is available from the Environment Agency.

Foul and Surface Water Drainage

B6.18 The availability of foul and surface water sewerage infrastructure is a material consideration in deciding planning applications. Wessex Water Plc is the water company which provides these services to the District and their advice should be sought before development proposals are submitted. New development can create additional demands for sewage disposal. Some villages are not served by mains sewerage, others require improvements. In the case of non-mains villages new developments may have to be served by cess pits or septic tanks which are potential sources of pollution.

B6.19 Surface water in the District is drained to a number of 'main rivers' and their tributaries. The Environment Agency is responsible for the main rivers. Other land drainage issues are the responsibility of the local authority or, in the case of the Kennet and Avon Canal, British Waterways. Policies NE.13 - NE.15 protect different aspects of the water environment.

B6.20 There are many opportunities for dealing with surface water

POLICY ES.5

Development will not be permitted where:

- i) there is inadequate provision made for sustainable foul and surface water sewerage infrastructure; and***
- ii) it would result in foul or surface water problems on or off site.***

TELECOMMUNICATIONS

B6.21 Modern telecommunication systems have become an essential and beneficial part of life. The Government's overall approach, set out in PPG8 *Telecommunications*, is to seek to balance the need and demand for maintaining and developing telecommunication systems and the protection of amenity.

B6.22 In the District there are a number of sites which accommodate transmitter masts and antennas. Some telecommunications development is permitted development under the GPDO. However, telecommunications operators wishing to carry out some types of permitted development are

still required to submit an application to the Council, for prior approval on matters relating to the siting and appearance of the development. PPG8 sets out a range of issues which should be considered under these arrangements and these are referred to in Policy ES.7.

B6.23 Permitted development rights for telecommunications development are reduced or removed in sensitive areas such as Areas of Outstanding Natural Beauty and Conservation Areas, as well as for Listed Buildings and Scheduled Ancient Monuments. In these cases, or if the proposed development measures more than 15 metres in height, "full" planning permission will be required.

B6.24 Before submitting an application for prior approval or planning permission, telecommunications operators are advised to carry out pre-application consultation with the Council and other interested bodies. These should include local residential groups, Parish Councils and other amenity organisations. Pre-application discussions can help to identify possible conflicts of interest at an early stage.

B6.25 PPG8 recognises that proposals for the location of new masts pose challenges to the protection of Green Belts, high quality landscapes including Areas of Outstanding Natural Beauty and the World Heritage Site of Bath. Siting and design are particular concerns. When seeking prior approval or planning permission, telecommunications operators will be required to provide clear evidence both for the need for the installation and also that they have fully explored the options of mast sharing and using existing buildings and other structures. In Green Belt areas new masts may be inappropriate development and very special circumstances must be demonstrated to justify such a location. For the Green Belt and

Areas of Outstanding Natural Beauty the developer will be expected to show that there are no suitable alternative locations outside these areas. In all these sensitive locations the visual impact of the proposal will be a key factor.

B6.26 Where planning permission is required, the Council will take account of the legal obligations placed on telecommunications operators, together with the technical constraints on locating equipment. However, these must be balanced against environmental considerations. The planning system should provide for telecommunications development, but the environment must be protected as far as possible from unsightly development.

B6.27 Concern has been expressed that radiation associated with a proliferation of transmitters could threaten public health. A Government commissioned report published in 2000 concluded that "the balance of evidence indicates that there is no general risk to the health of people living near to base stations" but that the possibility of harm could not be ruled out with confidence. The Government accepts that more research is required but it advises that any risk to health should be regulated under Health and Safety legislation rather than by the planning system and therefore in this context the only responsibility of the planning authority is to ensure that proposed installations comply with current European Union guidelines on public exposure to electromagnetic fields. Planning applications should therefore include a statement explaining how the proposed installation will comply with the radiation limits recommended by the International Commission on Non-Ionising Radiation Protection (ICNRP) which were adopted by the E.U. Council in 1999.

POLICY ES.7

Telecommunications development which requires planning permission or prior approval will be permitted provided that:

- i) the applicant has demonstrated a need for the development;***
- ii) the installation has been sited and designed to minimise its environmental impact;***
- iii) the application is accompanied by a certificate confirming that the proposed installation meets the emission guidelines of the International Commission on Non-Ionizing Radiation Protection;***
- iv) Where the development would result in harm or conflict with other policies, the applicant has demonstrated that there are no available alternatives which would be materially less harmful (to include consideration of mast or site sharing, the use of existing buildings or structures and streetworks installations).***

B6.28 In order to help reduce the need for new telecommunications apparatus above ground and to help minimise disruption and expense at a later date developers should provide adequate ducting for telecommunications cables at the outset both underground and in the structure of the building. Proposals for a range of developments such as housing, office, leisure and industrial uses should make such provision to meet foreseeable demand for telecommunication services.

POLLUTION & NUISANCE

B6.29 The control of pollution is governed by the Environmental Protection Act (1990) and related legislation. Various regulatory authorities have a role in pollution control, principally the Environment Agency and Local Planning Authorities. PPS23 *Planning and Pollution Control* clarifies the specific responsibilities of the planning system. Planning has a role to play in separating potentially polluting land uses from other existing or proposed land uses, to prevent nuisance and detrimental effects on health and the environment. The Council will seek to achieve these aims through the control of development.

B6.30 An important consideration in the planning process is the 'precautionary principle'. This requires that where there is significant risk of damage to the environment, pollution controls will take into account the need to prevent or limit harm, even where scientific knowledge is not conclusive. The principle applies particularly where there are good grounds for judging that action taken promptly at comparatively low cost may avoid more costly damage later, or that irreversible effects may follow if action is delayed. The Policy ES.5 embodies this principle.

POLICY ES.9

Development will not be permitted where it would:

- i) pose unacceptable risks of pollution to other existing or proposed land uses; or***
- ii) be at an unacceptable risk from existing or potential sources of pollution or nuisance.***

Air Quality

B6.31 There has been an increasing recognition that air pollution can be a cause of serious health problems, such as respiratory illnesses.

Already Bath is a Smoke Control Area where there is control over emission from domestic chimneys. The control of air quality is a statutory function of the District Council as the Environmental Health Authority.

B6.32 Whilst control of pollution is governed by other legislation Planning has a role to play in separating potentially polluting land uses from other existing or proposed land uses and in ensuring that new development is not allowed where it would exacerbate already poor air quality conditions. The Government has adopted the UK National Air Quality Strategy as a statement of its policies with respect to the assessment and management of the quality of air. Local Authorities are required to carry out periodic reviews of air quality in their areas, and to assess present and likely future quality against statutory air quality standards. Where the objectives are not likely to be achieved, an Authority is required to designate an Air Quality Management Area (AQMA), and then make an Action Plan for improvements in air quality in that area.

B6.33 Following assessment, the Council declared an AQMA with respect to nitrogen dioxide for the London Road, Bath and has made a commitment to continually review and assess the air quality within the District, with a view to identifying future exceedences of the Government's standards.

B6.34 The Council has also adopted a Local Air Quality Strategy which requires that air quality is considered at the earliest stage possible, in development, transport and other planning proposals within the Authority.

B6.35 In determining a planning application, consideration will be given to the development's likely effect, not only in terms of the air pollution it may cause directly, but also in terms of any increase or decrease in traffic it generates. The influence of air quality considerations on planning decisions will vary according to the circumstances and must be weighed against other material considerations. In considering the effects of the development on the local air quality, the Council will use the latest Government regulations and guidelines to determine the sustainability of the proposal.

POLICY ES.10

Development will not be permitted where it would:

- (i) have an adverse impact on health, the natural or built environment or amenity of existing or proposed uses by virtue of odour, dust and/or other forms of air pollution; or***
- (ii) be likely to suffer unacceptable nuisance as a result of proximity to existing sources of odour, dust and /or other forms of air pollution.***

Noise and vibration

B6.36 Noise and vibration can be a serious cause of nuisance. PPG24 *Planning and Noise* recognises that the planning system cannot deal with pre-existing sources of noise pollution. Instead, this can be regulated under the 1990 Environmental Protection Act and related legislation. The planning system can however seek to ensure that new noise sensitive development such as housing and schools is not located close to existing sources of noise, including industrial uses and noise generated

by vehicles and other forms of transport that would lead to nuisance. Also it should ensure that potentially noise creating uses such as some industrial processes or some recreational activities are not located where they would be likely to cause nuisance. It is important that areas which have remained relatively undisturbed by noise nuisance, and are prized for their recreational and amenity value for this reason, are safeguarded from potentially noisy development.

B6.37 The impact of noise can be attenuated by careful siting of development and design features such as screening and insulation. In assessing the effects of noise on new noise-sensitive development PPG24 advocates the use of different British Standards according to the noise source type. It also sets out noise exposure categories which attempt to quantify the effects of noise and how this should influence the determination of planning applications for residential development near transport related noise sources. Where the dominant noise source affecting residential development is industrial noise proposals will usually be assessed using the BS 4142 standard. These standards and categories will form the basis of assessments to be carried out by developers in consultation with the Council's Environmental Health Service. Policy ES.12 sets out the Council's position on proposals coming forward where noise is a material consideration.

POLICY ES.12

Development which adversely affects health, the natural or built environment or general amenity as a result of an unacceptable increase in levels of noise and/or vibration will not be permitted.

Proposals for new noise-sensitive development which

would be subject to unacceptable levels of noise or vibration, both now and in the foreseeable future, from an existing noise source or source which will result from a proposed use will not be permitted.

Safety Hazards

B6.38 Council Directive 96/82/EC (the Seveso II Directive) which entered into force on 3 February 1999 requires Member States to ensure that the objectives of the Directive - the prevention of major accidents involving hazardous substances and limiting their consequences for man and the environment - are taken into account in their land use policies. This is to be achieved through controls on the location of new establishments at which hazardous substances are present or are likely to be present; controls on modifications at existing establishments where hazardous substances are present; the vicinity of existing establishments where hazardous substances are present. It also requires Member States to ensure that their land use policies, and the procedures for implementing them, take account of the need in the long term, to maintain appropriate distances between establishments where hazardous substances are present and residential areas, areas of public use and areas of particular natural sensitivity or interest. These obligations have been implemented by the Control of Major Accident Hazards Regulations 1999.

B6.39 The Planning (Hazardous Substances) Act, 1990 and Circular 04/00 'Planning Controls for Hazardous Substances' describe the role of the planning system in controlling the location and use of substances and processes which are potential hazards to public safety such as some industrial processes, gas pipelines and the storage of

explosives. These European Community and national objectives are carried forward into Policy ES.13. Applicants should indicate as part of any application whether hazardous substances will be used, stored or manufactured on the site. The Health and Safety Executive (HSE) will be consulted in such instances and the applicant will be expected to demonstrate to the satisfaction of the Council and the HSE that adequate safety precautions have been taken.

B6.40 Similarly the HSE is consulted about development proposals in locations close to sites of hazardous substances or operations. The HSE apply risk criteria to the operation concerned to determine if a development proposal would be likely to be put at unacceptable risk as a result of proximity to a hazard. In the District there are a number of gas pipelines which are defined as hazards.

POLICY ES.13

Development of new or the extension of existing establishments that would involve the use, manufacture, storage or production of hazardous substances will only be permitted where:

- i) it is sited at an appropriate distance from existing and proposed residential areas, areas of public use and areas of particular natural sensitivity, in order to maintain safety and amenity; and***
- ii) adequate safety precautions have been taken which safeguard the users or occupiers of the site and nearby land, public safety and the environment generally; and***
- iii) any buildings or services are protected from the hazard.***

Development in close proximity to an existing hazard will only be permitted where there is no unacceptable risk to public safety.

UNSTABLE LAND

B6.41 The geology of the District and its history of surface and underground mineral extraction means that land in certain areas – for example, at Combe Down in Bath and locations within the former Somerset coalfield - may be unstable. For this reason site investigation and surveys need to be carried out before land in these areas is developed. Government advice in PPG14 *Unstable Land* is that Local Authorities should acknowledge where areas of potential instability exist.

B6.42 Diagram 7 shows in general terms the extent of the former Somerset Coalfield together with other areas where significant mineral extraction is known to have occurred. Annex 2 of PPG14 contains information about treatment of disused mine openings. Whilst the Council holds some records of the extent of workings, data is held also by the Coal Authority and Mineral Valuer (the latter accessible only by Local Authorities or other public bodies).

B6.43 The Government advises in PPG14 that with appropriate remedial measures unstable land can be brought into beneficial use. The onus is on developers to carry out investigative work to assess whether a proposed development would be affected by land instability and to set out any necessary stabilisation measures. In some instances even small-scale development could be affected by instability.

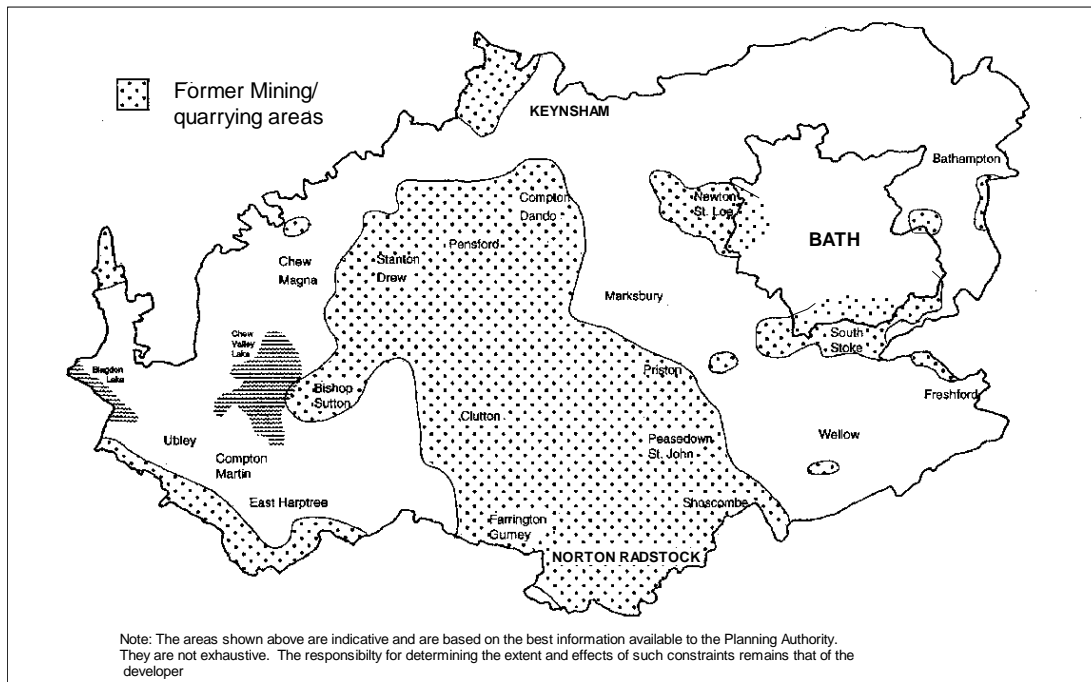


Diagram 7. General extent of former mining/quarrying areas

POLICY ES.14

Where there is a risk that the land may be unstable, development will only be permitted where it is demonstrated that:

- (i) the site is capable of development without adversely affecting the stability of the development or that of neighbouring land; and***
- (ii) any remedial and/or precautionary measures proposed as a result of the development do not adversely affect local amenities and/or environmental interests.***

CONTAMINATED LAND

B6.44 Land contaminated with hazardous or toxic materials potentially is a serious cause of pollution. Contamination can result from previous uses of the site – for example, industrial processes involving chemicals or closed waste disposal sites where landfill gas and leachate are still present.

B6.45 National planning policy on contaminated land is outlined in PPS23 *Planning and Pollution Control*. A new regulatory regime for contaminated land came into force in April 2000. Under the new provisions, the Council was required by July 2001 to produce a strategy for inspection of Bath and North-East Somerset and recording of contaminated land together with measures for its remediation. PPS23 takes account of the new regime.

B6.46 Current policy is to seek a balance between the risks associated with contamination and the need to bring land into beneficial use. The “suitable for use” approach is advocated. Responsibility for

assessing whether or not land is suitable for a particular use, including whether or not it is contaminated, rests primarily with the developer. Where it is known or strongly suspected that land is contaminated, the developer will be required to undertake a detailed site survey in this respect and the results submitted with the planning application. Similarly, the developer should set out any remedial measures necessary to bring the land into use at this stage. Where contamination is suspected or known to be slight, planning conditions may be imposed requiring investigative work to be carried out and remedial measures to be implemented before development begins.

POLICY ES.15

On land known to be or strongly suspected of being contaminated, or where development may result in the release of contaminants from adjoining land, development will only be permitted where:

- (i) it would not give rise to significant harm or significant risk of significant harm to health or the environment or cause pollution of any watercourse, water body or aquifer; and***
- (ii) any remedial action required:***
 - (a) safeguards users or occupiers of the site or neighbouring land; and***
 - (b) protects the environment and any buildings or services from contamination during its implementation and in the future.***

B7. HOUSING

INTRODUCTION

B7.1 The Council's vision for housing, set out in its Housing Strategy is for healthy and sustainable homes for all. A place to live is essential in providing a decent quality of life and in meeting the objective of balanced communities.

B7.2 Government advice in PPS3 *Housing* reflects this approach and stresses that the housing needs of all should be recognised, including those in need of affordable or special needs housing in both urban and rural areas.

B7.3 However, to promote more sustainable patterns of development and make better use of previously developed land the focus for additional housing should be existing cities and towns. New housing and residential environments should be well designed and make a significant contribution to promoting urban renaissance and improving the quality of life. All proposals will be assessed against the design policies contained in the Plan.

B7.4 The Joint Replacement Structure Plan (JRSP) reflects this approach (see para A2.14) in a range of policies.

BATH & NORTH EAST SOMERSET CONTEXT

B7.5 Local Plan policies take forward these national and strategic policies into the Bath & North East Somerset context. The Council's Planning Services have worked jointly with the Housing Services in assessing the range of needs for different types and sizes of housing across all tenures in the area.

B7.6 The main aims of the Council's '2001 and future years' Housing Strategy are: Promoting the economy, and tackling poverty; Building a healthier and safer community; and Improving the quality of life and the environment. These complement objectives set out in the Overall Strategy for the Local Plan.

Overall Housing Requirement

B7.7 Based on apportionment of housing provision figures for the former Avon area set out in Policy HO1 of Regional Planning Guidance for the South West (RPG10) an additional 6,855 dwellings be provided between 1996 and 2011 through new development and the conversion of existing buildings. This figure represents less than 10% of the total housing stock in 1996, which was of the order of 70,700.

POLICY HG.1

Provision will be made for the construction of 6,855 dwellings in the period 1996-2011.

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.

HOUSING NEED AND HOUSING TYPE

The Current Position

B7.8 Changing trends in the composition of households and the types of accommodation required means that up to date assessments

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of local housing need should be carried out to assist in determining the type and size of additional housing needed in the area. The Council's Housing Survey 2000 gives an assessment of composition of the current stock and future households.

Existing Households

B7.9 The Study concluded that the vast majority of the population is satisfactorily housed in good quality accommodation with access to all basic amenities. For those existing households wishing to move the most popular choice is to larger accommodation but for new forming or concealed households the demand for flats and small accommodation is much higher.

B7.10 In terms of the existing housing stock within the District the 1991 census indicates that, in relation to the national average, there is:

- A lower percentage of detached and semi-detached houses and bungalows;
- A higher proportion of terraced houses;
- An average proportion of flats;
- Higher than average owner occupied and lower proportion of Housing Association rented accommodation (national figure includes rented from local authority);
- Average contribution of the private rented sector.

Affordable Housing

B7.11 The West of England Housing Need and Affordability Model 2005 shows that there is a need for an average of 721 affordable homes per annum between 2002 and 2009 in the District.

B7.12 About three quarters of these will need to be social rented accommodation and a quarter will be able to be in the intermedial housing sector e.g. shared ownership and home buy.

B7.13 The main demand is for small units with one or two bedrooms reflecting the predominance of demand from young single people or couples without children. Affordability is a particular problem for black and ethnic minority households.

Special Needs

B7.14 There are 9,400 households within the District containing someone with a special need. For the physically disabled there may be scope to improve access to property. The high level of households containing someone with a walking difficulty may create future adaptation and support needs. New housing should therefore be capable of adaptation to meet such needs. The Lifetime Homes initiative pioneered by the Joseph Rowntree Foundation seeks the provision of accessible and adaptable homes. Such housing can benefit not only people with physical disabilities, but everyone who lives in them.

Elderly Persons Housing

B7.15 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.

Homelessness

B7.16 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 Policy HG.8 and the exceptions Policy HG.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.

Creating Mixed Communities

B7.17 PPS3 promotes the creation of mixed and inclusive communities which offer a choice of housing and lifestyle. It advises that policies should ensure that new housing developments help to secure a better social mix by avoiding the creation of large areas of housing of similar characteristics.

MEETING THE NEED

General Approach

B7.18 In the first 8 years of the Plan period about 3,250 dwellings were completed in the District – 1,382 in Bath, 170 in Keynsham, 526 in Norton-Radstock and 1,168 in the rural areas.

B7.19 To meet the requirements of Policy HO1 of RPG10 as carried through in Local Plan Policy HG.1 there is a need to identify further sites for about 3,605 new homes in the period 2004 to 2011.

B7.20 In order to promote more sustainable development the following approach has been taken:

- 1) Concentrating most additional housing development within urban areas and limiting the amount of development in rural areas which lack the necessary infrastructure;
- 2) Making more efficient use of land by maximising the re-use of previously developed land (brownfield) and conversion and re-use of existing buildings;
- 3) Adopting a sequential approach to the allocation of land for housing development; and
- 4) Managing the release of housing land through phasing.

B7.21 To inform this approach the Council carried out an Urban Housing Capacity Study (UHCS) during 2003. The study aimed to establish how much additional housing could be accommodated in the urban areas of Bath, Keynsham and Norton-Radstock and therefore how much

greenfield land will be needed to meet the JRSP requirement. The summary findings of the study have been published.

B7.22 The national target for additional homes from brownfield sites and through conversions is 60% whilst Regional Planning Guidance for the South West sets a 50% target. Based on the UHCS it is anticipated that a target for Bath & North East Somerset of 50% is realistic and attainable during the Plan period.

B7.23 In meeting the 6,855 dwelling requirement the capacity of a range of sources has been established in line with the sequential approach to site identification advocated in PPS3.

B7.24 The dwelling requirement is therefore met in the following ways

Table 6. Meeting the Dwelling Requirement for Bath and North East Somerset 1996-2011 (as at April 2004)

| | |
|---|--------------|
| 1. Dwellings completions 1996-2004 | 3,250 |
| 2. On large sites (with planning permission) | 690 |
| 3. From allocated sites listed in Table 3A allocated in policy GDS.1 | 2,115 |
| 4. On large brownfield windfall sites - Bath, Keynsham, Norton-Radstock and Rural | 290 |
| 5. On small brownfield windfall sites including sub division of existing residential properties (residential conversion) | 510 |
| 6. From re-use of empty properties. This figure is already allowed for in setting the JRSP requirement and so is not added to the total | (80) |
| TOTAL | 6,855 |
| After allowing for demolitions of 30 the net figure is about | |
| TOTAL | 6,825 |

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B7.25 The number of houses coming forward from the sources listed above will be carefully monitored and if necessary amended during the Plan period.

Large Sites with Planning Permissions

B7.26 Sites of 0.5 ha or more or with a dwelling capacity of ten or more are defined as large sites. Large sites which had planning permissions on the 1st April 2004 are identified on the Proposals Map and together have a capacity of around 750 dwellings. Around 450 of this total is within Bath and about 160 in Norton-Radstock where it represents a substantial existing commitment.

B7.27 Where planning permissions lapse through non-implementation, applications for their renewal will be reviewed and considered in the light of the approach set out in PPS3 and the Overall Strategy of the Plan, including the priority for developing brownfield sites.

Allocation of Brownfield Sites

B7.28 The identification of large brownfield sites is key in the Council's strategy to promote the best possible use of existing resources and infrastructure and encourage the re-use of land and buildings in line with national planning guidance and JRSP policy 34.

B7.29 Table 7 sets out the dwelling capacity of large previously developed sites allocated in Bath, Keynsham, Norton-Radstock and in the Rural Areas.

B7.30 At Keynsham there is a limited number of large brownfield sites, primarily the Somerdale factory. At Norton-Radstock the development of the Radstock railway land site for mixed-use development is integral to the regeneration of Radstock and will contribute at least 50 dwellings during the Plan period but substantially more provided a robust mixed-use scheme is

achieved, ecological interests are taken into account, the character of the town is maintained or enhanced and the transport corridor is retained in accordance with Policy GDS.1/NR2. Development of this site will have a significant impact on the rest of the town centre. Any proposals coming forward for development on other town centre sites and their relationship with the railway land site will need to be assessed carefully against the Local Plan policy framework. In rural settlements there are few opportunities for sustainable development on brownfield land. Two sites are identified; one at Paulton which utilises former printing work buildings; and one at the Major Existing Developed Site (MEDS) at Chew Stoke (see Policy GB.3).

Large Brownfield Windfall Sites

B7.31 PPS3 advises that an allowance should be made for windfall sites which comprise previously developed sites that unexpectedly come forward. Based on assessment of future potential through the UHCS and analysing past trends this source is expected to provide some 290 dwellings over the next 7 years. Over half of this total is expected to arise within Bath with more limited contributions in the towns and rural areas. Proposals can come forward within the ambit of Policies HG.4 and HG.6.

Small Brownfield Windfall Sites including Sub Divisions of Existing Residential Properties

B7.32 An allowance is also made for the contribution that will be made by small windfall sites and residential conversions within the Plan period. These are sites with an area of under 0.5 ha and with a dwellings capacity of under 10. Based on past experience and an assessment of potential an average of around 73 dwellings will be built each year on such sites until 2011. This gives a total of 510 and most of these will come forward as infill sites in Bath,

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the towns and villages, within the ambit of Policies HG.4 and HG.6.

B7.33 Some will comprise conversions, including occupied or vacant commercial buildings, institutions or through use of upper floors above shops.

B7.34 Policy HG.12 of the Plan discourages sub-division of family type accommodation to flats. However, even with such a policy in place there will be scope, particularly in Bath, for sub-division of large, older buildings which can make a useful contribution to the need for smaller dwellings.

Re-use of Empty Properties

B7.35 With more than 200 long term empty properties in the District in

2003 it is clear there is great potential for their re-use to make a significant contribution to the housing stock. The Council is proactively seeking to reduce the number of empty properties and it is estimated that about 80 (11 per year) can be brought back into use by 2011.

Large Greenfield Sites

B7.36 Whilst the emphasis is the use of previously developed sites there is insufficient supply from such sources to meet the Structure Plan dwelling requirement. Table 7 sets out the dwelling capacity of greenfield allocated in Bath, Keynsham, Norton Radstock and in the Rural Areas.

Table 7. Setting out Dwelling Capacities of Allocated Sites in the Plan Period

| Policy | Site Name | Capacity to 2011 | Previously Developed Land (PDL) / Greenfield |
|--------|-----------------------------------|------------------|--|
| B1 | Bath Western Riverside | 450-600 | PDL |
| B7 | R/O 89-123 Englishcombe Lane | 45 | Greenfield |
| B12 | Lower Bristol Road | 50 | PDL |
| B13 | St Martin's Hospital | 128 | PDL |
| B14 | Former St Mary's School | 16 | PDL |
| K1 | Somerdale | 50 | PDL |
| K2 | South West Keynsham | 500 | Greenfield |
| K5 | Cannocks Garage | 25 | PDL |
| NR2 | Radstock Railway Land | 50+ | PDL |
| NR4 | St Peter's Factory/Jewsons | 100 | PDL |
| NR5 | Mount Pleasant Hostel | 10 | PDL |
| NR9 | Folly Hill | 50 | Greenfield |
| NR13 | Land in the Coomb End area | 30 | PDL |
| NR14 | Welton Packaging Factory | 100 | PDL |
| NR15 | Land at Cautletts Close | 110 | Greenfield |
| V3 | Paulton Printing Factory | 250* | PDL |
| V5 | Bannerdown Road, Batheaston | 6 | Greenfield |
| V7 | Goosard Lane | 16 | Greenfield |
| V8 | Radford Retail | 30 | PDL |
| V10 | Wellow Lane | 100 | Greenfield |
| | TOTAL CAPACITY OF ALLOCATED SITES | 2,116-2,266 | |

* In addition to 100 granted planning permission at 1 April 2004

PHASING

Introduction

B7.37 PPS3 advises local planning authorities to give priority to development of previously developed land before greenfield sites. This may best be achieved by managing the release of sites or phasing over the Plan period in order to control the pattern and speed of urban growth, ensuring that new infrastructure is co-ordinated with new housing development and delivering the recycling target. JRSP Policy 34 emphasises the need to take account of accessibility, infrastructure provision and other local considerations when considering phasing.

B7.38 Throughout the District there are a number of sites, both brownfield and greenfield, that already have planning permission for residential development. It is likely that the majority of dwellings on these sites will be built during the next three to four years. However, should any of these permissions lapse, applications for their renewal will be considered against the policies of the Plan.

WINDFALL DEVELOPMENT

Urban areas and R.1 and R.2 Settlements

B7.39 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, in use for recreation or as allotments, or which are of amenity or nature conservation importance. Large site opportunities are most

likely to emerge in Bath but some may also arise in Keynsham and Norton Radstock and the 13 R.1 villages identified in Policy SC.1. Opportunities are likely to be more limited in the 8 villages identified as R.2 settlements.

B7.40 Windfall developments in the R.1 and R.2 villages may help to maintain the social and economic vitality of the rural areas to 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 of the settlement. 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.

B7.41 In Bath the principle of such schemes within the built up area will be acceptable provided it complies with other policies in the Plan and is particularly sensitive to conservation issues.

B7.42 At Keynsham, Norton-Radstock and R.1 and R.2 villages housing development boundaries (HDBs) are defined on the Proposals Map within which residential schemes will generally be acceptable provided they accord with other policies of the Plan. They define the limits for residential development during the Plan period. They also enable areas to be retained for other uses such as employment, recreation or community uses in order to help sustain balanced communities as well as protecting the surrounding countryside.

B7.43 In Bath the size of the Urban Area, intricacy of land uses and

tightness of the Green Belt militate against defining HDBs.

POLICY HG.4

Residential development in Bath, Keynsham, Norton Radstock and those villages defined in Policy SC.1 as R.1 and R.2 settlements will be permitted if:

- i) it is within the built up area of Bath or within the defined housing development boundary; or**
- ii) it forms an element of**
 - a) a comprehensive scheme for a major mixed use site defined in Policy GDS.1; or**
 - b) a scheme coming forward under Policies ET.2(2&3), ET.3(3);**
- iii) and it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport.**

POLICY HG.6

Residential development in those villages defined as R.3 settlements in Policy SC.1 will be permitted if:

- i) it is infilling, or represents the sub-division of an existing dwelling or its replacement within the same site, or it involves the conversion of a non-residential building; and**
- ii) it lies within the defined housing development boundary.**

Density

B7.45 The issue of housing density is an important factor in determining the overall character of development in Bath and the District's towns and villages. Government guidance set out in PPS3 advises that density standards for new development should be critically examined particularly with regards to roads, layouts and car parking.

B7.46 It encourages local authorities to avoid developments which make inefficient use of land (less than 30 dwellings per hectare net density) and to encourage housing development which makes more efficient use of land (between 30 and 50 dwellings to the hectare net). Higher densities will be particularly appropriate at locations with good public transport accessibility or where there are good local facilities such as city, town, district and local centres or around major nodes along good quality public transport corridors.

B7.47 The need to make more efficient use of land, the acknowledged need for single person household and small dwellings, the availability of good local facilities and public transport in the urban areas of

R.3 Settlements

B7.44 In the 20 Green Belt villages classed as R.3 settlements in Policy SC.1, new housing development is restricted to infilling i.e. the filling of a small gap within existing development - in line with the approach set out in PPG2 *Green Belt*. The development must also be within existing settlement limits and not prejudice the purposes of the Green Belt. The Proposals Map defines HDBs within which infilling on brownfield land may be acceptable. Also generally acceptable within the defined HDB would be satisfactory schemes for the conversion of non-residential buildings and sub division or replacement of existing buildings.

the District, and the opportunities that higher standards in design and layout present, mean that generally higher density development should be attainable during the Plan period.

B7.48 In all cases though density should inform and be an outcome of design which should take account of those factors and issues which comprise local context such as character, landscape, views of site and local distinctiveness.

B7.49 Design policies set out in Section A will be key in determining the appropriate density for a particular site. However, reflecting Government guidance Policy HG.7 sets out minimum densities for development.

B7.50 Net site density includes only those areas which will be developed for housing and directly associated uses such as access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's playing space where it is to be provided. It excludes major distributor roads, primary schools, open spaces serving a wider area, significant landscaped areas, wooded areas and significant hedgerows.

POLICY HG.7

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 encouraged in appropriate, well accessed, locations.

AFFORDABLE HOMES

Housing Survey 2005

B7.51 Government guidance in PPS3, Circular 6/98 and Structure Plan Policy 35 stresses that local plans should help deliver affordable homes to meet community needs.

B7.52 In order to assess need the Council carried out a detailed affordable housing needs study in 2005 – The West of England Housing Need and Affordability Model 2005 (WEHNAM). The study's key objective was to identify the affordable housing need in each District within the West of England area (consisting of Bath & North East Somerset, Bristol, North Somerset and South Gloucestershire Unitary Authorities), the proportion of different tenures required to meet this need and the dwelling size mix required. It covers the period 2002-2009.

B7.53 For Bath & North East Somerset its main conclusions are:

- Between 2002-2009 an average of 721 affordable homes per annum required. This is 5,047 over the seven year period.
- 76% of the need is for social rented sector accommodation and 24% for the intermediate sector.
- Affordability is generally more difficult in Bath & North East Somerset than in the West of England as a whole. Between 2002-2009 only an average of 36% of new households per annum are able to buy their homes.
- Affordability is most acute in Bath, followed by Keynsham and Salford area.
- House prices in Bath are higher with the threshold house price for a 2 bedroom house estimated to be about £136,500 in 2006.

- Nearly half the overall net need in Bath & North East Somerset is concentrated in Bath (401 homes per annum) with the next highest in the Norton-Radstock and surrounding parishes area (184 homes per annum). In all identified zones (Bath, Keynsham and Saltford, Norton-Radstock and surrounding wards, and remaining rural areas) net need exceeds projected new dwellings.
- Relet rates are generally low in the District at 565 in 2006, with 373 of these in Bath.
- Newly forming households unable to afford to buy are the dominant group contributing to needs in the District (867 in 2006). Meeting the backlog of need is highest in Bath (173 in 2006).
- In Bath social rented needs proportionally are skewed towards smaller 1 bedroom accommodation. In the other areas there is a more even spread across the size range. Intermediate sector need is generally skewed towards 1 and 2 bedroom units.
- Need exceeds dwelling growth by a considerable margin.

B7.54 Threshold house prices are based on the ability to afford lower quartile house prices from the Land Registry, adjusted for size, against an income based on a leading multiplier of 3.5 for a single earner and 0.85 x 3.5 for two earners, subject to test that residual income after housing costs exceeds 120% of Housing Benefit Applicable Amount.

B7.55 The major proportion of the identified need is for social rented sector accommodation but the intermediate sector is also expected to contribute to meeting needs. This could include shared-ownership dwellings where the occupant part-owns and part-rents a new property from a registered social landlord, and Homebuy which is a scheme where the occupant purchases the greatest share of a second hand dwelling using an 'equity loan mechanism' to cover the remainder. Self build housing may be considered as a form of affordable housing if it can be secured as affordable in perpetuity.

B7.56 Based on the income/dwelling price relationship affordable homes for the purpose of Policy HG.8 is defined as:

"the range of both subsidised and market homes that will be available for those whose incomes generally deny them the opportunity to purchase or rent houses on the open market as a result of the local relationship between income and market price".

B7.57 In terms of the type of accommodation needed the 2005 Study shows a strong need for smaller 1 and 2 bedroom accommodation (35% and 37% respectively). Table 8 shows the variations by sub areas with, for example, proportionally greater needs for 1 bedroom accommodation in Bath and 2 bedrooms in the Keynsham area.

Table 8. Setting out Size Mix of Affordable Housing Need (Social Rented and Intermediate Combined)

| Location | Size of Affordable Housing Required in 2006 (%) | | | |
|--------------------------------|---|----------|----------|-----------|
| | 1bed | 2bed | 3+bed | Total |
| Bath City | 130 (42) | 90 (29) | 90 (29) | 310 (100) |
| Keynsham ¹ | 21 (20) | 49 (47) | 34 (33) | 104 (100) |
| Norton-Radstock ² | 71 (38) | 72 (39) | 43 (23) | 186 (100) |
| NE Somerset Rural ³ | 33 (27) | 55 (45) | 33 (27) | 121 (100) |
| B&NES Total | 252 (35) | 267 (37) | 202 (28) | 721 (100) |

¹ Keynsham & Saltford

² Norton Radstock and wards of Paulton, Peasedown St. John, Timsbury and High Littleton

³ All other wards

Affordable Housing on Large Sites

B7.58 Government advice in PPS3 states that where there is a demonstrable lack of affordable housing to meet local needs - as assessed by up-to-date surveys and other information - local plans should include a policy for seeking affordable homes on suitable developments. In line with this and JRSP Policy 35 an element of affordable homes will be sought where planning permission is sought for development including the provision of dwellings on any suitable sites in settlements identified within Policy SC.1.

B7.59 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.

B7.60 The 35% target will be regarded as an average proportion to be achieved across all sites granted permission from now until the end of the plan period. The Council will take account of any abnormal site costs associated with the development which may justify an upwards or downwards adjustment of the average. Standard development costs will not generally be considered as abnormal. Account will also be taken of the proximity of local services, and facilities, access to public transport, the distribution of need for affordable housing, and

whether or not the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in a particular case. It will normally be expected that such affordable dwellings will be provided on-site in order to help create balanced communities, but in very exceptional circumstances the Council will consider provision in lieu through a financial contribution towards affordable housing on an alternative site within the District.

B7.61 In view of the overall level of need for affordable housing in the District revealed by WEHNAM the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 15 dwellings (or on a site of a minimum of 0.5ha) in Bath, Keynsham, Norton-Radstock, Saltford, Peasedown St John and Paulton.

B7.62 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.

B7.63 It is expected that this policy will result in delivery of about 310-360 affordable homes in Bath, 210-260 in Keynsham, 105 in Norton-Radstock and around 145-215 in rural villages.

B7.64 Before granting planning permission for any affordable housing the Council will require suitable arrangements to be in place to secure the occupation of the dwellings both initially and in perpetuity by people with a genuine need for such accommodation who are either already resident in the District or have strong connections with it, such as locally employed key

workers. Some examples of appropriately secure arrangements are given at para B7.71 below.

B7.65 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.

POLICY HG.8

The Council will seek to secure the provision of 35% affordable housing before determining applications for planning permission in the following circumstances:

- ***in Bath, Keynsham, Norton-Radstock, Saltford, Peasedown St John and Paulton where permission is sought for 15 dwellings or more or the site has an area of 0.5ha or more; and***
- ***in settlements where the population is 3000 or below, where permission is sought for 10 dwellings or more or the site has an area of 0.5ha or more.***

Higher or lower percentages may be sought in individual cases, taking account of:

- i) the proximity of local services and facilities and access to public transport;***
- ii) whether there are abnormally high costs associated with development of the site;***
- iii) whether it would prejudice the realisation of other planning objectives that need to be given priority in development of the site; and***
- iv) distribution of need***

Before planning permission is granted under this policy secure arrangements will need to be in place to ensure that:

- i) occupancy of the affordable housing is restricted to people who are:
 - a) in need of such accommodation due to their inability to compete successfully in the local housing market; and***
 - b) in need of separate accommodation and are either currently living in or have strong local connections with the District such as local employment;******
- ii) the benefits of the affordable housing will be enjoyed by successive as well as initial occupiers; and***
- iii) the affordable housing is integrated with general needs housing in such a way that it secures a mix of dwelling size, type and affordability on the site.***

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.

RURAL EXCEPTIONS SITES

B7.66 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.

B7.67 The Council recognises that there is only limited scope to satisfy rural-based needs for affordable housing through the operation of Policy HG.8, yet WEHNAM identifies a need for 847 affordable homes in rural areas between 2002 and 2009. It will therefore give sympathetic consideration under Policy HG.9 to schemes designed to meet local needs generated within rural communities under the terms of PPS3 and demonstrated to be required through specific needs data compiled in cooperation with the Council's Housing Services.

B7.68 The definition of affordable housing for rural exceptions sites will be taken to be

".... that provided, with subsidy, for people who are unable to resolve their housing needs in the private sector market because of the local relationship between housing costs and incomes."

B7.69 These special schemes would be directed at particular local needs identified as the result of the surveys described above. Generally 'local' would be taken as meaning needs arising, and capable of being met, within a particular parish. In certain circumstances however this definition may be widened to take in the needs of adjacent parishes. As a first priority, the housing will be restricted to residents of the parish or group of parishes and then to individuals with strong local connections such as those having family in the parish or parishes, or who have lived there for a significant period in the past or are employed in the area.

B7.70 However, such schemes will be limited to villages classed R1, R2 and R3 under Policy SC.1. Smaller settlements will be considered unsuitable on sustainability grounds. In considering any schemes within the Green Belt the Council will require sites to be selected that have the minimum possible impact on the purposes of the Green Belt.

B7.71 The Council will also wish to satisfy itself before granting permission in these special cases that the affordable housing will be reserved to meet local needs and remain affordable both initially and in perpetuity. The Council will therefore need to be satisfied that secure arrangements can be made to impose restrictions on occupancy to ensure that this is achieved.

Examples of such arrangements are:

- involvement of a village trust or registered social landlord with a suitable lettings policy;
- covenants designed to give priority to first time buyers from the locality;
- agreement between the Council and the developer under Section 106 of the Town and Country Planning Act, 1990; and

B7.72 The scale, location and design of housing developed under Policy HG.9 'exceptions' policy is of particular importance – and a range of other Local Plan policies will be relevant to consideration of any schemes.

B7.73 As the potential for positive 'allocation' of such sites was introduced into PPS3 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.

POLICY HG.9

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:

- i. 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:***
 - a) 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***
 - b) as a second priority, not resident in the parish or group of parishes but have strong local connections with it/them; and***
 - c) the development is limited to villages defined in Policy SC.1 as R1, R2 & R3 settlements;***
- ii. the development comprises a small group of dwellings within or adjoining the built up area of the village well related to existing developments and surrounding uses and which would not adversely affect the character of the village; and***
- iii. in the case of a proposed development at a Green Belt village, the site has been selected to cause the minimum possible harm to the openness and purposes of the Green Belt.***

HOUSING OUTSIDE SETTLEMENTS

New Dwellings

B7.74 In addition to the villages listed in Policy SC.1 the countryside of Bath & North East Somerset is dotted with hamlets and other small groups of dwellings, reflecting a historically dense settlement pattern. Most of these hamlets and building groups lie within the Green Belt and development in such locations would conflict with the purposes of the Green Belt and prejudice their generally open character in conflict with the advice of PPG2 *Green Belts*.

B7.75 Outside the Green Belt the expansion of small hamlets and consolidation of isolated groups and housing would, because of their relatively dense pattern, detract from the character of the countryside and would constitute sporadic development or consolidate existing development. Such development would make little contribution to sustaining local community facilities or services or achieving sustainable development objectives.

B7.76 In the countryside JRSP Policies 1(5) and 2(h) seek to protect the countryside from inappropriate development and the national guidance of PPG2 and PPS7 *Sustainable Development in Rural Areas* advises that new housebuilding in the open countryside should be strictly controlled. This approach is carried forward into Policy HG.10.

Agricultural and Other Essential Dwellings

B7.77 Although Policy HG.10 seeks to prevent new housing outside the villages identified in Policy SC.1, a special need may arise for accommodation which is essential for the efficient operation of the rural economy. This exception is in line with PPS7. In the Bath & North East

Somerset context such essential accommodation is likely to be aimed principally at the agricultural sector.

B7.78 Where the need for accommodation does arise the functional and financial tests described in PPS7 will be applied, depending on individual circumstances. In many cases the need could be met by housing in a nearby village. Where this is not feasible, a site within a hamlet or existing group of dwellings or buildings is preferable to an intrusive, open location.

B7.79 Apart from achieving the satisfactory siting of an agricultural dwelling there is the question of size. In line with the guidance of PPS7, Policy HG.10 seeks to limit the size of any essential dwellings to that which is commensurate with the established functional requirements of the holding.

POLICY HG.10

Outside the scope of Policies HG.4, 6 and 9 new dwellings will not be permitted unless they are essential for agricultural or forestry workers.

A new dwelling essential to support existing well established agricultural or forestry enterprises will only be permitted where:

- i) there is a clearly established existing functional need and financial justification for a worker to live on the holding;***
- ii) the need is for accommodation for a full-time worker;***
- iii) the functional need could not be fulfilled by another existing dwelling in the holding, or other existing accommodation in the area which is suitable and available for occupation, or through re-use of an existing***

building on the holding subject to the requirements of Policy ET.9;

iv) it is sited:

(a) within a hamlet or existing group of dwellings or buildings; or

(b) elsewhere in the countryside only when (a) above is not feasible;

v) it is restricted in size commensurate with the functional requirements of the agricultural or forestry enterprise; and

vi) occupancy is restricted to agricultural or forestry workers.

Residential Curtilages

B7.80 Many existing dwellings in the countryside outside settlements identified in Policy SC.1 provide attractive homes for people seeking a rural location. Proposals to alter or extend dwellings and carry out minor domestic development are assessed within the terms of design policies and Policy HG.15.

B7.81 Policy HG.11 provides specific control over the enlargement of residential curtilages. Such enlargement can, depending on the circumstances, detract from rural character and lead to 'suburbanisation' of the countryside. In the Green Belt they can conflict with the purposes of this national designation.

POLICY HG.11

Proposals to extend the curtilages of existing dwellings will be permitted unless they detract from rural character or conflict with the purposes of the Green Belt.

OTHER SOURCES OF HOUSING

Sub-Division of Existing Dwellings

B7.82 Sub-division of existing dwellings can play an important role in the improvement in the condition of the housing stock and contribute to the supply and range of dwellings. With growing numbers of single person and small households they can help meet the need for smaller affordable homes. Between 1996 and 2003, 83 new dwellings were provided in this way and around another 100 are expected in the rest of the Plan period with most opportunities occurring in Bath.

B7.83 This can result in the loss of suitable family or other accommodation and therefore reduce choice and mix of type and size of housing in an area. However, the conversion of large properties especially in Bath can provide family units of adequate size.

Conversion of Non-Residential Uses including Living Over the Shop

B7.84 The adaptation of non-residential buildings in urban areas and identified villages can also help meet housing needs. For example some commercial buildings in urban areas or farm buildings within villages may be suitable for conversion subject to other policies of the Plan.

B7.85 Within Bath, and especially in the city centre, some upper floors remain vacant or under-utilised for a variety of reasons. It is important that whilst maintaining conservation policies, full and effective use is made of these properties.

B7.86 Where opportunities come forward to use this space for residential occupation, such initiatives will normally be supported.

Normal residential car parking standards may be relaxed, for example, where there are conservation or other site constraints. Separate independent access should be provided wherever possible. Lateral conversions can assist in overcoming access difficulties when no other options are reasonably possible but can present problems in listed buildings.

B7.87 It is also important to carefully consider the effect of development proposals, such as alterations to shopfronts and changes of use, on the potential for the residential use of upper floors.

B7.88 In central areas upper floors may also assist in providing affordable housing, and in meeting the needs of single or elderly people, or others requiring direct access to local services. "Living over the Shop" initiatives also assist in bringing vitality to areas, improving the appearance of buildings, and providing informal "policing" of the city and town centres at night, which may help local businesses both from a revenue and a security point of view.

Houses in Multiple Occupation

B7.89 Houses in multiple occupation (HMOs) are an important element of the local housing market which can provide an acceptable standard of accommodation at an affordable price. It is estimated that around 3000 houses are currently in multiple occupation ranging from small shared houses to large buildings separated into partly self contained apartments. In assessing the planning merits of individual HMOs there will be a need to balance their housing contribution against their impact on the surrounding area and residential amenities.

Bringing Empty Homes back into Use

B7.90 The Council's Empty Property Strategy focuses on bringing as many empty homes back to use as possible. They will help reduce the pressure on development of greenfield sites, provide opportunities for affordable homes provision and result in improvements to the environment.

B7.91 The JRSP housing requirement already allows for an element of re-use of empty properties. Local Plan Policy HG.12 together with a range of financial and other measures being put in place by the Council's Housing Services aim to address this issue.

General

B7.92 Policy HG.12 sets out criteria for assessing conversion schemes to protect the character and amenities of established residential areas whilst seeking a satisfactory environment for future residents themselves. Impact on the character of the building needs to be considered to achieve a satisfactory conversion scheme especially in the case of a listed building or within a conservation area.

B7.93 Where a scheme involves the conversion of a house or other building in extensive grounds, features of landscape or nature conservation interest may also need special attention.

B7.94 Parking provision will be considered in the context of Policy T.26 having regard to accessibility to local facilities and availability of public transport and other transport modes. Schemes involving retail premises will also be assessed against Policies S.5, S.8 and S.9.

POLICY HG.12

Development for the use of buildings for residential purposes within the ambit of Policies HG.4 and 6 involving the sub-division of existing dwellings, conversion of non-residential buildings, the re-use of buildings for multiple occupation in the form of non self contained accommodation or re-use of existing empty dwellings will be permitted provided that it:

- i) is compatible with the character and amenities of adjacent established uses, taking into account the development itself together with any recent or proposed similar development;***
- ii) does not seriously injure the amenities of adjoining residents through loss of privacy and visual and noise intrusion;***
- iii) is not detrimental to the residential amenities of future occupants; and***
- iv) does not result in the loss of existing accommodation which, either by itself or together with other existing or proposed dwellings in the locality, would have a detrimental effect on the mix of size, type and affordability of accommodation available in the locality.***

Development of commercial premises which prejudice suitable opportunities for re-use of upper floors for residential accommodation will not be permitted.

Retention of Existing Housing Stock

B7.95 Bearing in mind the need to create and retain a mix of housing, the aim of reducing the need to

travel and reducing the amount of greenfield land needed for housing, it is desirable wherever possible to prevent the loss of existing residential accommodation through demolition or change of use.

B7.96 Pressures for redevelopment or re-use of existing residential uses is of particular concern in Bath city centre.

B7.97 Bath's unique historic character, its Cotswold setting and tight Green Belt constraints mean that it is essential to utilise the existing housing resources in order to reduce pressure for new sites, particularly where this might result in the loss of other uses important to the vitality of the city. Policy HG.13 aims to prevent the loss of existing residential accommodation either through redevelopment or change of use.

B7.98 However, there may be circumstances where an alternative use is acceptable. Substantial conservation benefits may be achieved through a non-residential use, or a change of use to a hotel, guest house, or to provide bed and breakfast accommodation in accordance with Policy ET.13.

POLICY HG.13

Development which would result in the loss of existing residential accommodation will not be permitted unless:

- i) there are substantial conservation benefits that can only be achieved through a non-residential use; or***
- ii) it falls within the terms of Policy ET.13.***

Replacement Dwellings

B7.99 Within the urban area and villages defined in Policy SC.1,

proposals for the replacement of dwellings, would be considered within the context of Policies HG.4 and HG.6. Policy HG.14 lays down criteria for considering proposals for replacing or rebuilding existing dwellings outside such settlements where there is normally a presumption against new dwellings (see Policy HG.10). Section 604 of the Housing Act 1985 will be a material consideration in determining planning applications relating to substandard dwellings.

POLICY HG.14

Outside the scope of Policies HG.4 and 6 permission will only be given for:

- i) the rebuilding or replacement of existing dwellings, where the replacement or reconstructed dwelling and ancillary buildings would not be materially larger than, and would not have a materially greater impact on the countryside or openness of the Green Belt, than that to be replaced; and***
- ii) the creation or extension of any residential curtilage would not detract from rural character nor conflict with the purposes of the Green Belt.***

Dunkerton, Keynsham and Whitchurch. JRSP Policy 36 recognises that this form of accommodation can contribute to housing needs and intends that development proposals should be treated neither more nor less favourably than other kinds of schemes. This follows the advice of PPS3. Proposals will therefore be considered in the context of Policies HG.4 and HG.6 and other relevant policies.

Residential Moorings

B7.101 With the re-opening of the Kennet and Avon Canal in 1990 there has been a substantial increase in boat traffic and pressure for permanent residential moorings.

B7.102 Residential moorings can play a useful role in helping to meet the housing requirements of the District, including the need for affordable homes. They are subject to the same considerations as other forms of residential development, such as the impact on the character and appearance of the landscape, countryside and conservation areas, affect on nature conservation sites, access to facilities and services, and inappropriateness in the Green Belt.

B7.103 Proposals for permanent residential moorings will be subject to Policy HG 14A, and other relevant policies of the Local Plan.

CARAVANS AND RESIDENTIAL MOORINGS

General

B7.100 The 2001 Census recorded about 270 households living in caravans, mobile homes or other non-permanent accommodation, representing approximately 0.4% of the District's total households. Most are living on sites at Claverton Down-Bath, Batheaston, Corston,

POLICY HG.14A

Residential moorings in Bath, Keynsham, Norton Radstock and those villages defined in Policy SC.1 as R.1, R.2 and R.3 settlements will be permitted if the site is:

- i) within the built up area of Bath or within a defined housing development boundary; or***

ii) within an established boatyard or marina; and in all cases provided the location has good access to services and facilities including employment opportunities and accessibility to public transport.

HOUSEHOLDER DEVELOPMENT

General Approach

B7.104 Many planning applications relate to relatively small extensions or alterations to individual dwellings or similar 'householder' developments. The main objectives with householder projects are to secure schemes which are satisfactory in terms of their effect on the dwelling itself, on adjacent dwellings and on the local area generally. In addition, projects should be assessed in terms of their implications for highway safety and car parking.

B7.105 In terms of design, planning applications will be assessed against Urban Design policies set out in Section A5 of the Local Plan. These policies relate not only to the appearance of the development, but also to its impact upon residential amenity. Parking and access issues are dealt with in Policies T.24 and T26. Where proposals for 'granny annexes' are put forward the use of legal agreements may be considered to ensure that the total property is retained as a single dwelling.

Development in the Green Belt

B7.106 The 1995 General Permitted Development Order exempts some dwelling extensions from planning control. Where planning permission is required to extend dwellings which lie in the Green Belt a policy is required which will balance the accommodation needs of

householders against the wish to avoid the gradual erosion of the countryside and of the identity and character of settlements, contrary to the purposes of the Green Belt (see Policy GB.1).

POLICY HG.15

Proposals to extend a dwelling in the Green Belt will be permitted unless they would:

- i) represent a disproportionate addition over and above the size of the original dwelling; or***
- ii) contribute to a deterioration in rural character as a result of the cumulative effect of dwelling extensions.***

GYPSIES AND OTHER TRAVELLING PEOPLE

B7.107 For planning purposes, gypsies and other travelling people are defined as "*persons of a nomadic habit of life, whatever their race or origin, who travel for the purpose of making or seeking their livelihood*". As part of the Local Plan objectives to make appropriate provision for a range of housing accommodation or facilities to meet local needs, there is a need to provide policy guidance for the possible establishment of sites for gypsies or other travelling people. Whilst there is no longer a legal requirement on local authorities to provide gypsy facilities, proposals for the establishment of gypsy sites can be generated from the local authority and private sector. The Local Plan therefore provides a "criteria based" policy with which to assess proposals for gypsy sites.

B7.108 These general criteria take account of Government policy as set out in Circular 1/94 *Gypsy Sites and Planning* (now replaced by Circular 01/06 *Planning for Gypsy and Traveller Caravan Sites*). Green Belt

policy as set out in PPG2 is restrictive and sites would therefore normally be inappropriate in such locations. Rural sites may be acceptable if they do not lie within Areas of Outstanding Natural Beauty nor Sites of Special Scientific Interest and there is no conflict with other established countryside policies. Sites outside existing settlements need to be within reasonable distance of local services and facilities.

B7.109 In Bath the city's high quality historic environment add to the difficulty of identifying an appropriate site.

B7.110 In both rural and urban areas the nature and the consideration of a proposed gypsy site will vary in terms of its location, size, type, characteristics and level of servicing. It will be important to consider the effect of the gypsy site on the visual amenities of the area, as well as the effect on local residents and highway safety. Proposals for mixed-use sites, residential and small scale business uses run by gypsies, will also be considered within the context of Policy HG.16. On-site business activities associated with the gypsies can cause significant levels of pollution, noise and disturbance and have implications on highway safety from the movement of vehicles, and affect the visual amenities of the area.

B7.111 The physical characteristics of sites need to be capable of satisfactorily accommodating the proposed pitches. Containment and landscaping of sites is essential and the provision of access, pitches, hardstanding/parking and a reasonable level of services would be expected to be in accordance with Department of the Environment guidelines. A range of Local Plan policies will apply in considering proposals and Policy HG.16 sets out more specific criteria relating to gypsy site provision.

POLICY HG.16

Proposals to provide sites, including mixed-use sites, for use by gypsies who reside in or resort to Bath & North East Somerset will be permitted on land outside the scope of Policies GDS.1 and HG.4 and 6 provided that:

- i) the site has good access to local services, facilities and public transport;***
- ii) it has safe and convenient access to the road network;***
- iii) it is capable of being landscaped to ensure that it blends in with its surroundings;***
- iv) adequate services including foul and surface water drainage and waste disposal can be provided;***
- v) there would be no harmful impact on the amenities of local residents by reason of noise or fumes from business activities.***

PURPOSE BUILT STUDENT ACCOMMODATION

B7.112 The University of Bath and Bath Spa University College play major roles in providing quality higher education both nationally and locally.

B7.113 Bath University has 7,930 students and employs 1,800 staff whilst Bath Spa University College has 4,000 students and employs 500 staff. Together with the other colleges of further education and other similar establishments they make a substantial contribution to the local economy.

B7.114 One of the issues associated with increasing numbers of staff and students is finding suitable accommodation. The University of

Bath currently accommodates students on campus within purpose built accommodation, with further halls located within the city and other students renting from the existing housing stock.

B7.115 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.

B7.116 Bath Spa University College is located at two campuses at Newton Park, Newton St. Loe and Somerset Place in Bath. Student numbers have increased from 1,000 in 1988 to 4,000 (3,400 full time) in 2001 and the College is seeking additional managed residential accommodation for 350-400 students to meet its expansion needs for the foreseeable future. Planning permission was granted in 2003 for student accommodation at Lower Bristol Road, which will provide an additional 316 spaces and contributes towards meeting these needs.

B7.117 The University College will be encouraged to produce a Masterplan which sets out its future expansion proposals. It is envisaged that this will include an evaluation of the Newton Park campus's capacity to accommodate additional development without compromising Green Belt policy.

B7.118 Currently only 400 can be accommodated at the Newton site and 150 at Somerset Place, Bath and because of a shortage of campus accommodation, particularly for final year students, many must find or be placed in flats and bedsits, particularly in the Twerton and Oldfield Park area.

B7.119 Pressure for student accommodation has resulted in the loss of family accommodation in

parts of Bath. This has had an impact both on the supply of local, often lower cost, housing and community cohesion. Provision of purpose built accommodation on campus or within urban areas can help relieve pressure on general needs housing, particularly smaller accommodation where the demand is greatest for people in need of cheaper and/or smaller dwellings. On the other hand it may result in the loss of other land which makes or could make an important contribution in meeting other needs such as economic or housing.

B7.120 In this context any proposals will be assessed against a range of policies in the Local Plan which seek, for example, to protect existing employment uses (Policies ET., ET.2 and ET.3) or residential accommodation (Policy HG.13).

B7.121 For such accommodation to meet sustainable transport objectives students will need to have good accessibility to their campus and other services and facilities. Accommodation should either be near the campus or served by good public transport services.

B7.122 In addition the location of such accommodation needs to be sensitive to its surroundings, both in terms of its impact on other uses, including residential areas, but also the impact surrounding uses can have on the amenity of students living in the accommodation, for example from adjoining employment uses.

B7.123 Also of particular concern will be traffic generated by the site, particularly from students travelling to and from the campuses. The Council will expect proposals to be accompanied by Green Travel Plans addressing such issues and will be considered against a range of access policies.

B7.124 New build student accommodation can have a

significant impact on the character of an area and will need to be of a high quality meeting the requirements of urban design policies of the Plan.

POLICY HG.17

Development of student accommodation will be permitted where:

- i) it is on previously-developed land or other land allocated for the purpose;***
- ii) there is good accessibility to the campus and to other services and facilities by modes of transport other than the private car; and***
- iii) it lies either:***
 - a) within the built up area of Bath or within the defined housing development boundary for the urban areas of Keynsham and Norton-Radstock; or***
 - b) within the Bath Spa University Newton Park Major Existing Developed Site as defined in Policy GB.3; or***
 - c) within the areas identified for development for student accommodation in the University of Bath Master Plan (see Policy GDS.1/B11).***

B8. WASTE

INTRODUCTION

B8.1 The Council in its roles as Waste Collection and Waste Disposal Authority has responsibility to collect and manage household waste together with some trade wastes. Nationally, this waste "stream" accounts for about 15% of the total amount of controlled wastes arising. The remaining wastes – including industrial/commercial wastes, construction/demolition wastes, and special wastes - are managed by the

private-sector waste management industry.

B8.2 In its role as Waste Planning Authority the Council has statutory responsibility to make adequate provision through the development plan for the control of development involving waste management and for future requirements for facilities to cater for controlled wastes arising within its area.

Table 9. Predicted Waste Arisings in Bath & North East Somerset during the Plan Period

| Situation at 2000 (tonnes pa) | | | | Predicted situation (to 2011*) | |
|-------------------------------|----------------|-----------------------|----------------|--------------------------------|---------------------|
| Waste Type | Waste arising | Re-used and recovered | Landfilled | Waste Arising | Percentage increase |
| Council collected | 90,000 | 20,000 | 70,000 | 107,400 | +20% |
| Commercial & industrial | 180,000 | 52,000 | 128,000 | 169,000 | -6% |
| Construction & demolition | 70,000 | 25,000 | 45,000 | 75,000 | +7% |
| Clinical & special | 1,000 | - | 1,000 | 1,000 | 0% |
| TOTAL | 341,000 | 97,000 | 244,000 | 375,350 | +10% |

KEY FACTORS INFLUENCING FUTURE MANAGEMENT OF WASTE

Waste Strategy 2000 for England and Wales (The National Waste Strategy)

B8.3 Utilising assessment of the Best Practicable Environmental Option (BPEO) for each waste stream as its underpinning theme (see paragraph B8.42 for definition), the National Waste Strategy incorporates several key targets directly relevant to land-use policies for waste management:

- reduce the amount of industrial and commercial waste landfilled to 85% of 1998 levels by 2005;
- recycle/compost at least 25% of household waste by 2005, rising to 30% by 2010 and 33% by 2015 (statutory performance standards for Bath & North East Somerset are 33% by 2003/4 and 36% by 2005/6);
- recover value from 40% of municipal waste by 2005, 45% by 2010 and 67% by 2015¹;

¹ "recover" means recycling, composting, other forms of material recovery and energy recovery.

- production of Municipal Waste Management Strategies to be mandatory.

B8.4 The Strategy also sets out in Chapter 3 of Part 2 the role of the land-use planning system in achieving the far-reaching changes required towards more sustainable management of waste. This chapter of the Local Plan therefore contains a range of land use policies aimed at meeting these targets.

EC Landfill Directive

B8.5 Implementation of the Landfill Directive in July 2001 introduced key changes to current UK landfill practice. Landfilling of biodegradable household waste was reduced to 75% of 1995 levels by 2010, 50% by 2013 and 35% by 2020. Other requirements included:

- banning co-disposal of hazardous and non-hazardous wastes, and requiring separate landfills for hazardous, non-hazardous and inert wastes;
- banning landfill of whole tyres by 2003;
- national strategy for reduction of all biodegradable waste disposed of by landfill to be in place by 2003;
- tradeable permits to be introduced to restrict on the basis of set tonnages the amount of biodegradable municipal waste to be sent to landfill.

B8.6 The Directive states that only waste that has been subject to treatment may be landfilled. A significant consequence will be a greater demand for treatment facilities, including those for recycling and similar activities.

Implementation of the Directive is also likely to increase the cost of disposal of waste to landfill leading to greater emphasis on waste minimisation, re-use and recycling. All new landfills from 16th July 2001 must comply with the full requirements of the Directive,

existing landfills must comply by July 2009.

Landfill Tax

B8.7 Landfill Tax on all non-inert wastes disposed of to landfill is £24 per tonne in 2007. Tax on inert wastes is frozen at £2 per tonne. The Government is committed to a tax escalator of £8 a tonne for landfilling non-inert wastes from 2008 until at least 2010/2011. It is expected that Landfill Tax will continue to increase. The principal effect of increases in tax is greater disposal costs to landfill. In due course this will contribute towards making alternative management methods more attractive in economic terms.

Aggregates Levy and recycling initiatives

B8.8 Demand for primary aggregates² dropped by 23% - 30% between 1989 and 1999. For the same period sales of secondary or recycled materials increased by some 50%. Current estimates are that about 35m tonnes of the total supply of aggregates comprises secondary or recycled materials. Currently the Government's target is 55m of total aggregate demand being met from recycled sources by 2006, therefore an additional 20m tonnes per annum will be needed by the end of the next 5-year period. Better source separation of wastes could release 10m tonnes, whilst removal of the exemptions from Waste Management Licensing could release another 8m tonnes. A levy of £1.60 per tonne on primary aggregates were introduced in 2002.

B8.9 It is considered likely that the Aggregates Levy and related initiatives will result in increased

² "Primary" aggregates are crushed rock and sand/gravel won from quarrying or dredging. "Secondary" aggregates generally are materials produced from quarry waste, "recycled" aggregates generally are produced from demolition and construction wastes.

demand over the Plan period for sites for production of recycled or secondary materials arising from construction industry and mineral wastes. Bath & North East Somerset could contribute to provision of facilities of this type if appropriate sites are available in the District. Moreover, policies to encourage source separation of wastes could make a valuable indirect contribution to overall supply.

Producer Responsibility for Packaging Waste

B8.10 Packaging constitutes about 9% of Council-collected and commercial and industrial wastes. Annual arisings nationally are estimated to be approximately 10m tonnes. About 4.5m tonnes arises in the Council-collected waste stream. Having regard to the data set out in tables above, it is estimated that around 21,500 tonnes of packaging waste arises in Bath & North East Somerset every year. About 10,000 tonnes of this arises as Municipal Solid Waste (MSW).

B8.11 The Producer Responsibility Obligations (Packaging Waste) Regulations 1997 oblige qualifying businesses, amongst other things, to:

- recover specified tonnages of packaging waste;
- inform consumers about their role in increasing recovery and recycling.

B8.12 Statutory targets, to be met by the end of June 2001, were:

- to recover between 50% and 65% of packaging waste;
- to recycle between 25% and 45% of packaging waste;
- to recycle at least 15% of each material.

B8.13 The Government considers that a major expansion in collection and recovery capacity, particularly for plastics and aluminium, is needed to ensure that the UK can keep step with Directive targets. At present

the 25% threshold target for recycling overall has been exceeded by 2%. As for individual materials, only aluminium and plastics are falling short of the 15% target (13% and 8% respectively). Overall recovery will need to rise by 17% if the 50% Directive target is to be met on time.

CURRENT PROVISION FOR WASTE MANAGEMENT IN BATH & NORTH EAST SOMERSET AND THE NEED FOR ADDITIONAL AND REPLACEMENT FACILITIES

B8.14 For Bath & North East Somerset, the total number of waste management facilities licensed³ or exempt from licensing under the Environmental Protection Act 1990 is as follows:

- 10 landfills;
- 7 metal recyclers (scrapyards and vehicle dismantlers);
- 9 waste transfer stations (incorporating 3 Household Waste and Recycling Centres);
- 1 composting facility (Charlton Fields).

B8.15 In addition, there is one temporary inert materials recovery/landfill operation at Charlton Fields; and one inert materials recovery facility at Marsh Lane, Temple Cloud.

Landfill

B8.16 The status of the 10 licensed landfills is:

- 5 closed⁴;
- 1 dormant⁵;

³ The number of licensed sites does not represent the number of active sites. Closed sites may continue to be licensed until the Environment Agency accepts surrender of the licence.

⁴ Four Winds, Swainswick; Fry's Bottom, Chelwood; Midford Hill; Lady Farm, Chelwood; Hinton Blewett, Temple Cloud.

⁵ Stowey Quarry, Bishop Sutton

- 2 private active⁶;
- 2 merchant active⁷

B8.17 The active merchant landfills are licensed only to accept inert soils, subsoils and construction industry wastes. In terms of capacity, Willow Farm Landfill has voidspace of less than 100,000 m³. Camerton Landfill has capacity of less than 10,000 m³. The temporary facility at Charlton Fields will accommodate about 20,000 tonnes of inert wastes over its 5-year life. Total capacity therefore at active merchant landfills is at most 130,000 tonnes. Having regard to estimated annual arisings of inert wastes, it is considered that there is less than 2 years' capacity at currently active sites.

B8.18 Stowey Quarry is an active surface mineral working (dimension stone). Part of the site has planning permission or restoration by this use of inert waste materials, although this use is dormant at present. Land adjoining the quarry is identified in Section C6 (Minerals) as suitable for extension of the workings. It is estimated that the potential voidspace at Stowey Quarry could exceed 1.7Mm³. Provided the development accords with policies set out below, this would give a capacity for disposal of some 1.5M tonnes of inert waste and would provide about 20 years capacity for disposal of such wastes arising in Bath & North East Somerset.

B8.19 The active private "factory curtilage" landfills are not run commercially. Whilst they contribute to the range of facilities they are small in scale and in general of marginal significance.

⁶ St Regis Paper, Keynsham; Bathford Paper Mills, Bathford

⁷ Willow Farm Landfill, Wellow; Camerton Landfill

Metal recycling

B8.20 There are 7 sites in this category. Discussion with the largest operator reveals that whilst there is sufficient existing capacity at present, the sites are not advantageously located in respect of access to principal traffic routes. There may be greater demand for additional or expanded facilities when EC Directives relating to End-of-Life Vehicles and Electronic and Electrical Equipment are implemented.

Waste Transfer Stations/Household Waste & Recycling Centres (HW&RCs)

B8.21 With the exceptions of a commercial and industrial waste transfer station near Windsor Bridge in Bath and a small "factory curtilage" station at Midsomer Norton, Bath & North East Somerset operates all transfer stations and HW&RCs in the District. The road-rail transfer facility for Council-collected wastes is at Westmoreland Road in Bath. There is a combined HW&RC/transfer station/MRF at Bath and a HW&RC/transfer station at Midsomer Norton together with a HW&RC at Keynsham. Development of Western Riverside in Bath will result in the need to relocate the HW&RC/waste transfer/MRF facilities in the city.

B8.22 The Strategic Waste Management Assessment 2000 states that the capacity of existing open-gate non-inert waste transfer stations in Bath & North East Somerset is 534,000 tpa. This figure includes the Westmoreland Road railhead facility.

Composting

B8.23 The composting sites in the District have a combined capacity of about 10,000 tonnes per annum. The site is temporary and replacement sites may be needed

during the Plan period. In any event, greater capacity is needed to meet statutory recycling targets for recovery of household wastes.

Need for additional or replacement facilities

B8.24 The need for additional and replacement waste management facilities for wastes arising during the Plan period should be based on the Best Practicable Environmental Option (BPEO) for each waste stream. It is considered that the BPEO should be assessed within the context of a sub-regional land-use planning strategy for waste management. A robust sub-regional strategy will take account of the need to contribute to regional self-sufficiency in waste management. A sub-regional strategy must be based upon reliable data on waste arisings together with an appraisal of the nature and capacity of existing sites. In the absence of these pre-requirements it is difficult to apply with any degree of confidence the BPEO and hence to predict need and make appropriate allocations of land for the siting of new or replacement facilities. Nevertheless, the Government, through, PPG 10 *Planning and Waste Management* and PPG 12 *Development Plans* (both now superseded), encouraged Waste Planning Authorities to prepare their policies and proposals for waste management development on the basis of the best available information.

B8.25 On the basis of existing data and having regard to material considerations such as the National Waste Strategy, statutory recycling targets and forthcoming legislation, it is considered that the following are likely to be needed for management of Bath & North East Somerset's wastes during the Plan period:

- materials recovery facilities for Council-collected wastes;
- disposal facilities for non-inert industrial and commercial wastes;

- permanent composting facilities;
 - materials recovery and processing facilities for industrial and commercial wastes, and for construction industry wastes;
 - HW&RC/waste transfer/MRF facility(ies) to replace the facility at Midland Road, Bath;
- sites for community recycling and/or composting facilities.

B8.26 The precise location, nature and mix of facilities will be a matter largely for the BPEO process as applied within a sub-regional context.

B8.27 In the absence of a sub-regional framework for implementation of JRSP Policy 29 (see paragraph B8.38), it is proposed to provide the context for meeting this need through a combined approach of identification of potentially suitable sites and criteria-based policies designed both to guide potential developers and provide a rigorous framework for development control decisions. Whilst it is anticipated that existing Council policies for waste reduction will be reviewed and built upon in the revised Waste Management Strategy, the effect of waste reduction and other initiatives set out in the National Waste Strategy on the need for additional waste management facilities is unquantifiable at this time.

LAND-USE PLANNING POLICY CONTEXT

National planning policy guidance

B8.28 The principal source of policy guidance for waste management planning is now PPS10 *Planning for Sustainable Waste Management*. Other relevant guidance is contained in PPS23 *Planning and Pollution Control*, PPS11 *Regional Spatial Strategies* and PPS12 *Local Development Frameworks* together

with a range of other PPG/PPSs and MPG/MPSs.

B8.29 PPS10 reiterates many of the underpinning principles of the National Waste Strategy. Waste Planning Authorities should develop waste planning strategies which take account of:

- obligations required by European legislation;
- the policies and principles of the National Waste Strategy;
- national and regional planning guidance on waste; and
- strategies prepared by the Regional Technical Advisory Body (RTAB).

B8.30 WPAs should:

- draw upon all relevant sources of information and establish the amounts of waste which will need to be managed in their area over the plan period.
- identify existing waste management sites with capacity for the future and, where practicable, new or extended sites sufficient to make adequate future provision.
- identify preferred locations where new or replacement facilities are needed.
- if specific locations are not identified, areas of search should be indicated or comprehensive criteria put forward against which applications for facilities can be considered;
- if an approach other than identification of preferred sites is adopted, the WPA will need fully to justify why a different approach has been taken.

B8.31 Planning for provision of facilities should be consistent with forecasts of local and regional requirements. WPAs should not prohibit the development of particular types of waste facility unless they are confident that adequate alternative facilities will be available in their area.

Regional Planning Guidance for the South West (RPG10)

B8.32 Policy RE5 of RPG10 generally reiterates advice in relevant PPGs/PPSs and the National Waste Strategy. It encourages adoption of regional targets and urges development plans to develop a collaborative approach to the formulation of regional and sub-regional policies. This includes the need to:

- Establish a mix of waste recovery methods regionally and sub-regionally to reduce reliance on landfill or any other single method;
- Give priority to the provision of waste management facilities that will recover value from waste at or near Principal Urban Areas; and
- Ensure that sub-regional requirements are taken into account in structure and waste local plans and in waste planning decisions.

Joint Replacement Structure Plan

B8.33 JRSP Policy 29 advocates a sub-regional (former Avon area) approach to provision of waste management facilities. The emphasis is on sustainable waste management. The concepts of BPEO and proximity principle should be employed in assessment of proposals. The policy encourages use of previously developed land in preference to "green field" sites. General guidance on location is provided. Policy 28 encourages provision of environmentally acceptable facilities for production of secondary and recycled materials for use in substitution for primary aggregates.

Bath and North East Somerset Council Waste Strategy – Towards Zero Waste (July 2005)

B8.34 This strategy details the steps that the Council need to take now and over the next 5 years to reduce the amount of waste that we produce, to recycle as much as possible and to develop new ways of treating the remaining waste to maximise its value and divert it from landfill.

B8.36 Key development areas for the strategy over the next five years are as follows:

- Arrest waste growth;
- Develop new programmes to increase community engagement on waste issues;
- Invest further in education and campaigning on waste awareness issues;
- Focus on the longer term because it takes several years to design, plan and build new facilities to enable waste to be treated in different ways; and
- Develop appropriate local infrastructure to deliver maximum diversion from landfill.

B8.36 The Council has for some time been investigating the possibility of developing an integrated waste management facility (or “Environment Park”) to manage the waste it collects. A closed landfill site together with other land at Broadmead Lane in Keynsham has been identified as a suitable location and is allocated in Policy GDS.1 (site K3). The facility would focus on recovery of value from wastes including recycling, composting and energy. A Project Team has been set up to carry forward the Environment Park project and to advise the Council on other waste management issues and site requirements.

Relevant development plans of neighbouring waste planning authorities

B8.37 South Gloucestershire Council has produced a Minerals and Waste Local Plan and North Somerset Council has produced a Waste Local Plan. The plans were adopted in April 2002 and January 2002 respectively.

POLICIES

B8.38 Policy 29 of the Joint Replacement Structure Plan requires the constituent Waste Planning Authorities of the former County of Avon to make provision of land for the safe management, recycling, treatment and disposal of forecast waste arising in the area. At present there is no co-ordinated approach to implementation of this policy. In her report on the Public Inquiry into the South Gloucestershire Minerals and Waste Local Plan the Inspector makes several references to the need for a collaborative approach to waste management planning in the former Avon area and comments that this would be “the most effective way of addressing many of the issues that have arisen in the preparation of this Plan, and no doubt others in the former Avon area”⁸. Whilst the Joint Committee for Strategic Planning and Transportation has resolved to review the mechanism for implementation of Policy 29, it will be some time before an agreed approach is in place. The Council believes moreover that a sub-regional approach will provide the most appropriate framework for each of the constituent authorities to achieve consistency between their statutory Waste Management Strategies and to contribute to the self-sufficiency of the south-west region in waste management.

⁸ South Gloucestershire Minerals and Waste Local Plan, Inspector’s Report, July 2001 paragraph 7.5.4, p.53

B8.39 In the interim the Council must discharge its statutory obligation to prepare development plan policies and proposals for waste management development.

B8.40 The proximity principle – that waste generally should be disposed of as near to its place of origin as possible - is a useful concept in this respect.

B8.41 In accordance with the proximity principle, the movement of waste into or out of the District for processing and/or disposal is unsustainable. Development of all facilities must however, represent the BPEO for the waste streams to be managed. That is the Council's first position. However, in anticipating the development of a joint approach to implementation of strategic policy, which would justify elevation of the proximity principle to the level of the former Avon area, an exception to this stance is warranted in the case of development of facilities to deal with wastes arising in the sub-region, particularly for example in respect of provision of reprocessing / manufacturing facilities and infrastructure for recycled materials. PPG10 requires Waste Planning Authorities to establish the amounts of waste which will need to be managed over a period of at least 10 years. It is expected that the sub-regional investigations to be undertaken for the 'Avon' area will provide such data and form the basis of an approach to the proximity principle at this level. In all cases however, development of waste management facilities must represent the BPEO for the waste streams to be managed.

B8.42 The keystone of the Council's policies for waste management is the BPEO. BPEO is defined as *'the outcome of a systematic and consultative decision-making procedure which emphasises the protection and conservation of the environment across land, air and water. The procedure establishes,*

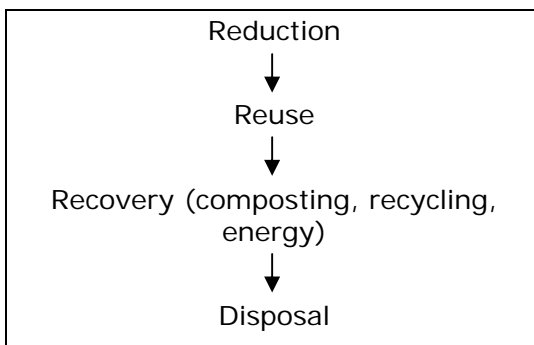
for a given set of objectives, the option that provides the most benefits or the least damage to the environment as a whole, at acceptable cost, in the long term as well as in the short term'. BPEO provides an overarching framework within which both the economic and environmental elements of proposals for waste management development can be assessed.

POLICY WM. 1

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.***

B8.43 Subsumed within the BPEO are two associated concepts: the waste hierarchy and the concept of regional self-sufficiency in waste management. The waste hierarchy is a guide to assessing, in broad terms, the sustainability of a proposal for waste management development. It is an adjunct to, not a replacement for, the more rigorous BPEO procedure. The hierarchy is:



B8.44 In determining whether a particular waste management facility

represents BPEO, the Council will take into account the long term vision and aspiration for the Council to achieve zero waste and whether the proposed facility will assist in achieving this by moving the treatment of waste up the waste hierarchy wherever possible.

B8.45 Waste reduction is clearly the most sustainable form of waste management. Re-use – of packaging waste or components – is clearly preferable to simply throwing things away. Recovery involves the salvage of value from wastes either by recycling or composting, or by recovering the energy inherent in the materials. Finally, at the bottom of the hierarchy is waste disposal.

Reduction and Re-Use

B8.46 The scope for effectiveness of the town and country planning system in reduction and re-use of solid or liquid wastes is limited. The planning system is principally concerned with regulating the development of land in the public interest. Waste reduction and re-use is a matter largely of change in socio-economic behaviour and values. The Government has implemented a range of initiatives aimed at reducing waste including the Producer Responsibility for Packaging Waste legislation. Whilst this and other initiatives will have some impact on future need for waste management facilities, its effect is at present uncertain. The Council intends to build on its record in recycling by introducing trials to collect and compost green waste and investigate ways to reduce, repair and re-use wastes through implementation of policies and setting of targets in its Waste Management Strategy

B8.47 The planning system can have most impact on reduction and re-use in terms of waste generated during the development of land. Where a development is expected to generate significant volumes of waste through

the development process by reason of demolition, site clearance or ground works applicants for planning permission will be required to submit a waste audit with their planning applications.

B8.48 Developers will be expected to provide an estimate of the type and quantity of waste likely to be generated and to consider, in consultation with the Waste Planning Authority, ways of reducing or eliminating its generation and of re-using unavoidable waste on the site – in landscaping or in noise attenuation bunding, for example.

B8.49 Applications for planning permission will be expected to be accompanied by a detailed written statement covering:

- i) the nature and estimated quantity of waste to be produced; and
- ii) the steps to be taken to eliminate and minimise the generation of waste and to re-use and/or recycle wastes for incorporation in the development; and
- iii) for wastes which cannot be accommodated in the development project provision, where practicable, for on-site separation of hard wastes such as concrete and stone from soils and subsoils prior to transportation off-site; and which will generate waste as part of the physical development process.

POLICY WM.3

Development proposals which are expected to generate significant volumes of waste through the development process itself will be required to submit, as part of the application detail, a waste audit to include the following:

- 1. the type and volume of waste that the development will generate; and***

- 2. the steps to be taken to ensure the maximum amount of waste arising from the development process is incorporated within the new development; and**
- 3. the steps to be taken to manage the waste that cannot be incorporated within the new development and, if disposed of elsewhere, the distance the waste will be transported.**

The way in which the waste arisings identified in the waste audit are to be dealt with will be considered in the context of regional self-sufficiency, the proximity principle and the precautionary principle, and any prejudice to the management of waste via more sustainable methods.

Recovery

B8.50 This part of the waste hierarchy incorporates recycling, composting and energy recovery. The three categories of recovery do not share equal status in respect of national policy. Government advises that incineration with energy recovery is expected to be considered after opportunities for recycling and composting have been explored. As a Beacon Authority for waste recycling, the Council supports this objective (see Policy WM.10).

Recycling

B8.51 Having regard to the Council's commitment and growing reputation in household waste recycling, it is important that every effort is made to build on current success. Central government has, for Bath & North East Somerset, imposed statutory performance standards for household waste recycling of 33% by 2003/4 and 36% by 2005/6 – far in excess of national targets of 25% by 2005

and 30% by 2010. These targets are likely to increase demand in the district for new or expanded Household Waste Recycling Centre facilities (see Policy WM.7).

B8.52 One of the most difficult problems in increasing the quantity of waste recycled is the segregation of different materials so that cross-contamination is minimised. The collection and sorting of mixed recyclable materials can be labour-intensive and expensive, and whilst this may create employment it equally can undermine the economic viability of initiatives. New development proposals will therefore be expected to incorporate facilities for the segregation and collection of waste materials within their design. This will help to increase the quantity of wastes available for recycling in the district. In order to assist determination of planning applications, information detailing the provision for long-term management of the facilities will be required. Planning obligations will be sought where necessary.

POLICY WM.4

Development of:

- i. housing sites of 0.5 ha or more in area, or 10 or more houses; or**
- ii. industrial and/or commercial site of 0.4 ha or more, or 1000m² or more floorspace; or**
- iii. sports, recreation or similar facilities such as an including those in Policies SR.2 and SR.5 of this Plan**

will only be permitted where provision is made as an integral part of the development for:

- a) facilities within individual or groups of properties or premises for the separation and storage of waste for collection and**

for composting; or

b) compensatory public facilities for the separation and storage of wastes for collection and/or composting of waste.

B8.53 At a broader level, the effects of the Landfill Tax escalator, implementation of the EC Landfill Directive and introduction the Aggregates Levy are likely to stimulate demand for more Materials Recovery Facilities (MRFs). Apart from Council-run sites and scrapyards, there are only two operational recycling facilities in the district at present. Both accept only inert construction and demolition wastes.

B8.54 Inappropriately designed and located MRFs can give rise to environmental problems as a result of traffic, noise, visual intrusion and other amenity impacts. MRFs should ideally be sited in areas designated for industrial or waste management uses. In operational terms, the processing and stockpiling of materials should take place under cover in order to control noise and dust emissions and to reduce visual impact.

B8.55 In some instances redundant agricultural buildings may be capable of accommodating facilities of this type. This will depend upon the siting of the buildings together with their quality and design. The control of noise from a MRF located in a quiet rural area may be a particular difficulty as will generation of atypical levels and/or types of traffic. Impact on residential amenity and the environment will be important considerations. Proposals will be assessed against relevant policies of the Plan.

B8.56 Waste Transfer Stations (WTS) are often associated with

MRFs, although the two activities are distinct. The primary purpose of a WTS is to "bulk up" wastes from smaller to larger containers for onward transit to a processing or disposal site. This reduces costs and can be less damaging to the environment. The environmental and amenity impacts of a WTS are broadly similar to those which can be expected from a MRF.

POLICY WM.5

Development of Materials Recovery Facilities and/or Waste Transfer Stations will only be permitted where:

- i. the facility is located within an area designated for waste management development or within an appropriate existing or allocated employment site or area, or appropriate existing agricultural building; and***
- ii. the use and ancillary activity will as far as is practicable take place within appropriately designed or converted buildings; and***
- iii. the site is close to the source of the waste to be recovered, recycled or transferred and, wherever possible the markets to be served.***

B8.57 The recovery of materials brought to landfill sites is a paradox. Whilst the benefits may seem obvious, it may be that the site has been permitted for a temporary period in order, for example, to improve derelict land or restore a quarry. Landfill sites are normally located in comparatively remote, rural areas. If recovery of materials would have the effect of reducing the rate of fill at such a site the result may be that the environmental impact of the landfill would be unacceptably prolonged.

POLICY WM.6

Development involving the recovery of materials from wastes brought to landfill sites will only be permitted 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.***

B8.58 Household Waste Recycling Centres (HW&RCs - formerly called "Civic Amenity" sites) have a crucial role to play in meeting Bath & North East Somerset's recycling targets and making management of waste generated in the district more sustainable. The Council has a legal obligation to provide HW&RCs. In development terms, the principal planning issue raised by HW&RCs centres on traffic (access, manoeuvring, loading and offloading). HW&RCs must be sited carefully to avoid traffic congestion and unsustainable cross-city car journeys. Other potential issues include noise and odour. Alongside general development control considerations in Policy WM.1, the criteria for consideration of any new site are set out in Policy WM.7.

POLICY WM.7

Household Waste Recycling Centres will only be permitted where:

- i. the site is located on previously developed or underused land within urban areas; and***
- ii. the site is located so as to be readily accessible by the population to be served by the facility without giving rise to material increases in cross-city or cross-town***

traffic; and

- iii. the use would not have a detrimental effect on existing land-uses adjoining the site; and***
- iv. there is adequate provision for the waiting, loading and offloading of vehicles visiting the site.***

Composting

B8.59 Except for paper, wood and some textiles, most biodegradable waste cannot be recycled. Under the right conditions and with proper management most can be composted to produce a substitute for peat and fertiliser.

B8.60 Composting facilities can be large and centralised or be designed to serve a particular community, or simply be a heap or bin in the back garden. There are several composting techniques, ranging from the "low tech" open-air windrow system and simple bins to more "high-tech" in-vessel methods involving computer-controlled temperature regulation and purpose-designed silos.

B8.61 Regardless of scale, all have an important role to play in making the management of Bath & North East Somerset's waste more sustainable. An emphasis on composting is particularly timely having regard to the implications of the Landfill Directive for the landfilling of bio-degradable wastes.

B8.62 Composting can be both environmentally safe and economically successful provided that the facility is properly managed and the end-product is marketable. Badly managed composting potentially can result in ground and surface water pollution if leachate is not controlled adequately. Odour and vermin can result if the process is not properly designed and

monitored. Large piles of unprocessed waste can be visually unattractive. A satisfactory working and management plan for the facility including provision for annual review and having particular regard to minimising environmental impact and to site security is likely to be required as part of any planning application.

B8.63 At present the biggest obstacle to successful commercial-scale composting is market resistance. In the past, waste-derived compost products have varied considerably in quality and this has affected sales. A major problem facing commercial composters is contamination of raw materials, principally with plastics. This is not a matter directly for the development plan, but the Council is considering what steps it may be able to take to minimise this problem in respect of its HW&RCs and waste collection rounds.

B8.64 Centralised or community composting facilities must be carefully sited. Large-scale recycling centres and landfill sites can be suitable locations for centralised facilities subject to relevant policies. Community composting facilities clearly must be located in publicly accessible areas. They must have regard to safeguarding amenity together with traffic control and management. The facility must be compatible with adjoining land-uses. Land adjoining allotments, market gardens or leisure facilities such as sports centres or libraries may have potential, as may underused or brownfield land. In line with Policy WM.8 new housing developments should make provision for community composting facilities in their design.

B8.65 Alongside problems outlined at B8.77 community composting facilities may face the additional problem of fly-tipping if the site is not secured when not in use. It is therefore essential that the facility is

responsibly managed. In order to safeguard local amenities and to ensure that potential problems are minimised planning permission for community composting facilities should in the first instance normally be granted on a temporary basis. Permission for establishment of permanent community composting facilities should be considered on their merits and in light of responses to consultation and other material considerations.

B8.66 The Council will produce guidance on establishing and managing community composting facilities.

POLICY WM.8

Composting facilities will only be permitted where:

- i. the facility is located within an area designated for waste management development or within an appropriate existing or allocated employment site or area, or on appropriate existing agricultural land; and***
- ii. the use and ancillary activity will as far as is practicable take place within appropriately designed or converted buildings; and***
- iii. the site is close to the source of the waste to be recovered, recycled or transferred and, wherever possible, the markets to be served.***

POLICY WM.9

Community composting facilities will only be permitted where:

- i. the use would, in the first instance, be for a period of 3 years or less;***
- ii. the use would not have an adverse effect on existing***

land-uses adjoining the site;

iii. the facility is on publicly accessible land;

iv. there is adequate provision for the waiting, loading and offloading of vehicles visiting the site and the use will not be to the detriment of highway safety or local amenities by reason of traffic generation.

Energy recovery

B8.67 Energy can be recovered from waste either by direct treatment or as a by-product of other forms of waste management. The most common form of direct treatment is mass burn incineration, but other methods of thermal processing such as gasification⁹, pyrolysis¹⁰ and plasma arc heating are emerging. By-products are combustible gases (principally methane) recovered from landfills and anaerobic digestion - a form of accelerated composting. The gases can be collected and burned to generate electricity. Anaerobic digestion is unusual in that the Government now accepts that it can be treated as a contributor to Best Value targets for recycling and composting (which previously excluded anaerobic processes) and energy recovery. However for planning purposes, in terms of their final outputs and environmental impacts, anaerobic digestion and composting will be treated as analogous processes and therefore planning applications for anaerobic digesters will be considered under Policies WM.8 and WM.9.

⁹ Gasification is the heating of waste in the presence of air or steam to produce fuel-rich gases.

¹⁰ Pyrolysis involves the heating of waste in the absence of oxygen. It has the advantage of being adaptable to small waste arisings and having a comparatively low incidence of emissions to the environment. The result of the process is the conversion of the waste into a combustible fuel gas together with combustible oils and a small quantity of ash.

B8.68 Whilst the processes involved in gasification and pyrolysis are not new, the application of these techniques to waste management is comparatively recent. Both processes are currently in a process of transition between small experimental pilot schemes and commissioned full-scale plants. It is clearly important that any proposal which comes forward uses technology that is tried and tested at full scale over a reasonable period of time for specified waste streams.

B8.69 It is considered that direct thermal treatment of wastes arising in Bath & North East Somerset should more appropriately take the form of these smaller, more flexible treatment methods. Treatment of wastes by these methods would follow recycling and composting, focusing on wastes unsuitable for such treatments, and consequently would be unacceptable other than in a supporting role. Proposals for thermal treatment without energy recovery would be unsustainable and unacceptable.

POLICY WM.10

Facilities for thermal treatment will only be permitted where:

- i. provision is made for energy recovery; and**
- ii. the feedstock comprises residues remaining after re-use, composting or recycling and/or comprises waste materials which are unsuitable for such treatment; and**
- iii. thermal treatment is the BPEO for the wastes to be managed; and**
- iv. the site is located within an area designated for waste management development or within an appropriate existing or allocated employment site or area; and**
- v. proven technology is used;**

and

vi. the plant is of appropriate scale and design having regard to the site location and setting.

Disposal to land

B8.70 Unless it represents the Best Practicable Environmental Option, disposal of waste to land represents the bottom rung of the waste hierarchy. It is nevertheless likely to remain the principal method of waste management during the plan period. There will always to be a need for facilities of this nature for disposal of residues remaining after recovery of materials and/or energy or for disposal of wastes which do not readily lend themselves to such treatment (for example, subsoils from construction work). Owing to the range of variables involved (including the EC Landfill Directive and the Aggregates Levy), it currently is not possible to predict with any degree of confidence the reduction in demand for voidspace or airspace that may result.

B8.71 The Council considers that disposal of waste to land should be undertaken principally with the objective of improving or restoring degraded land to an environmentally beneficial and appropriate afteruse. In this context, it should by its nature be a temporary activity and demonstrably be a means to an end rather than an end in itself.

B8.72 In many cases disposal to land takes place in association with or following mineral extraction. It is important to note that it is not always the case that filling a disused quarry will bring about an environmental benefit, particularly if the site has naturally regenerated and has nature conservation, recreational or geological value.

B8.73 The District historically has experienced intensive extraction of coal, stone and fuller's earth by underground mining. In contrast, surface mineral working has and continues to be low-key in nature. This is partly attributable to the geology of the district and the absence of deposits of limestones generally suitable for volume production of aggregates. In consequence there are very few mineral working voids of significance. At present time there are only 2 operational surface mineral working sites: Upper Lawn Quarry at Combe Down and Stowey Quarry at Bishop Sutton. Both produce building and walling stone, but in recent years Stowey quarry has also produced a large quantity of material for aggregate purposes. There are a small number of disused or dormant sites including Queen Charlton Quarry near Keynsham and Mount Pleasant Quarry at Combe Down.

POLICY WM.12

Disposal of wastes to land (landfill) will only be permitted where the proposal relates to:

- i. mineral working sites in accordance with approved schemes of working and restoration where filling with appropriate materials is required to achieve restoration of the site; or***
- ii. sites identified in Section C4 (Minerals) where there is a requirement for appropriate fill materials to achieve restoration and where filling is limited to that which is required to achieve the restoration objectives of this plan; or***
- iii. treatment of agricultural land subject to Policy WM.14;***

and where:

- iv. the wastes to be deposited are unsuitable for re-use or recovery or comprise rejects***

- and/or residues of waste treatment; and*
- v. disposal to land is the BPEO for the wastes to be managed; and*
- vi. provision can be made, as appropriate, for the recovery of landfill gas for conversion to energy either on site or elsewhere; and*
- vii. there is sufficient fill material available to complete the development within a reasonable period of time; and*
- viii. the development is temporary and will result in a beneficial afteruse of the site.*

- vii. there is sufficient fill material available to complete the development within a reasonable period of time; and*
- viii. the development is temporary and will result in a beneficial afteruse of the site.*

B8.74 Disposal of inert wastes to land can often take place as a means of improving agricultural productivity. In some instances whether or not a material improvement results is open to doubt. The Council considers that a more rigorous approach to the evaluation of planning applications of this nature is needed.

B8.75 Applicants should be able to demonstrate that the land is in need of improvement, that other methods of improvement are not feasible and that there is sufficient availability of suitable fill materials. Planning applications will be expected to be supported by information prepared by a suitably qualified independent person(s) demonstrating:

- that improvement is reasonably necessary for the purposes of agriculture within the agricultural unit;
- how the proposed development will significantly improve the land;
- why the improvement cannot practicably (excluding financial reasons) be achieved by other land management methods.
- that the agricultural improvements will not have an adverse effect on environmental interests.

B8.76 The Landfill Tax has inadvertently diverted a great deal of inert waste material formerly used for agricultural improvement schemes to projects exempt from waste management licensing and tax. Increased recycling is likely to reduce further the availability of

POLICY WM.13

Disposal of wastes by raising the level of land above its natural level (landraising) will only be permitted where the proposal:

- i. would assist the preparation of land for other approved development proposals; or*
- ii. would assist the restoration of derelict or degraded land; and*
- iii. the land is not within the Bristol-Bath Green Belt or the Cotswolds or Mendip Hills Area of Outstanding Natural Beauty; and*
- iv. the wastes to be deposited are unsuitable for re-use or recovery or comprise rejects and/or residues of waste treatment; and*
- v. disposal to land is the BPEO for the wastes to be managed; and*
- vi. provision can be made, as appropriate, for the recovery of landfill gas for conversion to energy either on site or elsewhere; and*

materials of this type. It will in many cases be undesirable to allow significant time extensions to complete schemes if the site is sensitively located and the original decision was finely balanced having regard to environmental or amenity considerations.

POLICY WM.14

Development involving the treatment or "improvement" of agricultural land by the deposit of imported controlled wastes will only be permitted where:

- i. the land is not Grade 1, 2, or 3a in the MAFF Land Classification System; and***
- ii. the development is reasonably necessary for the purposes of agriculture within the agricultural unit; and***
- iii. the development will result in a material improvement; and***
- iv. the waste to be deposited is inert and comprises predominantly soils, subsoils or soil-forming materials unsuitable for re-use or recovery at source or the residues of such processing; and***
- v. the development is for a temporary period; and***
- vi. there is sufficient availability of suitable waste materials to complete the site within the period proposed; and***
- vii. the volume of waste to be deposited is the minimum necessary to improve the land whilst leaving an appropriate final landform.***

B8.77 Applicants will need to take a realistic view of the availability of suitable materials together with the time needed to undertake the proposed work, and plan accordingly. Conditions will be imposed requiring

appraisal of the likelihood of work being completed within the permitted time. If the appraisal suggests that further time is needed and "low level" restoration is feasible there will be a requirement for submission of schemes for completion of work using materials already deposited on the site. Applications for time extension will be refused where it appears to the local planning authority that the land can be restored to an acceptable standard using materials already deposited.

POLICY WM.15

Planning applications to extend the period of time needed to complete permitted landfill, landraise or agricultural improvement schemes will only be permitted where insufficient materials have already been deposited to restore or improve the site to an acceptable standard having regard to the approved afteruse.

Planning applications, conditions and obligations

B8.78 The Waste Planning Authority will expect planning applications to contain sufficient detail to enable efficient and rigorous assessment of the proposed development. For most waste management developments, informal pre-application meetings are very useful. They can enable issues to be identified at an early stage, the developer's intentions and WPA's requirements to be made clear and discussion of Development Plan policy to take place.

B8.79 Planning applications for waste management development will be required, as appropriate, to address matters and/or provide details including:

- Annual site surveys;
- Archaeology;

- Benchmark (fixed OSD point);
- Best Practicable Environmental Option;
- Birdstrike;
- Building scale, design and external appearance;
- Drainage;
- Duration of development;
- Dust;
- Height of stockpiles;
- Landscape impact and landscaping;
- Litter;
- Lighting;
- Materials to be recovered and/or deposited;
- Nature conservation;
- Noise;
- Odour;
- Plant and machinery;
- Plans (to scale and including proposed buildings; landscaping; layout; existing site topography; pre- and post-settlement levels);
- Public Rights of Way;
- Rates of fill and/or number of traffic movements per day;
- Reinstatement and afteruse;
- Source of materials;
- Site security;
- Stripping, storage and placement of soils and subsoils;
- Temporary buildings and structures;
- Traffic, access and highways;
- Vermin;
- Visual impact;
- Water environment (surface and groundwater);
- Wheelcleaning;
- Working hours;
- Working plans.

PROPOSALS

Constraints

B8.80 Over 75% of land in the district is subject to significant constraints on development: 67% is in the Bristol-Bath Green Belt and 31% is within either the Cotswolds or Mendip Hills Areas of Outstanding Natural Beauty (AONB). If land in urban centres is included in the calculation, there remains only some

14% of the district, mostly in the south, which is comparatively free of major urban development or nationally-designated planning constraints. Within that 14% there are Sites of Special Scientific Interest, areas designated as being of landscape and/or nature conservation importance, archaeological sites and so on.

B8.81 Employment land within urban areas can be suitable for certain types of waste management development such as waste transfer and materials recovery facilities. Pressure to develop so-called "brownfield land" for uses other than employment currently is intense, and available sites are scarce.

B8.82 Having regard to PPS7 *Sustainable Development in Rural Areas*, the countryside should be protected for the benefit of all. Development outside existing settlements should be strictly controlled.

B8.83 The remaining pockets of land across the district which are suitable for development are therefore at a premium and naturally subject to intense competition from developers.

Opportunities

B8.84 Bearing these constraints in mind and within the context of policies set out above the Plan allocates a site under Policy GDS.1 (K3) for a waste management facility at Broadmead, Keynsham. The majority of the site previously was allocated in the draft Wansdyke Local Plan for employment development. Any waste development on the site will be subject to the normal planning process, including assessment of BPEO, Environmental Impact Assessment where appropriate, together with the Integrated Pollution Prevention Control (IPPC) regime administered by the Environment Agency. Identification therefore does not

mean that planning permission automatically will be granted or that other sites automatically will be excluded. Any potential site coming forward which is not in the Plan will be assessed against relevant policies.

B8.85 The 4.3 ha site comprises a closed and poorly restored former municipal landfill. The Environment Agency has confirmed that the entire former landfill lies outside the floodplain of the River Avon, but that the access road remains in the flood plain. They have further advised that the road can be protected by providing compensatory modification of the northern boundary of the site. It is proposed in paragraphs C1.26 and C1.27 of the Green Belt chapter to amend the Green Belt boundary which cuts through the northern third of the site. This will enable the whole site to be redeveloped and put to beneficial use.

B8.86 The site is remote from housing development. Whilst public views of the site are limited, it is considered that the nature of surrounding topography and landscape setting necessitates sensitive design and boundary treatment. Nature conservation interests will need to be taken into account in any redevelopment proposals. Improvements to the existing access under the railway bridge at Broadmead Lane will be required if the full potential of the site is to be realised. Potential ground stability and contamination issues relating to the former landfill will need to be addressed.

B8.87 The site is considered suitable for use as an integrated waste management facility. Detailed proposals for the site will come forward through the Council's Waste Management Strategy. However, the key features of the proposed development are likely to include:

- A maximum capacity of 70,000 tonnes per annum of domestic waste. Limited amounts of

organic industrial wastes may also be processed.

- The Materials Recycling Facility processes will include the pulverisation and separation of black bag domestic refuse. Reception and segregation of the waste will be undertaken within enclosed buildings to ensure that it will not give rise to odour.
- Green waste and the putrescible fraction of the mixed domestic refuse will be composted in vertical, closed vessel units.
- Energy recovery will be by gasification/pyrolysis, or anaerobic digestion of the residual organic fractions of the wastes and possibly sewage sludges and some commercial waste.
- All releases to air will meet emission limits specified by the Environment Agency under IPC Guidance Note S2 5.01: Processes subject to Integrated Pollution Control: Waste Incineration and the EC Directive on the Incineration of Waste EC98/0289.
- A Sort-It-Centre, primarily for the recovery and recycling of waste electrical and electronic goods.
- An education centre.
- Manufacturing units, which will utilise recycled materials.

B9. GENERAL DEVELOPMENT SITES

B9.1 Policy GDS.1 below sets out the sites allocated for development during the Plan period. These include proposals for both mixed-use schemes and for particular uses. The backgrounds for the allocations are set out in the relevant part of the Local Plan, e.g. Housing, Economy, and Waste chapters. All these sites are shown on the Proposals Map.

B9.2 The requirements to enable development to go ahead are included as part of the policy. These make explicit some of the individual site requirements which are needed in order to meet the policies of the Plan. 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.

POLICY GDS. 1

The following sites are allocated for development during the Plan period and are shown on the Proposals Map. The policy also sets out the requirements to enable development and phasing of development.

BATH

Bath Western Riverside

B9.3 The complex nature of redeveloping this site, partly arising from the scale of development and the multiplicity of land ownerships, makes it particularly important that a comprehensive approach to delivering regeneration is followed. Such an approach is required in order to:

- deliver the optimum mix of land uses for the benefit of the community;
- secure high quality employment generating development of sufficient critical mass to support Bath's regional economic role;
- deliver the requisite supporting infrastructure and facilities;
- achieve for the area as a whole high quality urban design which is sympathetic to and respectful of the city's World Heritage status;
- secure the necessary accessibility, linkages, permeability and transport infrastructure for Western Riverside, which enable it to integrate with the city as a whole;
- achieve development and financial viability over the whole regeneration period; and
- ensure that appropriate phasing and sequencing of development is secured to enable the regeneration of the area as a whole and not on a piecemeal basis.

B1. WESTERN RIVERSIDE - site area 33.05 ha

Development Requirements:

Comprehensive mixed used scheme including:

- 1. Significant provision for business development (Use Class B1).**
- 2. About 450 - 600 dwellings during the Plan period.**
- 3. High density urban form.**
- 4. Relocation of other uses including civic amenity site/refuse transfer station, sewage pumping and storage facility, gas storage facilities.**
- 5. On and off site transport infrastructure including an integrated transport system.**
- 6. Public access to and along the riverside.**
- 7. Small scale local needs shopping food and drink uses and local offices (Use Classes A1, A2 & A3).**

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.

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.

B2. MOD FOXHILL - site area 18.7 ha

Development Requirements (see also Development Guide for this site approved 1998):

Comprehensive mixed-use scheme including:

- 1. Land for residential and business development (Use Classes B1, B2 & B8).**
- 2. Retention and enhancement of existing vegetation, boundary planting and reinforcement & maintenance of northern boundary planting.**
- 3. Main vehicular access onto Bradford Road, with at least one secondary access onto Foxhill incorporating traffic calming measures.**
- 4. Local centre, including a small food store with residential development above, that does not harm the vitality and viability of other local centres.**
- 5. Minimum of 2.0 ha of public open space and children's playing space**
- 6. Protect and enhance the Bath skyline.**

B7. R/O 89-123 ENGLISHCOMBE LANE – site area 1.4 ha

Development Requirements:

- 1. About 45 dwellings.**
- 2. Retention of existing hedgerows along site boundaries.**
- 3. Access from between Nos 87-89 Englishcombe Lane retaining existing trees where possible.**
- 4. Space within site for planting of large trees.**
- 5. Pedestrian access from Stirtingale Road.**

B11. UNIVERSITY OF BATH CAMPUS, CLAVERTON DOWN – site area 60 ha

Development Requirements:

- 1. A comprehensive scheme expressed within a university-wide master plan providing for:
 - a) approx 43,250 sq.m. of additional university-related non-residential development for uses including learning, research and allied business incubation and knowledge transfer; conferences; university administration and IT; and sports, health, creative arts, social, recreational and catering purposes and**
 - b) approx 40,000sq.m (2000 bedrooms) of additional student****

residential accommodation.

- 2. 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.*
- 3. Adequate and suitable replacement on or off-site of any displaced existing sports pitches.*
- 4. On and off-site transport infrastructure necessary to deliver an integrated transport solution.*
- 5. 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.*

B12. LAND AT LOWER BRISTOL ROAD - site area 7.05 ha

Development Requirements:

Comprehensive mixed use scheme including:

- 1. At least 3 ha of land for business uses within Use classes B1, B2 or B8 or, if less, suitable, alternative provision made.*
- 2. About 50 dwellings during plan period.*
- 3. Enhancement of the Riverside area including public access and river transport link.*
- 4. Enhancement of the Lower Bristol Road frontage to provide appropriate 'gateway' to the city.*
- 5. On and off site transport infrastructure integrating with the transport system proposed for Western Riverside under policy GDS.1 site B1.*
- 6. Small scale local needs shopping.*

B13. LAND AT ST MARTIN'S HOSPITAL, ODD DOWN - site area 5.3 ha

Development Requirements:

A comprehensive mixed-use scheme including:

- 1. Around 130 dwellings.*
- 2. Business & community uses.*
- 3. Retention of significant trees.*
- 4. Contribution to Wellsway improvement work to assist better access to public transport.*
- 5. A signalised pedestrian crossing on Frome Road.*
- 6. Replacement car parking for the hospital.*
- 7. A Travel Plan relating to residential, business and community uses.*
- 8. Adequate and suitable replacement cricket pitch and changing facilities.*

B14. FORMER ST MARY'S SCHOOL, BURLINGTON STREET - site area 0.16 ha
Development Requirements:

- 1. Around 15 dwellings.**
- 2. Provision of community facility.**
- 3. Protection of Horse Chestnut tree (TPO).**

B16. THE PODIUM/CATTLEMARKET - site area 1.36 ha
Development Requirements:

Comprehensive mixed use scheme including:

- 1. High street comparison and convenience goods retail floorspace of at least the existing quantity; and**
- 2. Other compatible city centre uses to include a hotel and provision for a replacement library; and**
- 3. Enhancement of the Riverside area, including public access achieved through improvements to the Bath Riverside Walk; and**
- 4. Replacement car parking of an equivalent amount to replace existing car parking; and**
- 5. Transport infrastructure to provide an adequate transport solution, including vehicular access arrangements that minimise the likelihood of 'on-street' waiting.**

B18. HAYESFIELD SCHOOL PLAYING FIELD, ODD DOWN - site area 6.3 ha

Development Requirements:

Comprehensive mixed use scheme, expressed within a development brief, including:

- 1. Housing.**
- 2. Community facility.**
- 3. Publicly accessible open space.**
- 4. Business Workspace (B1).**
- 5. Convenience floorspace to meet local needs provided by small retail outlets in accordance with the emerging retail strategy.**
- 6. Replacement of the existing Hayesfield School playing fields with a suitable synthetic turf facility (off-site) which is available for community use.**
- 7. On and off-site transport and highways infrastructure necessary to deliver an integrated transport solution that addresses the impacts of the development identified by a Transportation Assessment and Independent Road Safety Audit.**
- 8. Pedestrian and cycle links to Wellsway and Frome Road.**
- 9. Retention of existing high walls and mature trees bounding the north western part of the site.**

KEYNSHAM

K1. SOMERDALE - Site area : 25.3 ha

Development Requirements:

- 1. Retention of existing business uses and development of at least 10ha of land for business development (Use Classes B1, B2 and/or B8)**
- 2. About 50 dwellings during the Plan period.**
- 3. Safeguarding of residential amenities of proposed residential development from existing and/or proposed business uses including incorporation of a buffer zone, landscaping and other visual and noise mitigation measures.**
- 4. Provision of children's playing space.**
- 5. Replacement playing fields.**
- 6. Preserve setting of existing main factory frontage.**
- 7. Public access along River Avon.**
- 8. Retention of avenue of trees in Somerdale Road.**
- 9. Provision of major landscaping on northern, western and eastern site boundaries to satisfactorily accommodate development into Avon Valley landscape and contribute to Bristol/Avon Community Forest.**
- 10. Loss of recreational and social facilities to be offset by satisfactory alternative provision.**
- 11. Provision of satisfactory highway access to A4175, realignment of Station Road and closure to traffic of Somerdale Road site entrance; off-site traffic management measures in Station Road and Avon Mill Lane.**
- 12. Traffic management measures to restrict vehicular use of Chandos Road.**
- 13. Provision of appropriate access to public transport, including enhanced rail infrastructure at Keynsham Station and enhanced bus services.**

K2. SOUTH WEST KEYNSHAM - site area 20.2 ha

Development Requirements:

Site in two sections: Part A - 8.5 ha east of Charlton Road and Part B - 11.7 ha west of St. Clement's Road

Site requirements are for A and B combined 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:

- 1. Up to 700 dwellings (about 500 delivered in the Plan period) with the final capacity to be decided by a comprehensive masterplan approach.**
- 2. At least 1.5 ha of land for business uses (Use Class B1), including the replacement of existing workshops.**
- 3. Vehicular access from Charlton Road (Site A) and Park Road (Site B). A new pedestrian and cycle route to be provided along Parkhouse Lane. This will also serve as an emergency access.**
- 4. Pedestrian links to the adjoining Woodland Trust woodland and countryside and between sites A & B.**
- 5. General traffic management measures to mitigate impact on surrounding road network.**

6. *Enhancement of pedestrian and cycle routes to Keynsham town centre and railway station.*
7. *A contribution towards improvements to Keynsham railway station of an appropriate scale and kind.*
8. *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.*
9. *Improvements to Castle Primary School to meet the demand arising from the K2 development.*
10. *Provision of a community meeting place located adjacent to school together forming a community focal point.*
11. *Provision of at least two small scale local convenience shops provided with residential accommodation above; and to form part of the community focal point.*
12. *Provision of direct pedestrian/cycle access from Site A to shops at Holmoak Road.*
13. *Retention of existing hedgerows where possible, especially along Parkhouse Lane.*
14. *Provision of children's playing space on both A and B.*
15. *Provision of a playing field.*
16. *Protection of the Woodland Trust woodland.*
17. *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.*

K3. BROADMEAD LANE - site area 4.5 ha

Development requirements:

1. *Development for waste management purposes.*
2. *Traffic management and highway improvement measures at railway bridge(s) to facilitate access including for pedestrians and cyclists.*
3. *Topographical survey together with hydraulic and hydrological studies of bridge improvement area having regard to flood flow and flood storage capacity in order to ensure safe access to the site.*

K4. ST. JOHN'S COURT/CHARLTON ROAD, KEYNSHAM - site area 1.4 ha

Development requirements:

Comprehensive mixed-use scheme for development/redevelopment for town centre/ community uses including:

1. *Food store of 1,500 – 2,000 sq. metres net floorspace.*
2. *Community meeting place.*
3. *Improvements to existing parking and servicing of properties fronting Bristol Road, High Street and Charlton Road.*
4. *CCTV linking with existing provision in town centre.*

K5. FORMER CANNOCKS GARAGE, STATION ROA - site area 0.28 ha
Development Requirements:

1. *About 25 dwellings.*
2. *Provision of satisfactory access on to Bristol Road with improved junction.*

NORTON-RADSTOCK

NR2. RADSTOCK RAILWAY LAND, NORTON-RADSTOCK – site area 4.8 ha
Development Requirements:

Comprehensive mixed-use scheme including:

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 or more if the other site requirements are met.*
3. *Provision for safe movement of public transport service vehicles within the site.*
4. *Safeguarding the former railway corridor as a sustainable transport corridor under Policy T.9 incorporating the National Cycle Network where this is compatible with the safeguarding of trackbed which is of significant nature conservation value.*
5. *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.*
6. *Relocation or retention of Victoria Square public toilets.*
7. *Retention (with relocation if necessary) within the site of engine shed and nearby turntable.*

NR3. FORMER SEWAGE WORKS, WELTON HOLLOW, MIDSOMER NORTON
- site area 1.4 ha

Development Requirements:

1. *Pedestrian and cycle links to Norton-Radstock Greenway and to Midsomer Enterprise Park access road and/or Radstock Road.*
2. *Satisfactory access from Midsomer Enterprise Park access road or Radstock Road.*
3. *Pedestrian and cycle links to Norton-Radstock Greenway and to Midsomer Norton Enterprise Park access road and/or Radstock Road.*

NR4. ST. PETER'S FACTORY AND JEWSON'S SITE, WESTFIELD – site area 10.1 ha

Development Requirements:

1. *Mixed use development for residential and business uses within Use Classes B1, B2 or B8.*
2. *About 100 houses can be accommodated by 2011*
3. *Provision of recreational route along southern boundary alongside Waterside tributary stream to link with existing rights of way.*
4. *Retention of existing trees and hedgerows along eastern and southern boundaries of the site and management of open areas for landscape and ecology purposes.*
5. *Safeguarding of residential amenities of nearby residential development including incorporation of a buffer zone, landscaping, and other visual and noise-mitigation measures.*
6. *Diversion of public right of way CL24/107 and making it up to an adopted standard including lighting.*
7. *Protection of Waterside tributary stream and minor aquifer underlying the site.*

NR5. MOUNT PLEASANT HOSTEL, WRITHLINGTON, RADSTOCK - site area 0.3 ha

Development Requirements:

1. *At least 10 dwellings.*
2. *No loss of existing off-street parking provision.*
3. *Additional pedestrian and cycle link onto the Frome Road.*
4. *Retention of existing trees in south west corner of site.*
5. *Protected species survey prior to demolition of existing buildings and compensatory habitat provision if appropriate.*

NR9. FOLLY HILL, CHILCOMPTON ROAD, MIDSOMER NORTON - site area 2.0 ha

Development Requirements:

1. *About 45 dwellings.*
2. *Access from new roundabout at junction with Chilcompton Road via development to south with existing planning permission.*
3. *Footway provision along Chilcompton Road frontage.*
4. *Footpath/cyclepath links through site to south east corner of site on Chilcompton Road.*
5. *Satisfactory diversion of existing public right of way.*
6. *Retention of trees and hedgerows on site boundaries and planting of new hedgerows along boundaries where currently undefined.*
7. *Satisfactory drainage of adjoining agricultural land.*

NR12. LAND WEST OF MIDSOMER NORTON ENTERPRISE PARK - site area 0.84 ha

Development Requirements:

- 1. Development for employment uses.**
- 2. Safeguard the nature conservation interests of the Wellow Brook.**

NR13. COOMB END, RADSTOCK - site area 0.59 ha

Development Requirements:

- 1. Mixed use scheme for residential use to accommodate about 30 dwellings.**
- 2. Provision of footway along Coomb End Road.**
- 3. No net increase in traffic congestion or any prejudice to safety at the junction of Coomb End with A367 in Radstock.**

NR 14. WELTON BAG FACTORY, MIDSOMER NORTON – site area 5.72 ha

Development Requirements:

- 1. Mixed use scheme for residential and business uses within Use Classes B1, B2 or B8.**
- 2. About 100 dwellings.**
- 3. Provision for the public rights of way within the site.**

NR15. LAND AT CAUTLETTS CLOSE, MIDSOMER NORTON - site area 3.4 ha

Development Requirements:

- 1. About 110 dwellings.**
- 2. Improved junction between Cautletts Close and Steam Mills and associated traffic calming measures.**
- 3. Secondary link from Cautletts Close to Withies Park required to include a bridge for emergency services, cyclists and pedestrians.**
- 4. Improved public access to and along the River Somer.**

VILLAGES

V3. PAULTON PRINTING FACTORY - site area 17.8 ha

Development Requirements:

- 1. 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.**
- 2. Traffic management/calming measures to improve traffic, safety and environmental conditions through the village.**
- 3. The provision of physical infrastructure to allow or improve access to public transport services.**
- 4. Provision for pedestrians and cyclists as an integral part of the development, including links to the village centre and improvement to public footpath CL16/2 between the High Street and site.**
- 5. Enhancement of public footpath access from Paulton village to Cam Brook Valley.**

6. *Provision of major landscaping along the northern, eastern and western boundaries of the site in order to reduce the impact on the Cam Valley.*
7. *Retention of existing trees.*
8. *Safeguarding residential amenity of existing and proposed residential areas and amenity of adjoining recreation ground through measures including visual and noise mitigation.*
9. *About 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.*
10. *Retention of views across the site to the Cam Brook valley and countryside to the north and to the Holy Trinity Church to the south.*
11. *Development designed to integrate site into existing village and relate well to the open countryside to the north.*

V4. OLD MILLS, PAULTON - site area 13.5 ha

Development Requirements:

1. *Development for business use within uses B1, B2 & B8 of the Use Classes Order.*
2. *Major landscaping to mitigate the impact on the surrounding countryside and nearby residential properties.*
3. *Protection, diversion or undergrounding of overhead electricity lines.*
4. *Improvements to A362 including its realignment and associated traffic management measures to A362 & Langley's Lane to ensure safe access to the site.*
5. *Provision of community facility to meet needs of workers.*

V7. GOOSARD LANE, HIGH LITTLETON - site area 0.6 ha

Development Requirements:

1. *About 16 dwellings.*
2. *Road improvements along frontage to ensure safe access to the site.*
3. *Enhancement and retention of existing southern boundary hedge.*

V8. FORMER RADFORD RETAIL SYSTEM'S SITE, CHEW STOKE - site area 3.0 ha

Development Requirements:

Comprehensive mixed-use scheme including:

1. *About 30 dwellings.*
2. *Workshops for business use within B1, B2 & B8 of the Use Classes Order.*
3. *Protection of the floodplain and corridor of the Chew Stoke Stream.*
4. *Provision of public open space.*
5. *Protection of the Chew Stoke Stream Site of Nature Conservation Importance.*
6. *Provision of community facilities.*

V10. LAND BETWEEN WELLOW LANE AND THE BYPASS, PEASEDOWN ST JOHN - site area 3.73 ha

Development Requirements:

- 1. About 100 dwellings.***
- 2. Vehicular access to be gained from Wellow Lane with no direct link to the Bypass.***
- 3. Provision for the public right of way within the site.***

SECTION C

ENVIRONMENTAL ASSETS

GREEN BELT

INTRODUCTION

C1.1 Green Belts are designated primarily in order to prevent urban sprawl by keeping land permanently open. As such they help to shape patterns of urban development, protect the countryside and provide opportunities for outdoor sport and recreation.

C1.2 PPG2 (Green Belts), which sets out national advice, outlines a presumption against inappropriate development which could harm the openness of the Green Belt and the purposes of including land within it. Green Belts are established through

the development plan. The Bristol/Bath Green Belt was designated in 1966 in the Gloucestershire and Somerset County Development Plans. It has been retained in the Avon County Structure Plan and the JRSP.

C1.3 The purposes of the Green Belt within Bath & North East Somerset are summarised below. The positive use of land in the Green Belt within the District should be encouraged in order to pursue a number of objectives that are also summarised below. The purposes and objectives generally reflect advice set out in PPG2.

Table 10

BRISTOL/BATH GREEN BELT WITHIN BATH & NORTH EAST SOMERSET

Purposes of including land in the Green Belt:

1. To check the unrestricted sprawl of Bath and Bristol.
2. To prevent the merging of Bristol, Keynsham, Saltford and Bath.
3. To assist in safeguarding the countryside from encroachment.
4. To preserve the setting and special character of Bath.
5. To assist in urban regeneration of Bath and Bristol by encouraging the recycling of derelict and other urban land.
6. To preserve the individual character, identity and setting of Keynsham and the villages and hamlets within the Green Belt.

Objectives for the use of land in the Green Belt:

1. To provide opportunities for access to the open countryside for the urban populations of Bath, Bristol, Keynsham and Norton Radstock.
2. To provide opportunities for outdoor sport and outdoor recreation near Bath, Bristol and Keynsham.
3. To retain attractive landscapes and enhance landscapes.
4. To improve damaged or derelict land.
5. To secure nature conservation interests.
6. To retain land in agricultural, forestry and related uses.

GREEN BELT BOUNDARY

C1.4 The JRSP sets out the general extent of the Bristol/Bath Green Belt in Policy 16 and represents it on the Key Diagram. Its general extent

within the District is illustrated in Diagram 8 below.

C1.5 Within this strategic context the Local Plan establishes the detailed boundaries of the Green

Chapter C1: Green Belt

Belt. PPG2 states that detailed boundaries defined in adopted plans or earlier approved development plans should be altered only exceptionally.

C1.6 Most of the detailed Green Belt boundaries in the District have been defined in adopted local plans

covering various parts of the District. Part of the detailed boundary has not been statutorily approved between Clutton and Shoscombe, but has been recently defined in the Wansdyke Local Plan which has reached an advanced stage in the statutory process (see paragraph C1.21).

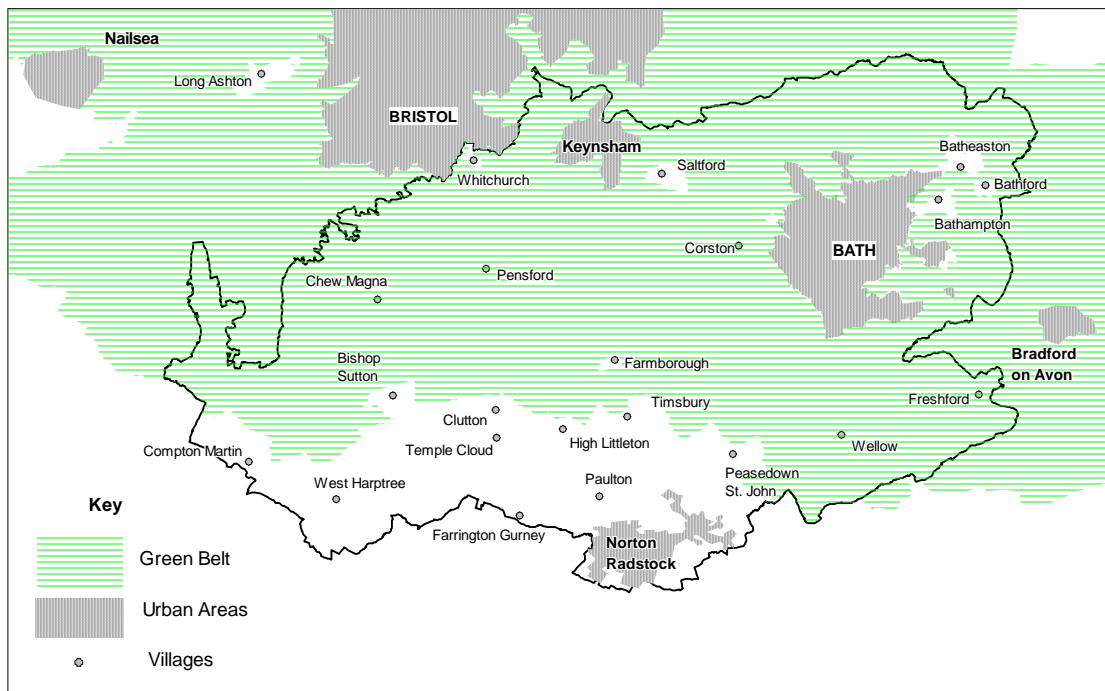


Diagram 8. General Extent of the Green Belt in Bath & North East Somerset

C1.7 In addition to the need to address minor anomalies, changes to the Green Belt boundary are proposed in three locations. At Keynsham where JRSP Policies 2(I), 9 and 16 provide for a change (see paragraphs C1.22 to C1.27) and at Claverton Down and at Weston in Bath where an alteration is proposed (see paragraphs C1.8 – C1.17). The detailed Green Belt boundary is shown on the Proposals Map.

Bath Inner Green Belt Boundary

C1.8 The Green Belt plays a vital role in maintaining the setting of the World Heritage Site of Bath and the surrounding villages. It is also important in preventing the

coalescence of these villages with the city.

C1.9 The detailed Bath Inner Green Belt boundary is defined in the Bath Local Plan and the Wansdyke Environs of Bath (WEB) Local Plan, both of which have been adopted. The Wansdyke Local Plan carried forward the boundary as set out in the WEB Local Plan other than a minor change to address an anomaly at Batheaston. The boundaries defined in these local plans were determined within the general framework set by the Avon County Structure Plan and carried forward by the JRSP.

C1.10 Changes to the Green Belt boundary are proposed at the

campus of the University of Bath at Claverton Down. The Green Belt boundary here will be redefined to exclude two areas of land. The larger area is to the east of Convocation Avenue, consisting of the buildings and enclosed outdoor facilities of the English Institute of Sport and some grass pitches to the east of them. The grass pitches make some contribution towards Green Belt purposes 1 and 3 (contributing to checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment) but are not considered to serve any meaningful role in meeting purposes 2, 4 and 5. The smaller area mainly comprises enclosed tennis courts to the west of Norwood Avenue which also make a limited contribution to Green Belt purposes 1 and 3.

C1.11 However, the Council considers that there are exceptional circumstances which warrant excluding these areas from the Green Belt. Briefly, these result from Government priorities for the development of higher education and the opportunity for Bath, as a leading research-intensive university with particular strengths in the fields of science and technology, to contribute towards the aims of increasing participation, supporting growth in science, innovation and knowledge transfer.

C1.12 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 approximately 43,250 sq.m. of non residential floorspace and approximately 40,000 sq.m. of student accommodation. It is expected that this new development will need to be provided over a 10 year timescale to 2015, extending beyond the plan period. It is also considered highly desirable and more sustainable to concentrate and consolidate this growth at the existing campus rather than seeking

to disperse it across a variety of sites in the city. In any case, the main development sites in the city outside the campus are more suited to meeting other important local needs and have been allocated accordingly.

C1.13 While a substantial amount of this development can be accommodated within the present non-Green Belt areas of the campus, not all can be met in this way without unacceptable encroachment on the important green heart of the campus or skyline views.

C1.14 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.

C1.15 Development to provide the additional accommodation required by the University will need to come forward through the preparation of a Masterplan for the whole campus as required by Policy GDS.1/B11. As part of the preparation of the Masterplan a full and detailed assessment of the appropriate development capacity of the campus, including the land to be excluded from the Green Belt, will be necessary in order to determine whether and how the required additional residential and non-residential floorspace can be acceptably accommodated.

C1.16 At Weston an alteration to the Green Belt boundary is proposed where land immediately to the east of The Weal is to be included within the Green Belt. This land, which is rural in character and slopes

upwards to the higher parts of the hills surrounding this part of Bath, makes an important contribution to the setting of the city. Its inclusion in the Green Belt will serve the purposes set out in PPG2.

C1.17 Other than these alterations, only changes to address minor anomalies are proposed.

Bristol Inner Green Belt Boundary

C1.18 The inner Green Belt boundary for Bristol that falls within Bath & North East Somerset was defined in the adopted Keynsham and Chew Valley Local Plan and carried forward in the Wansdyke Local Plan. It was drawn to follow generally the limits of existing development in line with the Avon County Structure Plan and the JRSP does not provide for further changes. Therefore, no change to this detailed boundary is proposed.

Outer Green Belt Boundary

C1.19 Policy 16 of the JRSP describes the general extent of the outer Green Belt within the District as running '*south of Chew Valley Lake and north of Clutton, High Littleton, Timsbury and Peasedown St. John to the boundary with the Somerset County Council area*'. This description remains the same as that set out in the Avon County Structure Plan which provided the strategic framework for the Local Plans that define the current detailed outer Green Belt boundary.

C1.20 Only part of the detailed outer Green Belt boundary has been defined in an adopted local plan, i.e. the boundary extending from the North Somerset Council area to land north of Hinton Blewett (covered by the Keynsham and Chew Valley Local Plan).

C1.21 The remaining part of the outer boundary, although not statutorily defined, has recently been

defined in the Wansdyke Local Plan as amended in September 2000 following consideration of the Public Local Inquiry Inspector's Report. It is not considered that there are any exceptional circumstances which would warrant altering the detailed outer Green Belt boundary as defined in the above mentioned local plans and therefore, no change is proposed.

Town and Village Insets

Keynsham

C1.22 The urban area of Keynsham is highlighted in the Settlement Classification (Section B, Living and Working) as being a town that is suitable for significant levels of development. The town is excluded from the Green Belt and an Inset boundary is defined on the Proposals Map.

C1.23 The exclusion of Keynsham from the Green Belt continues the policy set out in both the Keynsham and Chew Valley Local Plan and the Wansdyke Local Plan which define the detailed boundary. However, it is proposed that the Inset boundary defined in these local plans be amended as described below.

C1.24 The JRSP, through Policies 2(l), 9 and 16, states that a change to the Green Belt boundary should be made at Keynsham to provide primarily for new residential development and associated local employment and social infrastructure. Keynsham has both good rail and bus links to Bath and Bristol and also has a good range of local facilities and services.

C1.25 In line with the need to ensure that the separate identity of the town is maintained it is proposed that the Inset boundary be altered to exclude land on the south western side of the town (see Policy GDS.1).

C1.26 In the Broad Mead area the current detailed Inset boundary runs through the site of the former tip which lies to the north of the sewage works. This boundary was defined following discussions with the National Rivers Authority (NRA) at the time of the adoption of the Keynsham and Chew Valley Local Plan.

C1.27 More recently the Environment Agency (which superseded the NRA) has confirmed that the whole of the former tip site lies outside the floodplain. The detailed Green Belt boundary has therefore been amended so that it follows not only the flood plain boundary but also the field boundary that delineates the former tip site. This results in the boundary following a readily recognisable feature in accordance with advice set out in PPG2.

Villages

C1.28 PPG2 suggests that existing villages within the Green Belt should be inset or excluded from it if limited development, more than infilling, is proposed. For the purposes of the local plan infilling is defined as the filling of small gaps within existing development.

C1.29 The settlement strategy of the Local Plan set out in Policy SC.1 classifies settlements according to their ability to accommodate development. As a result of this assessment and classification it is proposed that a number of villages be excluded from the Green Belt and Inset boundaries defined. These villages are defined in Policy SC.1 as R.1 settlements and include the Green Belt villages of Bathampton, Batheaston, Bathford, Farmborough, Saltford and Whitchurch.

C1.30 Inset boundaries have been defined in previously adopted local plans for these villages, with the exception of the Farmborough Inset which was defined for the first time

in the Wansdyke Local Plan. There are no exceptional circumstances which would justify amending these Inset boundaries and therefore, they remain unchanged.

DEVELOPMENT IN THE GREEN BELT

C1.31 In addition to the various policies set out in the Local Plan which seek to control development in the countryside there is a general presumption against inappropriate development within the Green Belt. Only appropriate uses may be permitted, unless very special circumstances can be demonstrated where the harm to the openness and purposes of the Green Belt is clearly outweighed by other considerations.

C1.32 The categories of development that are appropriate in a Green Belt are detailed in PPG2. These include the construction of new buildings for agriculture and forestry purposes. Limited infilling in existing villages (classified as R.3 Rural settlements under Policy SC.1) is acceptable subject to the provisions of other policies (e.g. see Policies HG.6 and ET.4). Limited affordable housing to meet local community needs may also be permissible where the criteria of Policy HG.9 are met.

C1.33 The role of the countryside within the Green Belt in providing opportunities for outdoor sport and recreation is recognised. Essential facilities for these and other uses of land that preserve the openness of the Green Belt, such as cemeteries, may be acceptable. Other appropriate development may include the limited extension, alteration or replacement of existing dwellings (dealt with under Policies GB.1, HG.14 and HG.15), the re-use of existing buildings (within the scope of Policy ET.9) or the limited infilling or redevelopment of designated existing major developed sites (Policy GB.3).

C1.34 PPG13: Transport published in March 2001 states that in certain circumstances park & ride development is not inappropriate in Green Belts. A thorough and comprehensive assessment of potential sites both within and outside the Green Belt needs to have been undertaken which must establish that the proposed Green Belt site is the most sustainable option. The development itself should not seriously compromise the purposes of including land in the Green Belt and the proposal should come forward through the Local Transport Plan. Policy GB.1A sets out the policy in relation to such development.

C1.35 Policy GB.1 sets out the broad types of development that are acceptable within the Green Belt. The fact that a proposal may be acceptable in principle in terms of Policy GB.1 does not mean that it will necessarily be granted planning permission. Other policies of the plan will need to be satisfied.

- d) infilling in accordance with Policy HG.6 in the villages defined by Policy SC.1 as R3 villages;**
- e) affordable housing to meet local needs in accordance with Policy HG.9;**
- f) limited infilling or redevelopment of the major existing developed sites identified in Policy GB.3;**
- ii) the re-use of existing buildings in accordance with Policy ET.9;**
- iii) other development and material changes of use of land which maintain the openness of the Green Belt and do not conflict with the purposes of including land in it;**
- iv) Park and Ride development in accordance with Policy GB.1A.**

POLICY GB.1

Within the Green Belt, as shown on the Proposals Map, permission will not be given, except in very special circumstances, for development other than:

- i) The construction of new buildings for the following purposes:**
 - a) agriculture or forestry;**
 - b) essential facilities for outdoor sport and recreation, for cemeteries and for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;**
 - c) limited extensions, alterations or replacement of an existing dwelling provided it is in accordance with Policies HG.14 and HG.15;**

POLICY GB.1A

Park and Ride development in the Green Belt will only be permitted where:

- (a) there are not any more suitable or more sustainable alternative sites;**
- (b) the scheme will not seriously compromise the purposes of the Green Belt;**
- (c) the proposal is contained within the Local Transport Plan and based on a thorough assessment of travel impacts; and**
- (d) any new or re-used buildings are included only where they are essential facilities associated with the operation of the park and ride scheme.**

Visual Amenities of the Green Belt

C1.36 In addition to controlling development in order to maintain the openness of the Green Belt, visual amenity is an important quality which should be protected.

Development either within or visible from the Green Belt can be visually detrimental if it is inappropriately sited or designed or constructed of inappropriate materials. Policy GB.2 seeks to ensure that such development is not permitted.

POLICY GB.2

Permission will not be granted for development within or visible from the Green Belt which would be visually detrimental to the Green Belt by reason of its siting, design or materials used for its construction.

MAJOR EXISTING DEVELOPED SITES

C1.37 PPG2 recognises that Green Belts contain some major existing developed sites (MEDS), which may be redundant or in continuing use. These sites are subject to the Green Belt policies controlling development. However, MEDS can be identified in the Local Plan and a policy set out for limited infilling within them or their redevelopment.

C1.38 In defining and identifying MEDS the advice set out in PPG2 has been used and a two stage approach adopted. Firstly, it has been established whether there are any MEDS within the Green Belt in the District by using the following criteria: site size, building floorspace, footprint, height and mass, area of additional hardstanding and overall pattern of development. Secondly, these sites have been assessed as to whether limited infilling and/or redevelopment is appropriate. Those

sites where such development is appropriate have been identified on the Proposals Map and a policy for their development is set out below.

C1.39 The MEDS identified in the Local Plan are as follows:

- (i) Bath Spa University, Newton Park
- (ii) Clutton Hill Farm, Clutton
- (iii) Former Radford Retail Systems site, Chew Stoke
- (iv) Prior Park College, Claverton Down
- (v) Culverhay School, Rush Hill
- (vi) Portals site, Bathford Paper Mill, Bathford
- (vii) Chew Valley School, Chew Stoke
- (viii) Monkton Combe School, Monkton Combe
- (ix) Ralph Allen School, Claverton Down
- (x) Burnett Business Park, Burnett
- (xi) Oldfield School, Newbridge

C1.40 Limited infilling and/or redevelopment at the MEDS in employment use can help to support economic activity, thereby securing local jobs. At the educational establishments development may be necessary as part of ongoing changes and improvements to education helping to secure social and economic benefits to the local community.

C1.41 To be acceptable infilling must be of an appropriate scale and should not lead to a major increase in the developed proportion of the site. This is necessary in order to ensure that the purposes of the Green Belt are not threatened.

C1.42 The complete or partial redevelopment of MEDS, whether redundant or in continuing use, may, in addition to realising the benefits outlined above, provide an opportunity for environmental improvement e.g. through the removal of unsightly buildings and better integration of development with its surroundings.

C1.43 Redevelopment should have no greater impact on the openness of the Green Belt and the purposes of including land in it. As such it should not exceed the height of existing buildings nor occupy a larger area of the site, unless a reduction in height benefiting visual amenity is achieved. Redevelopment proposals will be considered within the context of the whole site and should be sensitive to their surroundings and take account of all relevant considerations. Therefore, the provisions of policies in addition to Policy GB.3 will need to be met.

C1.44 Policy GB.3 sets out whether infilling and/or redevelopment is appropriate. The sites where redevelopment is appropriate include the vacant employment site at Chew Stoke. This site was formerly occupied by Radford Retail Systems for the manufacture of shop refrigerated display units. Its redevelopment for mixed uses, which should include substantial employment provision to ensure that the local economic benefits of the site are maintained, is acceptable subject to the provisions of Policy GB.3 and other relevant policies. It is allocated for development under Policy GDS.1 which also sets out detailed development requirements.

C1.45 Clutton Hill Farm is not identified as a site where redevelopment should be pursued. Whilst redevelopment could lead to environmental improvement, this site provides accommodation suitable for small or new businesses (starter units). Such accommodation is crucial to the local economy and as such should be retained.

C1.46 Burnett Business Park provides local employment opportunities within the rural area close to Keynsham. Redevelopment of the western part for employment uses could lead to environmental improvement, as well as helping to secure its future as a rural employment site. The eastern part

is occupied by a series of partially visible bunkers and is essentially open in character. As such this part of the site is not suitable for redevelopment.

POLICY GB.3

Within the Major Existing Developed Sites defined on the Proposals Map and listed below limited infilling and/or redevelopment as specified for each site will be permitted unless:

In the case of limited infilling:

- (i) it has a greater impact on the purposes of including land in the Green Belt than the existing development; or***
- (ii) it exceeds the height of the existing buildings; or***
- (iii) it leads to a major increase in the developed proportion of the site.***

In the case of redevelopment:

- (i) it has a greater impact than the existing development on the openness of the Green Belt and the purposes of including land in it; or***
 - (ii) it does not contribute to the achievement of the objectives for the use of land in the Green Belt; or***
 - (iii) it exceeds the height of the existing buildings; or***
 - (iv) it occupies a larger area of the site than the existing buildings (except where this would achieve a reduction in height which would benefit visual amenity).***
- (a) Bath Spa University, Newton Park: limited infilling and redevelopment for educational uses and student accommodation in line with Policy HG.17***

- (b) Clutton Hill Farm: limited***

infilling for employment uses

- (c) Former Radford Retail Systems site, Chew Stoke: redevelopment for mixed uses in accordance with Policy GDS. 1***
- (d) Prior Park College: limited infilling and redevelopment for educational uses***
- (e) Culverhay School: limited infilling and redevelopment for educational uses***
- (f) Portals, Bathford Paper Mill: limited infilling and redevelopment for employment uses***
- (g) Chew Valley School: limited infilling and redevelopment for educational uses***
- (h) Monkton Combe School: limited infilling and redevelopment for educational uses***
- (i) Ralph Allen School: limited infilling and redevelopment for educational uses***
- (j) Burnett Business Park: limited infilling and redevelopment for employment uses on the western part of the site and limited infilling only for employment uses on the eastern part of the site***
- (k) Oldfield School: limited infilling and redevelopment for educational uses.***

SAFEGUARDED LAND

C1.41 When preparing new local plans PPG2 advises local authorities that any proposals affecting Green Belts should be related to a time-scale which is longer than that adopted for other aspects of the plan. Green Belt boundaries should not need altering at the end of the plan period and in some cases this may mean safeguarding land

between an urban area and the Green Belt which may be required to meet longer term development needs.

Whitchurch

C1.42 In line with both the Keynsham and Chew Valley Local Plan and the Wansdyke Local Plan the Green Belt boundary at Whitchurch runs along Sleep Lane to the south east of the village. The open land between Sleep Lane and the existing built up limits of the village to the west is safeguarded for development pending the outcome of the review of the A37 by-pass (the route for which crosses this land).

C1.43 The review will take place as part of a comprehensive study of the A37 corridor. It is intended that the safeguarded land identified on the Proposals Map remains open during the plan period and is treated as Green Belt until such time as the review has been carried out.

Farmborough

C1.44 At Farmborough an area of safeguarded land is defined at the south west end of the village between the Housing Development Boundary and the Green Belt boundary. This land is safeguarded in order to provide a longer term development opportunity in a village that is tightly constrained by the Green Belt.

POLICY GB.4

Land defined on the Proposals Map between the existing limits of development and the Green Belt at Whitchurch and Farmborough is safeguarded during the period of the Plan to meet the demands for development beyond 2011. In the meantime Policy GB.1 will be applied.

C2. THE NATURAL ENVIRONMENT

INTRODUCTION

C2.1 The District's high quality environment is a key asset, adding to the quality of life of residents, attracting visitors and contributing to the prosperity of the area. The distinctive villages, diverse landscapes, rich biodiversity and historic character reflect centuries of human settlement and agricultural use. However, some of the more recent changes have been harmful to our natural assets with a decline in biodiversity and degradation of the countryside.

C2.2 Sustainable development requires effective protection of the environment and prudent use of natural resources. It recognises the interdependence of economic, social and environmental needs as well as the interdependence of urban and rural areas. It involves improving the quality of life without undermining the quality of natural environment.

C2.3 Ongoing change is inevitable if we are to retain the vitality of the towns and countryside. The Local Plan plays a key role in managing this change in a way that safeguards the District's natural heritage. Other agencies and landowners also have significant roles to play.

C2.4 The Local Plan will be subject to a Sustainable Development Appraisal which will set out how the environment is being taken into account in planning policies. The appraisal does not affect the requirement for Environmental Impact Assessments of particular proposals where required by legislation.

C2.5 Detailed policies on the conservation of the many elements of the natural environment are set out in this chapter.

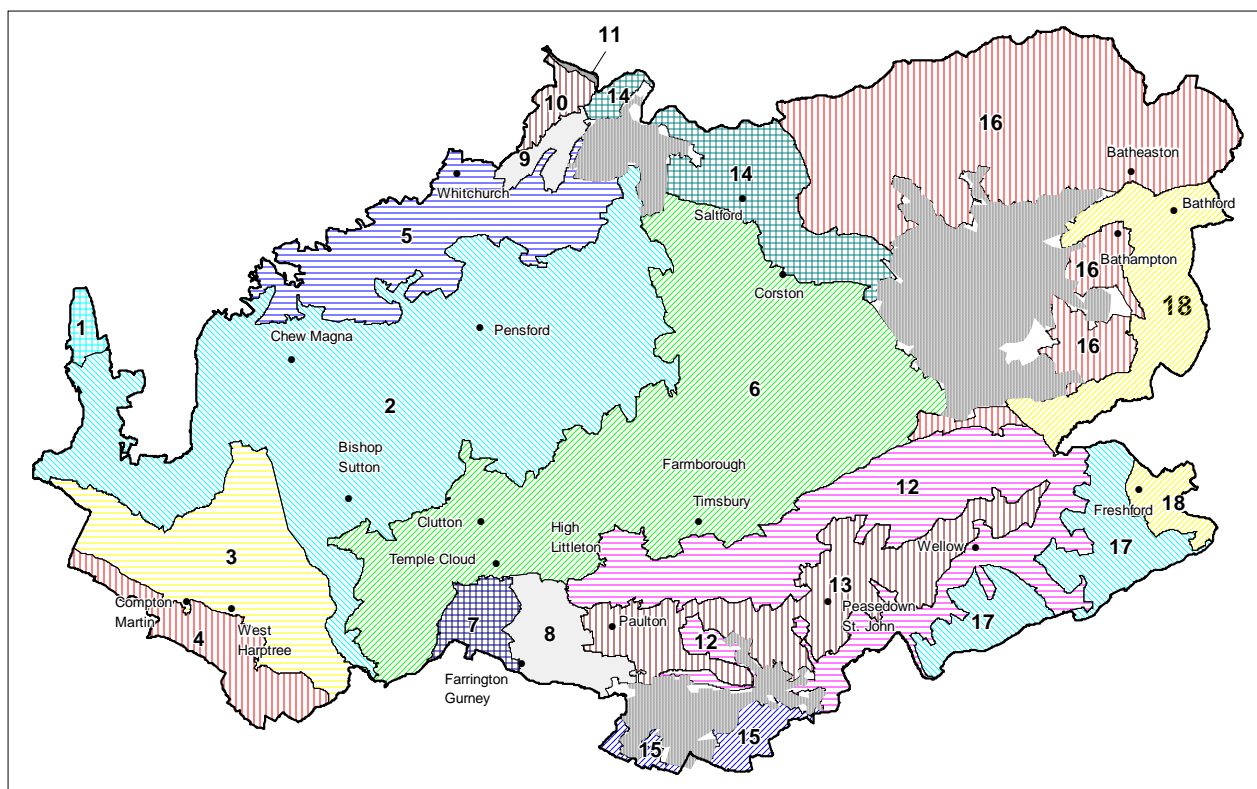
THE LANDSCAPE

Landscape Character

C2.6 Landscape contributes significantly to the identity of an area, forming the setting for day to day life, in village, town, city and countryside. It is a resource for recreation, a reservoir of historical evidence and an environment for plants and animals. National guidance and the JRSP strongly promote the recognition of the distinctiveness of local landscape character as reflected in the local topography, pattern of tree cover, field size, nature of boundaries, form of settlement and building design and materials.

C2.7 With its complicated geology and topography, Bath & North East Somerset has a particularly diverse range of landscapes. The District's rural landscapes are described in 'Rural Landscapes of Bath & North East Somerset: A Landscape Character Assessment' published in April 2003, which forms Supplementary Planning Guidance (SPG) to Policy NE.1. The Landscape character areas in Bath & North East Somerset are shown on Diagram 9.

C2.8 The Council seeks conservation and enhancement of landscape character whilst sustaining economic and social vitality to provide for *balanced communities*. The Council seeks to limit development of greenfield sites and directs limited development to rural settlements, concentrating on those which already act as a focus for provision of local services. This embodies national guidance that the countryside is an asset in its own right and building in the open countryside, away from existing settlement, should be strictly controlled.



- | | | |
|---|---------------------------------|---|
| 1 Thrubwell Farm Plateau | 7 Hollow Marsh | 13 Paulton and Peasedown St. John Ridge |
| 2 Chew Valley | 8 Farrington Gurney Farmlands | 14 Avon Valley |
| 3 Upper Chew and Yeo Valleys | 9 Stockwood Vale | 15 Norton Radstock Southern Farmlands |
| 4 Mendip Slopes | 10 Hicks Gate | 16 Cotswolds Plateaux and Valleys |
| 5 Dundry Plateau | 11 Bickley Wood Gorge | 17 Hinton Charterhouse and Baggeridge Plateau |
| 6 Hinton Blewett and Newton St. Loe Plateau Lands | 12 Cam and Wellow Brook Valleys | 18 Bathford to Limpley Stoke Valley |

Source: Rural Landscapes of Bath & North East Somerset, April 2003

Diagram 9. The Landscape Character Areas

C2.9 The landscape setting of Bath is one of the city's most important assets and makes an important contribution to its status as a World Heritage site. It embodies the spring, from which the city first developed, and the river. It includes its hillside setting, the many designed and open spaces that lie within the built-up areas and the countryside, much of which lies within the Cotswolds AONB, which surrounds and penetrates deep within the city. A number of prominent, green hillsides within the built-up area, namely Stiringale Farm, Twerton Farm, The Tumps, Twerton Round Hill, Beechen Cliff, Lyncombe and Mount Beacon, are also vital to the city's landscape setting and character as well as being important for wildlife. For

Bath, Policy NE.1 is supplemented by the landscape strategy, entitled 'Cherishing Outdoor Places'.

C2.10 The character of Keynsham, Norton-Radstock and the villages are enriched and partly defined by the landscapes which surround and in some cases penetrate the built up areas. For Radstock the convergence of five valleys contributes to its unique character. It is surrounded and penetrated by prominent hillsides, including those around Midsomer Norton, which make a fundamental contribution to the town's character and adjoining areas.

C2.11 The aim of Policy NE.1 is to retain and where appropriate, enhance local landscape character in

both urban and rural areas. Development will need to meet high standards of design, be sensitively related to existing settlements and conserve historic, wildlife and landscape resources. 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.

POLICY NE.1

Development which does not either conserve or enhance the character and local distinctiveness of the landscape will not be permitted.

Areas of Outstanding Natural Beauty

C2.12 The District includes parts of two areas of Outstanding Natural Beauty (AONB), the Mendip Hills in the south west and the Cotswolds in the east (see Diagram 10).

C2.13 The primary purpose of designation is the conservation and enhancement of the natural beauty of the area. PPS7 advises that the conservation of wildlife and cultural heritage are important considerations in AONBs. As well as reflecting these priorities, planning policies should also support suitably located and designed development necessary to facilitate the economic and social wellbeing of these designated areas and their communities.

C2.14 The Countryside and Rights of Way (CROW) Act 2000 confirmed that AONBs share the highest status of protection in relation to landscape and scenic beauty. Major developments should not take place in AONBs except in exceptional circumstances. Because of the serious impact that major developments, including those that

raise issues of national significance, may have on these areas of natural beauty, and taking account of recreational opportunities that they provide, applications for all such developments should be subject to the most rigorous examination as set out in PPS7 (paragraphs 22 and 23). Proposals for mineral workings are dealt with in Section C.4 on Minerals.

C2.15 The Partnership Committees for each of the two AONBs have produced Management Plans which address a range of issues including landscape, nature conservation, access, heritage, visitor management, transport and community safety. As an active supporter of both partnerships, Bath & North East Somerset has endorsed these Management Plans as a framework for action in the AONBs. The CROW Act has placed a new duty on local authorities to prepare statutory management plans for AONBs within their areas. These plans will 'formulate the policies of the local authority for the management of the AONBs and the carrying out of their functions in relation to it'. Supplementary Planning Guidance has been adopted for considering proposals for new agricultural buildings in the Mendip Hills (Policy ET.6). In December 2004 the Cotswolds Conservation Board was established (replacing the partnership) under the provisions of the CROW Act. The Board is required to review the existing and adopt its own Management Plan by April 2008. Supplementary Planning Guidance has been adopted for considering proposals for new agricultural buildings in the Mendip Hills (Policy ET.6). and Horse related development.

C2.16 The range of permitted development rights is restricted within AONBs. Agricultural permitted development rights are further restricted in the Swainswick Valley by an Article 4 Direction.

C2.17 Policy NE.2 sets out the requirement to conserve natural beauty within AONBs. Social and economic needs within these areas are dealt with primarily in the Living & Working Section of the Local Plan. Due to the elevated topography within the two AONBs, there is particular pressure for the siting of wind turbines and telecommunications masts. Such proposals will be assessed under Policies NE.2 as well as Policies ES.1 and ES.7. Minerals development in the AONBs will be subject to the most rigorous examination having regard to:

- the need for the development on the basis of national consideration of minerals supply and local need for traditional building and walling stone; and
- the availability of alternative supplies from outside the Area of Outstanding Natural Beauty; and
- the environmental impact of the proposal and the extent to which it would conserve and enhance the Area of Outstanding Natural Beauty.

POLICY NE.2

Development which adversely affects the natural beauty of the landscape of the designated Areas of Outstanding Natural Beauty will not be permitted.

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.

Minerals development within an AONB will only be permitted where it is in the national interest or meets a local requirement for traditional building materials.

Important Hillside

C2.18 Within Bath, there are large tracts of open hillsides which are important in giving Bath its green and rural setting. Many are protected by Green Belt designation but others such as at Stirlingale Farm, Twerton Farm, The Tumps, Twerton Round Hill, Beechen Cliff, Lyncombe and Mount Beacon are not. Prominent, green hillsides like these within the built-up area are vital to the City's landscape setting and character. Many of the hillsides are also important for wildlife.

C2.19 Similarly Radstock's location at the convergence of five valleys contributes to its unique character. It is surrounded and penetrated by prominent hillsides, including those around Midsomer Norton, which make a fundamental contribution to the town's character and adjoining areas.

C2.20 Where these hillsides make a contribution to local character, they are protected under Policy NE.3.

POLICY NE.3

Development that would adversely affect the contribution that hillsides make to the character and landscape setting of Bath and Norton-Radstock, will not be permitted.

TREES AND WOODLANDS

The District's Tree and Woodland Resource

C2.21 Trees and woodlands provide a significant contribution to the landscape character and local distinctiveness of the district: from the woodlands of the Bath Skyline which provide the setting to this World Heritage Site to the wooded batches in the south of the district which soften the spoil heaps from

our mining heritage. They are also important in terms of biodiversity with ancient and secondary woodlands, veteran trees, trees and orchards providing biodiversity.

C2.22 Trees are an important part of our natural life support system: they have a vital role to play in the sustainability of our urban and rural areas. They benefit:

- the local economy – creating potential for employment, encouraging inward investment, bringing in tourism and adding value to property;
- the local environment by reducing the effects of air pollution and storm water run off, reducing energy consumption through moderation of the local climate, and providing a wide range of wildlife habitats;
- the social fabric in terms of recreation and education.

C2.23 Much of the tree cover in the urban areas is in a critical condition and there is little or no replacement planting for over-mature trees in decline. Infill development has often reduced the space available for planting large tree species. In addition, new tree planting takes many years to mature. The management and retention of significant trees is therefore pressing, consideration needs to be given in future development not only to the impact on existing trees but the opportunities for replanting.

C2.24 The District's rural landscape has suffered heavy tree loss due to Dutch Elm disease and past agriculture practices. A second wave of Dutch Elm disease is affecting rejuvenated Elms. Alder root disease is also a growing problem in the District, affecting the landscape of the river corridors and the structural integrity of the river banks where trees are lost from the disease.

C2.25 Bath & North East Somerset has a duty under the Town and Country Planning Act 1990 to ensure tree and woodland preservation

wherever it is appropriate. The Council will continue to protect trees and woodlands through Tree Preservation Orders (TPOs) as appropriate. There is also a level of protection afforded to trees in Conservation Areas as outlined in para C3.48. Further advice can be found in the Council's guidance note 'A Guide to Trees in Conservation Areas'. However there are many trees of value outside these designations and careful consideration should be given to the removal of any tree.

C2.26 The District's woodland cover is less than half of the national average. In line with the Government's *England Forestry Strategy*, Bath & North East Somerset seeks a significant increase in woodland cover and supports the extension of existing woodland and the creation of new woodlands. This may be through appropriate planting in new development, farm diversification or leisure provision. With new planting schemes, good design is needed to ensure the appropriate species and layouts are used to allow trees to grow to maturity. Ancient woodlands are important for wildlife and the Council has sought to protect this interest under Policy NE.9.

C2.27 Some mature trees are of great antiquity and make a particular contribution to landscape character, local distinctiveness, biodiversity and they are often valued cultural features with historical associations. Known as Veteran or Ancient trees they are in the latter stage of their as well as the richest in terms of ecology, landscape and culture. Veteran trees can be found anywhere; along old hedgerows, road junctions, river corridors and in parkland.

POLICY NE.4

Development will only be permitted where:

- i. it does not have an adverse impact on trees and woodlands of wildlife, landscape, historic, amenity, productive or cultural value; and*
- ii. it includes the appropriate retention and new planting of trees and woodlands; and*
- iii. it does not have an adverse impact on a veteran tree;*

In the case of an unavoidably adverse impact on trees and woodlands of wildlife, landscape, amenity, productive or cultural value, compensatory provision is made.

The Forest of Avon

C2.28 The Forest of Avon (Community Forest Partnership) has been established around Bristol and its surrounding towns and villages to promote the creation, regeneration, and multi-purpose use of well-wooded landscapes, providing wildlife and amenity benefits and opportunities for economic diversification. It aims to improve the quality of the urban fringe and enable more people to enjoy the countryside close to home and is supported by the Forestry Commission. The boundary of the Forest of Avon was extended to include the whole of the District in 2006, except those parts designated as AONBs.

C2.29 The Forest area in Bath & North East Somerset is depicted on Diagram 10 and its boundaries are shown on the Proposals Map. Substantial planting has already taken place in the Keynsham area and further planting is programmed.

C2.30 The Forest Plan, approved by Government in 1995 (revised 2001), sets out long term objectives and

although agriculture will remain the predominant land use, it is envisaged that eventually 30% of the Forest area will eventually be wooded compared with the current 5% of the former Avon Area.

C2.31 Implementation of the Forest Plan will be partly through the development control process. Council projects and grant aid to landowners from the Forestry Commission, Countryside Agency and others will also assist implementation but participation is entirely voluntary.

C2.32 Whilst designation of the Forest has no statutory implications, the Forest of Avon Plan is a material consideration in deciding a planning application in the Forest Area. Any development proposals must be in accordance with Green Belt and other policies in the Local Plan. SPG 'Planning and the Forest of Avon -A Guide for Developers was adopted in October 2005 to supplement Policy NE.5.

C2.33 Policy NE.5 sets out the Local Plan's approach for developments in the forest area.

POLICY NE.5

Development in the Forest of Avon, as shown on the Proposals Map, will only be permitted where it:

- i. respects the existing and developing woodland setting; and*
- ii. does not conflict with the objectives of the Forest Plan and has regard to its aims in the layout of development, including landscaping.*

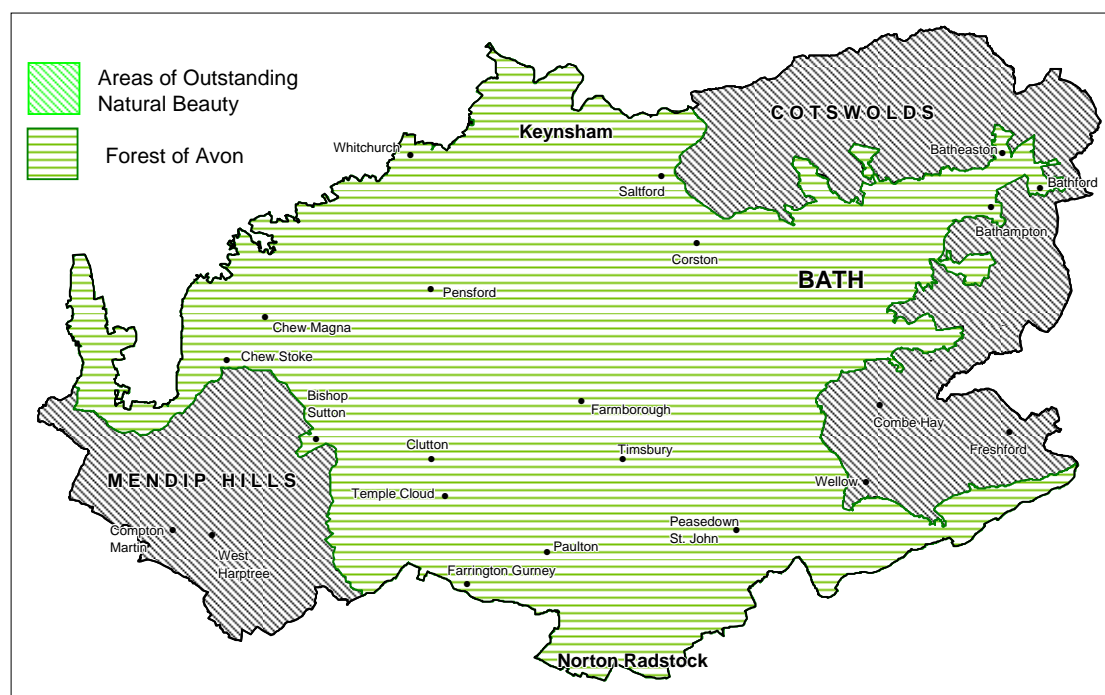


Diagram 10. Areas of Outstanding Natural Beauty & the Forest of Avon

MAINTAINING BIODIVERSITY

The District's Biodiversity

C2.34 The natural environment can only support human life, health and well-being if its resources are healthy and in good order. The quality of our environment is therefore dependant on the quality of natural features present and the diversity of wild plants, animals, and habitats (the biodiversity) that they support. Biodiversity is discussed in more detail in the Bath and North East Somerset Biodiversity Action Plan 2000.

C2.35 Our use of land and natural resources has always affected wildlife and their habitats. The last century saw a huge increase in the speed and scale of human impacts upon the natural environment and as a result there has been a decrease of natural habitats and loss of native species. Current information (Natural England surveys) indicates that only 6% of the District is now covered with semi-natural habitat.

C2.36 The past loss of wildlife habitats and decline in the range of species is largely due to past patterns of development and agricultural intensification. The invasion of non-native species can also pose a threat to biodiversity in the District. The Local Plan plays a key role in maintaining and enhancing biodiversity through guiding how and where development occurs. However, the Local Plan is only one of a range of measures needed to secure effective conservation of the resource and ensure management of change benefits nature conservation.

C2.37 The UK is signed up to the Biodiversity Convention and has prepared a Biodiversity Action Plan to help conserve priority species and habitats. Local Biodiversity Action Plans are encouraged to help achieve the conservation of local priorities. "WILDTHINGS". the Bath & North East Somerset area Local Biodiversity Action Plan was launched in 2000.

C2.38 The Local Plan seeks the conservation of and increase in the abundance and diversity of the

District's wildlife and habitats and to minimise adverse effects where conflicts of interest are unavoidable. It therefore contains a range of policies to meet this aim relating to protection of habitats, species and general wildlife interests.

Internationally Important Sites

C2.39 A number of sites in the District are recognised for their internationally important wildlife and/or habitat.

C2.40 Chew Valley Lake is recognised as a Special Protection Area (SPA) for its international importance for migrating birds. Natural England has identified a 'buffer' area around the Lake within which planning applications will be particularly closely scrutinised.

C2.41 Combe Down and Bathampton Mines form part of the 'Bath & Bradford-on-Avon Bats' Special Area of Conservation (SAC). Compton Martin Ochre Mine is a component site of the North Somerset and Mendip Bat SAC. SACs are selected to be part of a coherent European-wide network of natural habitat types (termed Natura 2000). These bats are protected under UK law and European Directive. The mine complex south of Bath is known to be important as a hibernation site for Lesser Horseshoe bats and Bechstein bats and as both a hibernation and maternity site for Greater Horseshoe bats. The Bath & North East Somerset area therefore forms part of the national stronghold for these three important species.

C2.42 The bats' feeding grounds extend roughly 4 km from the roosting and maternity sites. The interests of bats and their habitats are protected under Policy NE.10 and

Bat Protection Zones are indicated in Diagram 11.

C2.43 All these sites are also Sites of Special Scientific Interest (SSSIs) under UK legislation. The protection and management of internationally designated sites are achieved by a combination of the provisions in the Conservation (Natural Habitats) Regulations 1994 and section 28 of the Wildlife and Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000. In accordance with PPS9 *Biodiversity and Geological Conservation* advise local planning authorities should show sites identified through international conventions and European Directives on the Proposals Map although policies in respect of these sites should not be included in the Local Plan as they are protected under separate legislation.

Nationally Important Sites

C2.44 Sites of Special Scientific Interest (SSSIs) are designated by Natural England and are of national importance for their flora, fauna or geological interest. They exemplify rare and irreplaceable habitats. Within the District, there are currently 24 SSSIs as shown on the Proposals Map. The nature conservation interest of SSSIs can be harmed not only as a result of development taking place within the site itself, but also by development some distance away. Policy NE.8 seeks to protect SSSIs from any development which harms their nature conservation interest and Natural England has powers to control potentially damaging operations outside the planning system. Permitted Development Rights affecting these sites are also curtailed.

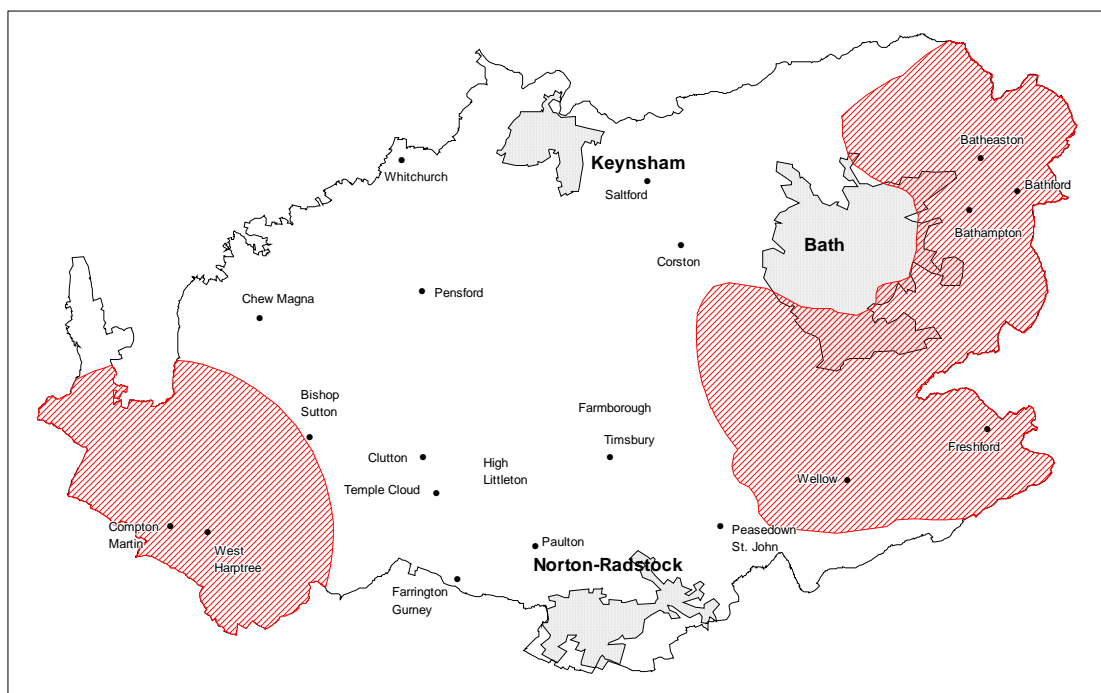


Diagram 11. Bat Feeding Zones

POLICY NE.8

Development which would adversely affect SSSIs, either directly or indirectly, will not be permitted unless;

- i. there are imperative reasons of national importance for the development; and*
- ii. any harm to the nature conservation value of the site is minimised; and*
- iii. compensatory provision of at least equal nature conservation value is made.*

Locally Important Sites

C2.45 PPS9 stresses the importance of protecting locally as well as nationally designated sites of nature conservation importance. Semi-natural habitats in Bath & North East Somerset, whilst being limited in extent, are diverse and include unimproved grasslands, broad-leaved woodlands, batches, streams,

rivers, lakes and ponds. JRSP Policy 18 requires the Local Plan to identify areas where the fragmentation of natural habitats should be halted and reversed. Much of the semi-natural habitat is identified in the Local Plan as Sites of Nature Conservation Importance (SNCIs).

C2.46 Also included as SNCIs are Regionally Important Geological Sites (RIGS). In addition to biological importance, local community value may contribute to the designation of a site. Natural Assets in Avon 1995 sets out the SNCI habitat selection criteria. All SNCIs, as currently identified, are shown on the Proposals Map but other sites which meet the criteria may come forward during the Plan period. The Council's Ecologist holds the description of each SNCI and a plan of their boundaries.

C2.47 There are currently 3 Local Nature Reserves within the District at Twerton Roundhill and Kensington Meadows in Bath and Camerton Old Batch.

POLICY NE.9

Development which would adversely affect, either directly or indirectly the nature conservation value of, Sites of Nature Conservation Importance, Local Nature Reserves or Regionally Important Geological and Geomorphological Sites, as shown on the Proposals Map, or any other sites of equivalent nature conservation value, will not be permitted unless:

- i. material factors are sufficient to override the local biological geological / geomorphological and community/amenity value of the site; and*
- ii. any harm to the nature conservation value of the site is minimised; and*
- iii. compensatory provision of at least equal nature conservation value is made.*

Nationally Protected Species and Habitats

C2.48 Certain species of wild plants and animals have national statutory protection and some are also internationally protected. The District has important populations of some of these species such as bats, barn owls, badgers and Great Crested Newts. The deliberate killing, injury, or taking of protected species or the damage, destruction or obstruction of places used by such species for shelter is an offence and local authorities have powers to take action against anyone committing such an offence under the Wildlife and Countryside Act.

C2.49 Natural England can provide advice on how best to treat protected species. Often they can be accommodated within carefully designed developments.

POLICY NE.10

Development that would adversely affect, directly or indirectly, species which are internationally or nationally protected or the habitat of such species will not be permitted.

Locally Important Species and their Habitats

C2.50 There are also species of plants and animals which are of particular importance within the District such as Bath Asparagus and Field Eryngo. They are important because they comprise significant local populations of nationally rare species or they are species unique or typical of the area. The Council proposes to prepare SPD on Priority Species and Habitats which will provide more detailed information.

POLICY NE.11

Development which would adversely affect a species of importance to Bath & North East Somerset or the habitat of such species, directly or indirectly, will not be permitted unless:

- (i) the importance of the development and its need for that particular location is sufficient to override the local value of the species; and*
- (ii) any harm to the species and their habitats is minimised; and*
- (iii) compensatory provision of at least equivalent nature conservation value is made.*

NATURAL FEATURES

C2.51 Many features of the landscape such as trees, copses, woodlands, batches, ponds, hedgerows, stone walls, orchards and watercourses are valuable for a range of reasons such as their wildlife, amenity, historic, recreational or visual benefit. Such heritage is not confined to protected areas or designated sites and are of importance throughout the countryside and within urban areas.

C2.52 Linear features often act as routes for wildlife migration, dispersal and genetic exchange and other features which are not continuous may act as stepping stones along such routes.

C2.53 Hedgerows make a fundamental contribution to the character of the countryside, are an important wildlife habitat and are often of historical interest. The removal of these features therefore can have seriously harmful impact on landscape character and on wildlife. Under the Hedgerow Regulations 1997, there are controls over the removal of certain hedgerows away from urban areas.

C2.54 Policy NE.12 sets out the detailed requirements for considering environmental interests in new development. The careful siting and treatment of development can protect wildlife habitats and physical features. Furthermore, development often offers positive opportunities for enhancing the value of such features which may enhance the quality of the development itself. Such features should be considered at an early stage in the development process with a view to the creation of new habitats or the enhancement of existing ones. Further guidance on the type and nature of new features and habitats will be set out in the proposed SPD on Priority Species and Habitats.

C2.55 Where the value of these features would be unavoidably and

adversely affected by new development, compensatory provision will be required. However, environmental gains cannot justify a development that is fundamentally unsound.

C2.56 Conditions and planning obligations will be used where necessary to protect natural features to secure their long term management or compensate for loss when development takes place. The Habitats Directive 1994 in particular requires the management of features of the landscape which are of major importance for wild flora and fauna.

POLICY NE.12

Development will only be permitted where it:

- i. retains features of the landscape such as trees, copses, woodlands, grasslands, batches, ponds, roadside verges, veteran trees, hedgerows, walls, orchards, and watercourses and their corridors if they are of amenity, wildlife, or landscape value, or if they contribute to a wider network of habitats;***
- ii. provides, where appropriate, for the creation of new features and habitats; and***
- iii. makes appropriate provision for the management of such features and habitats where they are of major importance for wild flora and fauna.***

Where the loss of such features is unavoidable because the reasons for the development outweigh the need to retain the features:

- a. any harm to the features is minimised, and***
- b. compensatory provision of at least equal value will be required.***

THE WATER ENVIRONMENT

Water Source Protection Areas

C2.57 JRSP Policy 23 states that provision will only be made for development where it can be demonstrated that it will not cause deterioration in the quality or quantity of underground or surface water. Groundwater Source Protection Areas have been defined by the Environment Agency in order to prevent contamination of groundwater. These areas feed springs and watercourses from where water is collected for public supply and agriculture. The polluting of these catchment areas could pose a serious risk to public health.

C2.58 Within the District, the Environment Agency has identified a number of groundwater source protection areas and these are shown on the Proposals Map. These are concentrated in the Chew Valley and the northern edge of the Mendip Hills and in areas north and south of Bath. In order to protect water supplies and prevent pollution which is extremely difficult, if not impossible, to clean up, it is important that development proposals affecting identified groundwater catchment areas and any others within the District, are strictly controlled.

C2.59 Consideration should be given to any possible impact on groundwater recharge, flows and levels. If it is anticipated that works may penetrate the natural winter water table then the impact of such works will need to be assessed and discussed with the Environment Agency. If detrimental consequences of the water environment are likely, agreed mitigation measures will be necessary.

POLICY NE.13

Development within the groundwater source protection areas shown on the Proposals Map, or any other groundwater catchment area, will not be permitted where it has an adverse impact on the quality of groundwater resource in terms of pollution and derogation of the resource.

Bath Hot Springs

C2.60 Since Roman times with the development of 'Aquae Sulis' as a retreat for health therapy, worship and relaxation, Bath's Hot Springs have been the centre of social, economic and cultural developments in Bath. Settlement grew up around this resource which has culminated in the modern City of Bath. The Springs now attract many visitors annually. The thermal waters will once again be used for bathing with the opening of the Bath Spa in a complex that will combine historic buildings with a new state-of-the-art leisure spa.

C2.61 There are three Hot Springs in the centre of Bath: the Kings Springs within the Roman Bath complex, the Cross Bath Spring, and the Hetling Spring in Hot Bath Street. Together they produce around 1.3 million litres of mineral-rich thermal water per day with a temperature of between 41 and 46°C. These thermal waters arise from the Carboniferous Limestone via fissures in the overlying layers (a layer of alluvium, successive layers of Lias Clay and limestone and Triassic Mercia mudstone) and appear as springs on the surface.

C2.62 The Council is responsible for the protection of the Hot Springs in Bath. This duty was entrusted to the Civic Authority in the Charter of Incorporation of the City of Bath 1590 by Elizabeth I who decreed that

the thermal waters should be available for public use in perpetuity. The Springs are protected by Section 33 of the County of Avon Act 1982 which specifies three control zones within which the depths of excavations is controlled. Policy NE.13A, however, seeks to ensure that both the quality and quantity of the groundwater source is protected from development that is likely to have an adverse effect on this resource within the Protection area as defined on the Proposals Map. This boundary corresponds with the outer control zone as defined under the Avon Act. The Environment Agency will also be consulted on applications which are likely to have an impact on the Hot Springs.

POLICY NE.13A

Development within the Bath Hot Springs Protection Area, as shown on the Proposals Map, that has an adverse impact on the quality or yield of the Bath Hot Springs, will not be permitted.

Flooding

C2.63 The District is drained primarily by the River Avon and its tributaries the River Chew and the Cam and Wellow Brooks. These watercourses have floodplains which are subject to flood risk. The river valleys are a significant component of the District's landscape character, providing an important resource for nature conservation and recreation and have rich historical and cultural associations.

C2.64 New development, redevelopment and land raising can have significant implications for flood risk. Within river floodplains, new development or redevelopment of existing sites may be liable to flood or may increase the risk of flooding elsewhere by reducing the storage

capacity of the floodplain and impeding flood flows. Likewise, consideration must be given to the whole river catchment as development outside the floodplain can also increase flood risk or be subject to localised flooding.

C2.65 PPS25 (Development and Flood Risk) sets out a sequential test in the allocation of land for development and the consideration of development proposals. Flood Risk Assessments should be prepared and submitted with planning application for development proposals of 1 hectare or greater in Flood zone 1 and all proposals for new development located in Flood Zones 2 and 3 or where there is other evidence that there is a risk from flooding (e.g. groundwater, surface water, sewers and other water bodies). Advice on their preparation can be found at Annex E of PPS25. A Strategic Flood Risk Assessment (SFRA) will refine information on the probability of flooding (Flood Zone 2, 3a and 3b), taking other sources of flooding and the impacts of climate change into account. The Council is currently preparing the SFRA and the SFRA will provide the basis for applying the Sequential Test once completed.

C2.66 There are a number of watercourses in Bath & North East Somerset which are highly modified, under normal conditions flow through storm water drains, sewers and culverts. Under extreme storm conditions, floodwaters can emerge above ground and follow established "Overland Flood Paths". Under Policy NE.14 these "Overland Flood Paths" are protected from inappropriate development which may impede floodwater flows and are on the Proposals Map and in Diagram 12.

C2.67 In light of the inherent danger associated with flooding and the uncertainty exacerbated by climate change, a precautionary approach is required in relation to development and flood hazard. Development will

not normally be allowed in floodplains or other locations which may give rise to flooding. Indicative flood zones defined by the Environment Agency are shown on the Proposals Map and are reviewed on a regular basis in future by the Environment Agency and it is important that development proposals take account of the most up to date information.

C2.68 Development will only be permitted in a floodplain if appropriate mitigation and/or protection measures to overcome flood risk are provided. Where such measures are proposed they should be accessible so they can be effectively maintained. There may also be opportunities to restore or enhance the natural floodplain where redevelopment takes place.

POLICY NE.14

Development will not be permitted where:

- i. it is subject to flooding, causes flooding elsewhere or where it would impede the flow of floodwater unless the flood hazard can be mitigated;***
- ii. it causes net loss in the flood storage capacity;***
- iii. the run-off from the development would result in, or increase the risk of, flooding of watercourses, ditches, land or property;***
- iv. it would prevent the maintenance of the channels of watercourses; it would result in watercourse channel instability; or***
- v. the existing drainage systems on the site are adversely affected, or if the land drainage of the site, when developed, is inadequate.***

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.

River Corridors

C2.69 As described in para C2.51, the District's rivers, canals and other watercourses make an important contribution to the character of the countryside and urban areas and are often of great wildlife importance and interest including increasingly rare water-dependent habitats. They are also often associated with an increasing assemblage of historical and cultural features.

C2.70 Recreation and leisure use of the River Avon and the Kennet and Avon Canal has to be consistent with the protection of water environment. Policies SR.10 and SR.11 guides the scale and location of such development. Public access to the River and Canal should be protected and, where possible, improved provided it does not conflict with the need to protect the watercourse character as set out in Policy NE.15.

C2.71 Applications for development affecting a waterway will be assessed to ensure that the proposed use of land or buildings is appropriate and whether opportunities for enhancing the amenities of the waterways have been fully recognised. This includes, for example, improvements to the tree cover which contribute to the overall landscape, extensions to riverside footpaths, or the enhancement of wildlife habitat.

POLICY NE.15

Development will only be permitted where it conserves or enhances the character, amenity or wildlife value of watercourses and their corridors.

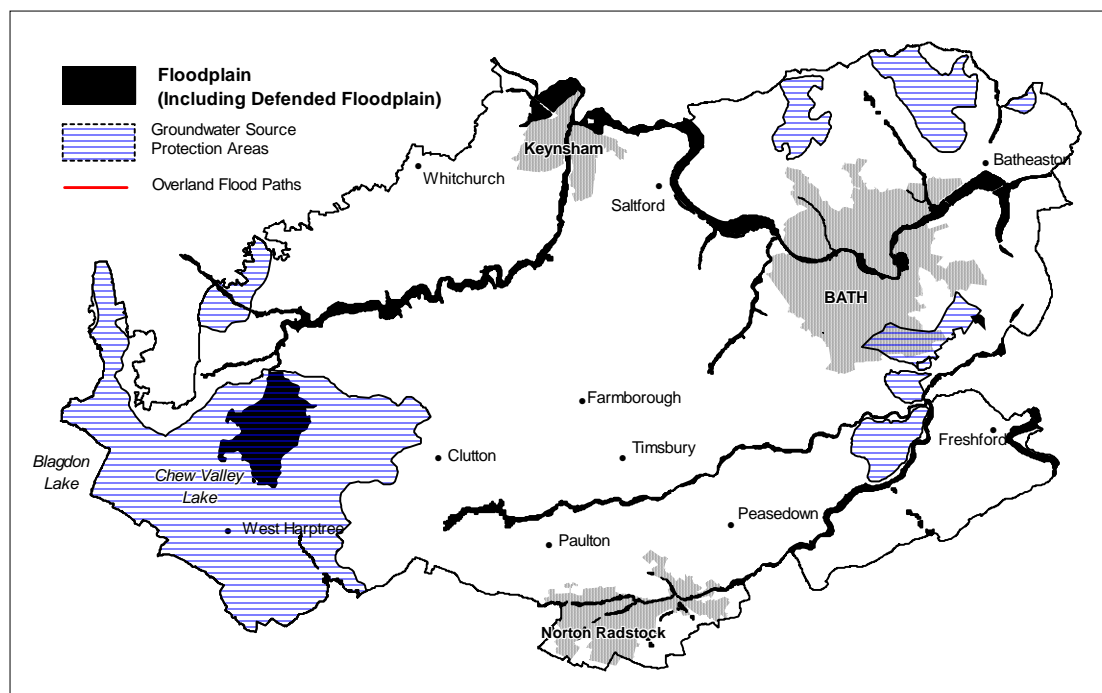


Diagram 12. Floodplains and Groundwater Source Protection Areas in Bath & North East Somerset

AGRICULTURAL LAND

C2.72 Agricultural land is one of the District's most important resources. The Department for the Environment, Food and Rural Affairs (DEFRA) classifies agricultural land on a scale of 1 to 5 (see Diagram 13). Grades 1, 2, and 3a are defined as the best and most versatile agricultural land. Where significant development of agricultural land is unavoidable use of areas of poorer quality will be sought in preference to that of higher quality except where other sustainability considerations suggest otherwise. Government policy on development on agricultural land is set out in PPS7.

C2.73 These might include, for example, the comparative accessibility/sustainability of land if of different agricultural value, its amenity value or heritage interest; accessibility to infrastructure; workforce and markets; the

protection of natural resources, including soil quality; or where agricultural practices contribute to the quality of the environment or local economy. Some of these qualities may be recognised by a statutory wildlife, landscape, historic or archaeological designation.

POLICY NE.16

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.

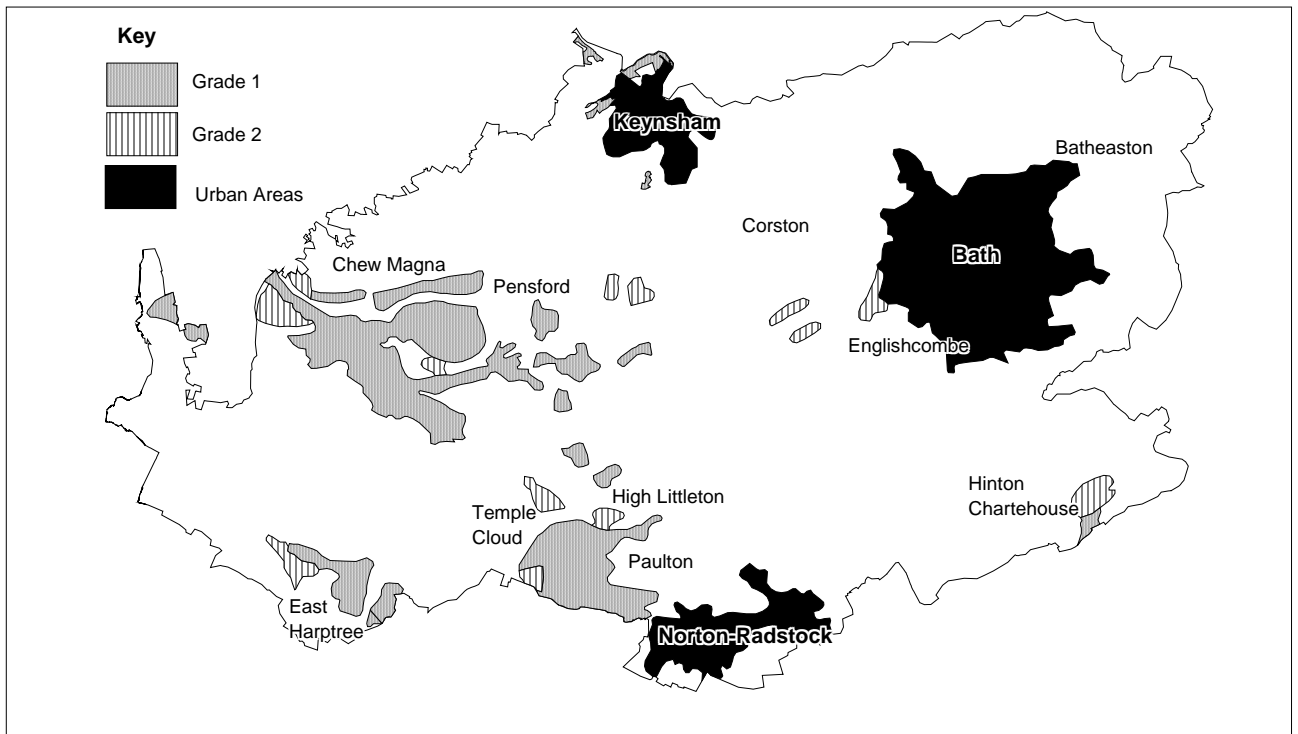


Diagram 13. High Grade Agricultural Land

C3. THE BUILT AND HISTORIC ENVIRONMENT

CONTEXT

C3.1 One of the key objectives of sustainable development is effective protection of the environment and the prudent use of natural resources. This includes conservation and enhancement of the built and historic environment.

C3.2 The District's towns and villages are diverse in character reflecting their history, location and size. The character, layout and form of groups of buildings and streets and spaces make a significant contribution in engendering a sense of place and adding to the quality of life in town and country. The identity of settlements should be conserved and enhanced through regeneration, enhancement of the public realm and a high standard of new design. Equally important in conserving the distinctiveness of settlements is the maintenance of their physical separation especially in the south of the district where there are numerous small villages in close proximity to one another but which comprise separate communities.

C3.3 PPG15 'Planning and the Historic Environment' emphasises the need for 'Environmental Stewardship' which involves the protection of all aspects of the historic environment. It describes how our historic buildings, landscapes and sites are an irreplaceable record of our past. They are a central part of our cultural heritage, sense of identity and contribute significantly to our quality of life.

C3.4 The District's landscape is the product of complex historic processes and past land-uses and therefore, in varying degrees, has historical

importance. The Historic Environment forms a backdrop to everyday life and it is often the more 'ordinary' features that create local distinctiveness. The historic environment is of immense importance for the cultural and economic well-being of the nation. It is a source of livelihood and a generator of wealth and prosperity. The Local Plan will therefore seek not only to conserve our 'finest assets' but also to take account of the whole of the historic environment in the development process.

C3.5 The Council recognises that issues involving disabled access within the historic environment are becoming increasingly important. The care and protection of historic fabric may at times cause conflict. The Council will give every effort to reconcile these conflicts.

BATH AS A WORLD HERITAGE SITE

C3.6 The City of Bath was inscribed on the UNESCO (United Nations Educational, Scientific and Cultural Organisation) List of World Heritage Sites in December 1987.

C3.7 Inclusion on the List of World Heritage Sites is recognition of the universal value of Sites, meaning that their conservation and continuity are of concern to all. Bath is considered to be of outstanding importance for the purposes of the World Heritage Convention because it fulfils three of the six criteria from the Guidelines prepared by the World Heritage Committee:

- it represents a masterpiece of human creative genius;

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- it exhibits an important interchange of human values, over a span of time or within a cultural area of the world, on developments in architecture or technology, monumental arts, town-planning or landscape design;
- it is an outstanding example of a type of building or architectural or technological ensemble or landscape which illustrates a significant stage in human history;

The city also meets the two further criteria required of World Heritage Sites, namely, authenticity and legislative protection.

C3.8 The nomination for inscription included the following grounds: 'a city of international importance for its contribution to the art of urban design, for its architectural quality, its Roman remains, its Georgian town centre and its historic associations.' There is an obligation on the UK central government, which is a signatory to the 1972 World Heritage Convention, to identify, protect, conserve, present and transmit to future generations the values of the World Heritage Site according to UNESCO's World Heritage Committee conventions and recommendations on the protection of cultural heritage.

C3.9 It is now acknowledged that providing statutory protection for World Heritage Sites is not sufficient to ensure their future survival. According to current best practice, the Local Planning Authority is working in partnership with landowners, managers and other agencies to ensure that a comprehensive World Heritage Site Management Plan is produced and implemented, complementing the provisions made in the Local Plan and Structure Plan. The Management Plan 2003-2009 forms a framework for the activities that take place within the Site, ensuring that the World Heritage values are protected, conserved and enhanced. It sets out a

long-term vision for the Site, aims and objectives, and a programme of short and long term actions to improve the condition and management of the Site. Not only does this demonstrate that the obligation is being fulfilled but also that the Council is fully committed to the protection of the World Heritage Site.

C3.10 Although there are no statutory controls over development automatically conferred by inscription on the List of World Heritage Sites, this status is a key material consideration when determining planning applications.

C3.11 Government guidance places great emphasis on the need to protect World Heritage Sites for the benefit of both present and future generations. PPG15 states that development proposals should always be carefully scrutinised for their likely effect on the site or its setting in the longer term. Significant development proposals that may adversely affect the site or its setting are therefore likely to require an environmental assessment so that their immediate and long-term impact can be assessed in accordance with advice contained within Circular 02/99 *Environmental Impact Assessment*.

C3.12 It is essential to recognise the wide range of values placed on the World Heritage Site of Bath. It is not only the historic buildings, archaeological sites and landscape setting that are of value, but the social, educational, recreational and economic functions and activities that take place within the city. Without investing in and promoting these vital aspects of Bath, the Council would be failing in meeting the responsibilities placed on it by the World Heritage Committee to sustain Bath as a World Heritage Site. The World Heritage Site is also a living city, the vitality and attractiveness of which needs to be retained and enhanced.

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C3.13 The boundary of the World Heritage Site is defined by UNESCO. The Department for Culture, Media and Sport has confirmed 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. The boundary of the World Heritage Site is shown on the Proposals Map and development proposals affecting the Site or its setting will be considered in the context of Policy BH.1.

C3.14 In 1999 Brunel's Great Western Railway, Paddington to Bristol (part of which runs through Bath), was included on the UK's Tentative World Heritage List of Sites. The Tentative List has been drawn from a number of themes identified as being under represented on the World Heritage List, such as industrial heritage. The Government aims to nominate these as World Heritage Sites over a five to ten year period.

POLICY BH.1

Development which would harm the qualities which justified the inscription of Bath as a World Heritage Site or which would harm the setting of the World Heritage Site will not be permitted.

LISTED BUILDINGS

Introduction

C3.15 The preservation of listed buildings is one of the primary responsibilities of the Council under the Planning (Listed Buildings and Conservation Areas) Act 1990. Section 1 of the Act imposes a duty on the Ministry of Culture, Media and Sport to compile and approve lists of buildings of special architectural or

historic interest.

C3.16 There is currently a total of 6834 properties and items in the District included on the national List of Buildings of Special Architectural or Historic Interest; of which 10% are listed Grade 1, 2% Grade II* and 88% Grade II. Listed structures may vary in type from buildings to ancient monuments, tombstones, milestones, phone boxes and bridges.

Listed Buildings Review

C3.17 English Heritage is reviewing the Bath list of Buildings of Special Architectural or Historic Interest in consultation with the Council for approval and publication by the Secretary of State for Culture, Media and Sport.

Development and Listed Buildings

C3.18 In exercising its development control function the Council shall have special regard to the desirability of preserving the building or its setting, or any feature of special architectural or historic interest which it possesses. In addition to the need for planning permission for development affecting a listed building or its setting, listed building consent is also required for any works or alterations which change the character or appearance of the listed building, or for its demolition in whole or in part. This is dealt with under different legislation and usually relates to matters not considered to constitute development. It should be noted that Section 54A of the Town and Country Planning Act does not apply to decisions for listed building consent or conservation area consent except where an alteration or extension to a listed building constitutes development and will therefore require both planning permission and listed building consent.

C3.19 It is recognised that alteration and extension are sometimes

necessary to adapt listed buildings. Where they are of architectural or historic interest, the presumption will be in favour of retaining internal and external features such as fireplaces, windows (including shopfronts), external and internal doors, panelling, sash boxes and shutters, staircase balustrades and other features of importance.

C3.20 Both exterior and interior work must relate sensitively to the original building and will require craftsmanship and professional skill of a high standard. In almost all cases the materials used for alterations, extensions and repairs should match the original. The original plan forms of a listed building are important and should not be compromised by unsympathetic additions or alterations.

C3.21 Lateral conversions will rarely be acceptable except in cases where this would secure residential use of upper floors above commercial premises.

C3.20 Listed buildings are a finite and non-renewable resource and the presumption will be in favour of their preservation. To enable proper assessment of the effect of development proposals affecting listed buildings and their settings full, detailed plans will be required. Policy BH.2 sets out the criteria against which proposals will be considered.

C3.22 In the case of listed buildings that are of intrinsic archaeological interest or stand on ground with archaeological remains, an appropriate archaeological assessment may also be required (see Policies BH.11-13). Where features of historic interest are affected by development, a detailed programme of archaeological recording may be required.

POLICY BH.2

Development affecting a listed building or its setting will only be permitted where it would:

- i) preserve the building's special architectural or historic interest;***
- ii) preserve any feature of special architectural or historic interest which the building may possess;***
- iii) retain the historic form and structural integrity of the building;***
- iv) respect the character of the building in terms of scale, style, design and materials; and***
- v) not adversely affect the building's contribution to the local scene including its role as part of an architectural composition.***

Demolition of a Listed Building

C3.23 There is a general presumption that all buildings which are listed will be preserved because of their architectural and/ or historic importance. Consent for the total or substantial demolition of a listed building will only be granted in exceptional circumstances and will require the strongest justification. The Council will require convincing evidence that real efforts have been made to sustain existing uses or find viable new uses and the applicant would also need to demonstrate that all practical attempts to save and refurbish the building have been explored. Where consent for demolition or substantial alteration of a listed building is granted, it may be a condition of such consent that the applicant arranges for suitable programmes of architectural and/or

archaeological recording.

C3.24 In considering proposals involving the demolition of a listed building the Council will need to be convinced that the freehold of the building has been offered for sale on the open market without unnecessary restrictive covenants for a reasonable length of time. There may, however, be a few exceptional cases where the balance of needs, on planning grounds and the comparative quality of the existing and proposed building are such that consent involving demolition or part demolition may be granted subject to any necessary approval by the Secretary of State.

C3.25 Such demolition may be an essential part of a scheme for conservation or improvement which will ensure the continued viability of the building and will either enhance or leave the listed building unaffected. An appropriate condition is likely to be imposed on the granting of listed building consent in order to ensure that an acceptable redevelopment scheme immediately follows demolition.

POLICY BH.3

Development involving the total or substantial demolition of a listed building will only be permitted in exceptional circumstances and where:

- i) the building is not capable of being repaired or maintained and overriding environmental, economic or practical reasons exist in favour of demolition;***
- ii) every possible effort has been made to continue the present use or to find a suitable alternative use for the building;***
- iii) the proposals bring substantial benefits for the community.***

Change of Use of a Listed Building

C3.26 The best way to secure the upkeep of historic buildings and areas is to keep them in active use. It is accepted that the best use for the building will often be that for which it was originally designed, and the continuation or reinstatement of that use should be the first option for the future of the building, particularly if that use was residential. Judging the best use for a building requires balancing the economic viability of possible uses against the effect of any changes that use will have on the special architectural or historic interest of the building in question. This may not necessarily be the most profitable use if that would involve destructive alterations.

C3.27 The implication of complying with other requirements e.g. fire safety, will be taken into account in determining applications for change of use. In exceptional cases, it may be possible to seek a relaxation in the statutory requirements or Council policy in order to achieve a new use and ensure a building's survival. A detailed archaeological recording of the sites and structures may also be required before the planning application is determined.

POLICY BH.4

Development proposals for the change of use of part or the whole of a listed building will be permitted provided:

- i) there is no realistic prospect or demonstrable need for continuation or reinstatement of the use for which the building was originally designed (except where Policy ET.2(2) also applies); and***
- ii) there is no adverse impact resulting from the proposed***

use on the character and setting of the listed building, its architectural or historic interest, and on the character of the surrounding area.

Maintenance and Repair

C3.28 The legislation places an obligation upon those who own or manage listed buildings to ensure they are adequately maintained. Together with English Heritage the Council maintains a Buildings at Risk Register of listed buildings deemed to be in poor condition, whether or not they are occupied. The Council will enforce its statutory duty of control to secure the proper repair, maintenance and preservation of such buildings.

C3.29 Where necessary, all available powers will be used to seek to secure the proper repair, maintenance and preservation of such buildings. The Council will reinforce its statutory duty of control by offering or obtaining advice where possible, in order to encourage owners to properly repair, maintain and preserve the character of listed buildings. The Council is preparing Supplementary Planning Guidance on the care and repair of historic buildings.

Locally Important Buildings

C3.30 There are other buildings and structures in the District that have not been listed nationally but are of particular local importance either for their architectural interest, their contribution to the local environment, or for their historical associations. For these reasons they are worthy of conservation and enhancement. Examples include non-listed farm buildings, mining structures, non-conformist chapels and former schools. Government guidance in PPG15 suggests that local planning authorities draw up a Local List to give protection

to these buildings.

C3.31 The Council will maintain a list of locally important buildings selected on the basis of their contribution to the local environment and their intrinsic architectural or historic associations. The process of identification and selection is ongoing and will be encouraged through community participation in the form of village design statements, conservation area appraisals and thematic studies of buildings, structures and landscapes. The selection criteria are set out as follows:

1. Age and integrity: The building or structure is a good example of its period and style or form has not been substantially altered.
2. Architectural interest: The building or structure is a good example of the local vernacular; is a rare or pioneering example of a building type or structure; or was built by a noted local/ national architect/ engineer/ builder.
3. Historical associations: The building or structure has an association with a notable person, event or significant phase of local history, or was constructed as part of an historic event.
4. Context: The building or structure has individual and/or group value or is a landmark building.
5. Local interest: The building or structure is part of the cherished local scene.

C3.32 Although these buildings do not benefit from the same statutory protection as listed buildings, their inclusion on the Local List will be a material consideration in determining applications for planning permission. Policy BH.5 sets out criteria against which such proposals will be considered.

POLICY BH.5

Development which affects a building or structure on the list of Locally Important Buildings will only be permitted where:

- i) the architectural interest and integrity of the building is conserved or enhanced;***
- ii) the contribution to its context, local interest or historical associations is not adversely affected.***

CONSERVATION AREAS

Introduction

C3.33 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to determine which parts of their areas are of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. These areas should be designated as Conservation Areas.

C3.34 The character or appearance of a Conservation Area derives not only from buildings and their settings but also from street patterns, building lines, spaces, ground surfaces, landscaping and other essential features. Architectural details on buildings make an important contribution to the character or appearance of the area, and roofscapes are important aspects of views into and across these areas. Certain skyline features, such as church towers and spires, are dominant and established features and should remain so.

C3.35 Open spaces may contribute to the character of Conservation Areas where they serve as frontages or backdrops to historic buildings and

structures, display areas for monuments, street furniture, statues, fountains and ornamental railings. Private open space such as gardens, former burgage plots and curtilages are also valued and make a significant contribution to the historic grain of village, town and city.

C3.36 Since 1968, 37 Conservation Areas have been designated in the District, the largest being in Bath. The detailed boundaries of all the Conservation Areas are shown on the Proposals Map and their general location is indicated in Diagram 14.

C3.37 The Council has included policies in the Local Plan to safeguard Conservation Areas from any changes that may have a detrimental impact on their character or appearance and to encourage only such changes which complement or enhance the existing character.

Control of Development in Conservation Areas

C3.38 In exercising its statutory duty the Council will pay special attention to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Development should either make a positive contribution to the character or appearance of the Conservation Area or leave its character or appearance unharmed.

C3.39 In considering development in Conservation Areas the Council will require high standards of design. Development should be carefully related to existing buildings and their setting and should respect the existing street scenes, views, roof-scapes, building lines and historic grain. Particular attention should be given to scale, form, the suitability of external materials and the extent to which development, including changes of use, can be reasonably allowed in the overall context of the Conservation

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Area. The existing relationship of buildings to open space will need to be respected. The Council will also use its powers to protect other existing features which contribute to the distinctive character of each

Conservation Area such as walls, hedges, gates, paving and other surface treatment.

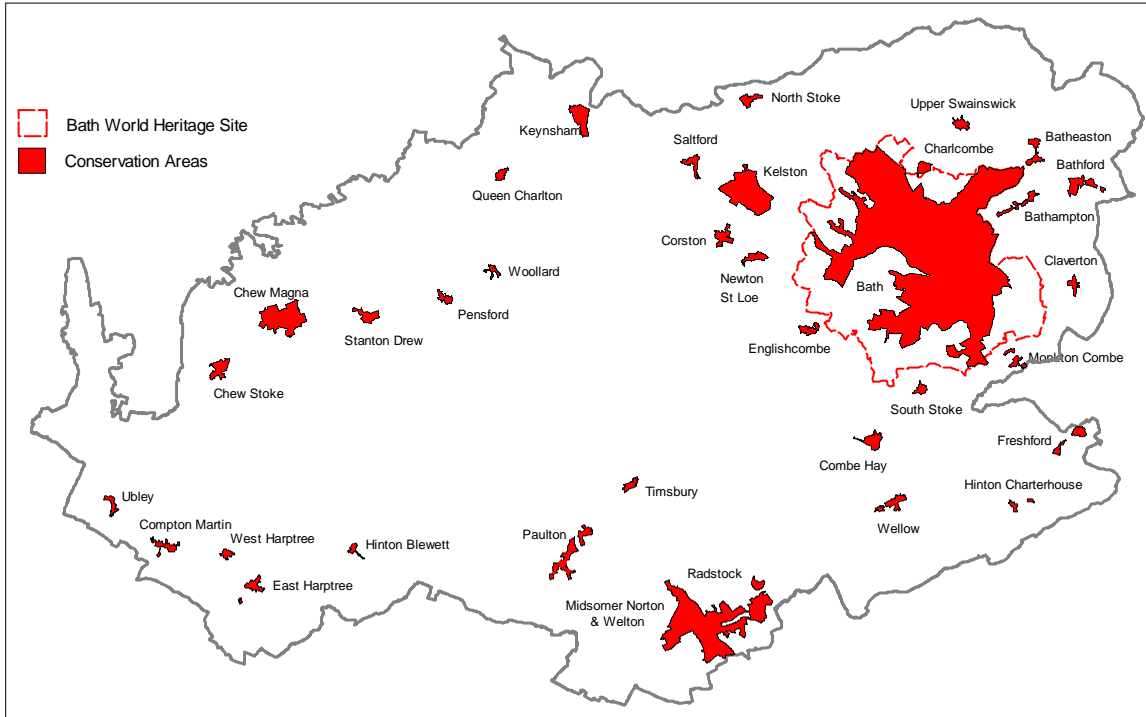


Diagram 14. Bath World Heritage Site and Conservation Areas

C3.40 It may be inappropriate to grant outline planning permission in a Conservation Area without full details with which to assess the extent to which the proposed development will preserve or enhance its character or appearance. Where it appears that the impact of a development proposal is likely to be particularly significant, or if it is not possible to assess its impact from the details submitted, a full application including detailed plans will be required.

C3.41 Policy BH.6 sets out the criteria against which applications for planning permission within or affecting Conservation Areas will be assessed. Conservation Area appraisals will assist in the application of the policy as they identify what makes an area

special and what detracts from it (see paras C3.49 and C3.53). Design Policies D.2 and D.4 also set out particular design requirements for new development.

POLICY BH.6

Development within or affecting a Conservation Area will only be permitted where it preserves or enhances the character or appearance of the area, in terms of size, scale, form, massing, position, suitability of external materials, design and detailing. Particular attention will be given to:

i) the retention of buildings, groups of buildings, existing

street patterns, historic grain, spaces, building lines and ground surfaces which contribute to the character or appearance of the Conservation Area;

- ii) the retention of architectural features which contribute to the character of the area, including boundary walls;***
- iii) the impact of the proposed development on the townscape, roofscapes, massing and relative scale and importance of buildings in the area;***
- iv) the relationship of buildings to open space and historic grain;***
- v) the need to protect existing trees and landscape which contribute to the character or appearance of the Conservation Area; and***
- vi) the removal of unsightly and inappropriate features that detract from the character or appearance of the Conservation Area.***

Demolition in Conservation Areas

C3.42 The Council attaches great importance to the safeguarding of all buildings which are regarded as being of architectural or historic interest or otherwise make a positive contribution to the quality of the environment. Development involving the total or substantial demolition of a building or structure will not be supported by the Council unless it is satisfied that the building concerned is structurally and economically beyond restoration or makes little or no contribution to the character or appearance of the Conservation Area.

C3.43 In all cases, the Council will require full information about what is proposed for the site after demolition.

Consent will not be given unless there are acceptable and detailed plans for redevelopment and a full brief for archaeological recording of the site is agreed. Where appropriate, conditions will be attached to the planning permission to ensure that demolition will not take place until a valid contract for carrying out of the approved works and recording has been made.

C3.44 Policy BH.7 sets out the criteria that will be taken into account when considering proposals for demolition in Conservation Areas.

POLICY BH.7

Within Conservation Areas, development involving the total or substantial demolition of buildings and other structures which make a positive contribution to the special character and appearance of the Conservation Area will only be permitted where:

- i. the building or structure is not capable of retention or repair;***
- ii. every possible effort has been made to continue the existing use or find a suitable alternative use; and***
- iii. the proposed development, if any, would make a similar or greater contribution to the special character or appearance of the area, or***
- iv. the proposed development would make a significantly greater contribution to the Conservation Area than the building to be lost.***

Restrictions on Permitted Development Rights in Conservation Areas

C3.45 A consequence of Conservation Area designation is that some permitted development rights are

restricted and planning permission is required for various types of development.

C3.46 The local planning authority may also issue a Direction under Article 4 (2) of the Town and Country Planning (General Permitted Development) Order 1995 to withdraw permitted development rights for developments which materially affect the external appearance of dwelling houses such as doors, roofs and frontages, if this is considered appropriate.

OTHER CONSERVATION AREA MATTERS

Improvement Work in Conservation Areas

C3.47 An important aspect of the character or appearance of a Conservation Area stems from the treatment of the boundary walls, railings, fences and the materials and surface finishes to paved areas, steps and so on. The Council will wish to see such existing materials retained or re-used as part of a new development where they make a positive contribution to the character or appearance of the area.

POLICY BH.8

Within Conservation Areas development of new or replacement walls, fences and railings and paved areas or other surface treatment will be permitted where:

- i) they do not damage the character or appearance of the area; and***
- ii) existing materials are retained or reused where this would enhance to the character or appearance of the area.***

Trees

C3.48 Trees make a vital contribution to the character and appearance of a Conservation Area. Certain trees (including fruit trees not in commercial production) can be protected by Tree Preservation Order and in Conservation Areas all trees are afforded specific protection under the legislation. Under Part 8 of the Town and Country Planning Act 1990 six weeks notice must be given to the local planning authority before trees are lopped, topped or felled (subject to certain exceptions including small trees and trees that are dead, dying or dangerous). This enables the Council to consider making the tree the subject of a Tree Preservation Order.

Enhancement of Conservation Areas

C3.49 The local planning authority will also formulate and publish guidelines for the preservation and enhancement of the Conservation Areas, normally as part of the Conservation Area appraisal.

C3.50 The character or appearance of a Conservation Area can be considerably affected by items of street furniture, such as direction signs, seats and litter bins. Careful attention to detail and construction materials of such items is essential in order to protect the character or appearance of Conservation Areas. Road traffic signs, parking signs and street markings can also have a detrimental effect on Conservation Areas. Duplication and excessive use of signs and posts leads to unnecessary clutter.

C3.51 Enhancement may also be facilitated through grant aiding improvements to listed buildings and features in Conservation Areas and seeking improvements through planning permissions. The Council will continue to promote environmental improvements to enhance the

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character or appearance of Conservation Areas, and will encourage landowners, developers, amenity and residents societies to undertake improvements in appropriate circumstances.

Designation and Review

C3.52 It is the duty of the local planning authority under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 from time to time to review the boundaries of Conservation Areas and to consider whether further parts should be designated or existing boundaries require amendment.

C3.53 Appraisals for individual Conservation Areas form an important basis for the application of policy across Conservation Areas. Community participation in the assessment of new areas and boundary reviews of existing areas will assist in establishing priorities for enhancement or regeneration schemes. Appraisals of Conservation Areas will provide the framework to guide conservation and enhancement initiatives, new building design and development control.

HISTORIC PARKS & GARDENS

C3.54 English Heritage has compiled a Register of Historic Parks and Gardens which are of national importance by virtue of their historic layout, features and architectural ornaments. Twelve of these lie within, or partly within the District.

C3.55 The increased demand for land for development means that some of these parks and gardens are under threat. Many are particularly vulnerable to housing schemes, especially where the previous use has become redundant or historic designs have become overgrown. However, transport infrastructure, golf courses

and other recreational development can be just as damaging to the unique character of parkland.

C3.56 All sites on English Heritage's Register of Historic Parks and Gardens are shown on the Proposals Map and Policy BH.9 seeks their conservation. The local planning authority is required to consult English Heritage where a planning application is likely to affect a Grade I or II* registered site or its setting, and the Garden History Society must be consulted on all applications affecting any site on the English Heritage register.

POLICY BH.9

Development which adversely affects sites on English Heritage's Register of Historic Parks and Gardens or their settings will not be permitted.

ARCHAEOLOGY

C3.57 The long history of human activity in the District is reflected in its rich and diverse heritage of archaeological features. Scattered throughout the District are evidence of prehistoric camps and barrows, remains of Roman occupation, Dark Age defensive structures, deserted or shrunken medieval settlements, ecclesiastical remains from the Middle Ages, model farms and relics of industrialisation. Bath, in particular, has a uniquely important archaeological heritage. The preservation of this fragile and irreplaceable resource is of national and sometimes international importance.

Scheduled Ancient Monuments

C3.58 Central Government compiles and maintains a list of Scheduled Ancient Monuments which are of

national importance. These are shown on the Proposals Map. Scheduled Ancient Monument Consent is required for any work resulting in the destruction of or damage to a Scheduled Ancient Monument or for any repair works.

C3.59 Where a Scheduled Ancient Monument or other nationally important archaeological remains would be adversely affected by a proposed development, there will be a presumption in favour of their physical preservation *in situ*.

POLICY BH.11

Development which would adversely affect Scheduled Ancient Monuments, or any other sites of national importance, and their settings and does not preserve such sites in situ will not be permitted.

Other Archaeological Remains

C3.60 The Council maintains the Sites and Monuments Record (SMR) which contains over 3,000 entries providing information on a variety of sites, monuments and landscapes. Some entries refer to the casual discovery of a flint artefact from a ploughed field whilst others record the results of major archaeological excavations and large linear monuments such as The Wansdyke earthwork.

C3.61 PPG16 advises that developers, before making a planning application, should undertake an initial assessment of whether the site is known or likely to contain archaeological remains. This initial research should include reference to the SMR. Where there are indications that archaeological remains might exist, the applicant will be requested to arrange for an archaeological field evaluation. This will help define the

extent of the archaeological remains in the area of the proposed development; indicate the weight to be attached to their preservation; and allow options for minimising or avoiding damage to the remains to be considered. The results of such evaluations will be expected to be provided as part of the planning application.

C3.62 It is preferable that archaeological remains are preserved *in situ* as even archaeological excavation may mean the destruction of evidence. It may be possible to incorporate the archaeological remains into a development without destroying it if the archaeological interest is taken into account at an early stage, e.g. foundations which avoid disturbing the remains or careful siting of landscaped or open areas.

C3.63 In those cases where damage to archaeological deposits and structures is unavoidable the Planning Authority may approve development subject to a detailed mitigation scheme involving excavation, recording, post-excavation analysis and publication of the archaeological remains prior to development.

C3.64 This mitigation scheme will be secured either through the use of conditions or voluntarily through use of a Section 106 legal agreement. The Planning Authority will provide advice and guidance for this work.

POLICY BH.12

Development which would harm important archaeological remains or their settings outside the scope of Policy BH.11 will not be permitted unless the adverse impact of the proposal on the remains can be mitigated.

Archaeology in Bath

C3.65 In common with many of England's most important historic cities an Urban Archaeological Database (UAD) has been compiled for Bath and forms part of the District Sites and Monument Record. This will be followed up by publication of an Urban Archaeological Assessment which, together with the UAD, will inform the development of an Urban Archaeological Strategy and Supplementary Planning Guidance.

C3.66 The UAD has identified the high archaeological potential in parts of Bath relating largely to Roman and medieval settlement within the line of the old city walls, along Broad Street, Southgate, Walcot Street and London Road. Other areas along Julian Road, Lower and Upper Bristol Road, Sion Hill, Bathwick and other suburban locations have also been identified.

C3.67 The World Heritage Site status, the density of listed structures and the area of scheduling within the city walls all demonstrate the significance of the archaeological resource in Bath.

C3.68 This archaeological resource should not be compromised and should be conserved as part of the special relationship that Bath has with its past. Developers will be required to address this issue through sympathetic design and construction and to have clearly demonstrated how significant archaeological remains can be preserved *in situ*.

C3.69 In most cases the results of an archaeological assessment and evaluation will be required before any planning applications are determined and the Council therefore encourages prospective developers to contact the Council's Archaeological Officer at the earliest opportunity in order to clarify procedures and requirements.

POLICY BH.13

Development which adversely affects significant archaeological remains within Bath will not be permitted unless the preservation in situ of these remains can be achieved through a detailed design and construction scheme.

Historic Battlefields

C3.70 Lansdown Hill Historic Battlefield is included in English Heritage's Register of Historic Battlefields and is shown on the Proposals Map. Its special historic importance is of national significance. The Register provides general advice about the conservation and management of such historic sites and also detailed information about Lansdown Hill Historic Battlefield.

POLICY BH.14

Development affecting a Registered Historic Battlefield or its setting will only be permitted where:

- i) the historic character and appearance of the site is not harmed; and***
- ii) the proposed development conserves and enhances the historic character and appearance of the site.***

VISUALLY IMPORTANT OPEN SPACES

C3.71 Within many of the District's towns and villages, there are open spaces which make an important visual contribution to local character. The nature of these sites varies and they may include public open space,

recreational areas, playing fields, open fields, the grounds of large properties or amenity areas. Some are open to public access and others are privately owned.

C3.72 Policy BH.15 seeks to safeguard the contribution these sites make to local character.

POLICY BH.15

Development which adversely affects open spaces that make a contribution to the character of the settlement or locality will not be permitted.

VILLAGE BUFFERS

C3.73 The legacy of coal-mining particularly in the south of the district is a dense pattern of settlement. There are numerous small villages which are often in close proximity but which comprise separate communities. Local character is often strongly formed by rural setting.

C3.74 In some places there are narrow gaps between settlements which are under considerable pressure from development, particularly in the south of the District. Policy BH.16 protects the particularly sensitive, largely undeveloped, gaps between settlements. The primary objective of the policy is to maintain the separateness of settlements and not necessarily to protect attractive landscapes.

POLICY BH.16

Outside the Green Belt, development which prejudices the separateness of settlements will not be permitted.

ADVERTISEMENTS

Introduction

C3.75 Many outdoor advertisements and designs come within the scope of control of the Town and Country Planning (Control of Advertisements) Regulations 1992 and therefore require express consent from the local planning authority. As outlined in PPG19 'Outdoor Advertisement Control', this regime enables local planning authorities to control advertisements when it is justified in the interests of amenity and public safety. Certain advertisements are specifically excluded from control under the Regulations. Others are granted deemed consent but, if it is considered appropriate, the Council may implement tighter controls over displays. This may be done by removal of 'deemed consent', taking discontinuance action to remove existing intrusive advertisements or by defining Areas of Special Control of Advertisements.

Urban Areas and Villages

C3.76 Advertisements are an important part of the street scene and are essential to commercial activity, particularly within town centres. There can sometimes be a conflict between the appearance of a building, structure or place and commercial pressures for advertising. Designed well and integrated with buildings advertisements can blend in with the character of an area. Conversely, a proliferation of advertisements can detract from the appearance of the building and street scene. Advertisements unsympathetically designed in garish colours and materials or with poorly designed or inappropriate levels of illumination can have a detrimental effect on the visual qualities and residential amenity of both urban areas and villages.

C3.77 The special visual qualities of

the World Heritage Site, listed buildings and Conservation Areas need to be protected against the adverse effects of indiscriminate advertisements. Where permitted, they should be of modest size and their design and materials complement the character of the building and the area. In particular, designers should be prepared to compromise on matters of “corporate” design where necessary in the sensitive or historic areas.

Open Countryside

C3.78 In the open countryside advertisements should be designed in such a way that they respect landform and the quality of the immediate surroundings, natural contours, landscape character and any other features against which they will be seen. Businesses located in the countryside will be expected to ensure that signs are designed to harmonise with their surroundings. This is especially pertinent in Areas of Outstanding Natural Beauty.

Illuminated Advertisements

C3.79 In areas where existing levels of illumination are low, such as Areas of Outstanding Natural Beauty, Conservation Areas and the open countryside, illuminated advertisements will only be permitted where such signs do not detract from the visual and residential amenities. Internally illuminated box fascias and projecting signs will not be generally appropriate in Conservation Areas. The protection of residential amenities including those properties on the fringe of commercial centres is of particular importance. The provision of illuminated signs on or within listed buildings will not normally be permitted. Almost all advertisements on listed buildings will constitute an alteration to the building and therefore will require listed building consent.

Public Safety

C3.80 Advertisements requiring express consent may also be refused in the interests of public safety. This will be a significant factor where an advertisement is likely to cause confusion with traffic signs and signals, for instance, or where it will result in glare or dazzle, or interfere with a navigational light or aerial beacon.

C3.81 In considering proposals for outdoor advertisements a balance needs to be struck between business requirements and visual amenities and public safety. Particular regard should be given to the cumulative impact of proposals on the design and appearance of the building and its wider context, including proposals in the open countryside. All proposals requiring consent will be considered within the context of Policy BH.17.

POLICY BH.17

Consent for the display of an advertisement will be granted provided that:

- i) it would not prejudice public safety;***
- ii) the proposal, either on its own or cumulatively with other existing or proposed advertisements, would not be detrimental to visual or residential amenity;***
- iii) by reason of design, positioning, materials, colour, proportion or illumination it would not be detrimental to the appearance of a building or to the street scene in urban areas and villages; and***
- iv) in the open countryside, it would not have an adverse impact on the scenic qualities and rural character.***

Hoardings and Panels

C3.82 Advertisement hoardings and panels, by virtue of their size and the material displayed, have a significant impact on the appearance of an area. These are generally associated with predominately industrial and commercial areas but are also used alongside highways and to screen vacant sites. In most other locations this type of display will not be acceptable unless it is of a size and scale appropriate to its surroundings and located within a mixed-use area.

C3.83 Like all other advertisements, hoardings and panels can only be controlled in the interests of amenity and safety. Proposals for new or replacement display panels should respect the scale and character of the surrounding area or buildings in which they are to be located. In the case of buildings, poster displays should be restricted preferably to the use of blank walls or elevations and should not obscure any architectural feature. Careful consideration should also be given to the landscape and boundary treatment associated with the proposal in order to minimise its impact.

C3.84 Poster displays in the open countryside will not be permitted except where they are to be used to advertise a particular event in which case the duration of the display will be strictly controlled.

POLICY BH.18

Consent for advertisement hoardings, panels and posters will be granted provided:

- i) the proposal is consistent with the requirements of Policy BH.17; and***
- ii) it is located in a predominately commercial, industrial or mixed-use area; or***
- iii) in the open countryside the***

display of the advertisement is restricted to a specified time period.

SHOPFRONTS

C3.85 Shopfronts are an important aspect of commercial activity in urban areas and villages and have an immediate and significant visual impact on the streetscene. There is however continuing commercial pressure for new designs and modifications in relation to shopfronts.

C3.86 Well designed shopfronts can enhance both the streetscene and commercial activity and there can be room for innovation providing the overall design is sympathetic to the character or appearance of the building(s) and does not detract from the visual amenity of the surrounding area. This is especially important in Conservation Areas and other environmentally sensitive areas.

C3.87 A shopfront should not be designed in isolation: it is essential that the design, scale and proportion of the shopfront relates to the building for which it is intended and those adjacent as well as harmonising well with the upper floors. The highest standards of shopfront design, materials and workmanship will be expected.

C3.88 Proposals relating to the alteration of an existing or replacement shopfront should ensure that the property is accessible to all members of the public with special consideration for those with disabilities. Proposals for shopfronts should also provide a separate access to upper floors which are, in many cases, in a different use.

C3.89 The installation of a new shopfront often provides an opportunity to enhance a Conservation Area by replacing inappropriate

shopfronts to more adequately reflect the appearance of the building and the streetscape. However, in view of their architectural and historical significance traditional shopfronts should be retained wherever practicable.

C3.90 To assess fully the effect of any proposed works, full details may be required indicating the design and materials of the shopfront and its relationship to the building and its setting. Policies BH.19 and BH.20 set out criteria against which development involving shopfronts will be assessed. Policies relating to development in the Conservation Area and listed buildings will also be relevant in the consideration of proposals for shopfronts.

POLICY BH.19

Proposals for new or replacement shopfronts or alterations to existing shopfronts will be permitted provided:

- i) the proposal is designed and detailed so that the ground floor relates well to the upper parts of the building;***
- ii) the proposal incorporates satisfactory and safe access for all to the ground floor and where appropriate, the upper floors;***
- iii) there is no adverse visual impact on the streetscene and it does not detract from the character of the area.***

POLICY BH.20

Development involving the alteration or replacement of traditional shopfronts will not be permitted unless they enhance the character or appearance of the building and streetscene.

SECURITY OF RETAIL AND COMMERCIAL PREMISES

C3.91 Security is a concern for shopkeepers and owners of commercial premises. However, the mounting of security measures on existing shopfronts or on the facades of buildings, or their inclusion in new shopfronts, can detract from the character and appearance of the building and its architectural integrity, and can have a wider impact on the streetscene especially in Conservation Areas.

C3.92 Solid security shutters normally result in unattractive frontages, create a fortress-like appearance, and prevent window shopping. These, and other security measures, are often prominent and incongruous, and may unacceptably affect the character and appearance of the area as well as architectural features of the building. External solid metal shutters are unlikely to be appropriate on listed buildings or in the Conservation Area. Consideration should also be given to matching the paint type to the existing shopfront.

C3.93 In considering planning applications for security measures, it will be important to maintain access to the upper floors of buildings, especially where separate access to residential accommodation exists.

POLICY BH.21

Permission for security fittings on retail and commercial premises in shopping areas will be granted provided:

- i) there is no significant loss of visibility into the premises;***
- ii) the character and appearance of the building, including any important architectural features, are not detrimentally affected;***

- iii) there is no detrimental visual impact on the street scene; and*
- iv) access to any existing or potential residential use within the building is not affected.*

EXTERNAL LIGHTING

C3.94 The external lighting of business premises, sports facilities and residential properties is a growing phenomenon. This can cause problems in terms of a detrimental impact on visual and residential amenity.

C3.95 In the urban areas and some villages where existing levels of illumination are generally high, proposals for external lighting will be acceptable in principle providing their impact does not significantly harm residential or visual amenity. The satisfactory siting and design of lighting apparatus, intensity of light, hours of operation and highway safety will be of particular concern when assessing the likely impact of a proposal on its immediate and wider environment.

C3.96 Within rural areas and open countryside external lighting can be extremely prominent and visible from some distance. Its effect is to introduce an urban appearance from the upward glow to an area which for the most part is not lit at night. Proposals for external lighting in the countryside are therefore not generally acceptable, particularly in the Areas of Outstanding Natural Beauty. Certain nocturnal species such as bats may also be sensitive to external illumination.

C3.97 Proposals for external lighting in Conservation Areas will need to take into account their special character or appearance. Proposals involving listed

buildings are unlikely to be acceptable where the appearance of the building is significantly altered for instance by attaching light fittings. Lighting from an independent source should not detract from the appearance of adjoining properties or the street scene. Wherever possible light should be directed downwards to avoid the danger of light trespass onto adjoining properties or 'skyglow'.

C3.98 Applicants will be expected to demonstrate that there will be no significant lighting overspill through the design of the lighting installation which includes the height of the poles, the area of illumination and level of illuminance. Applicants may also be required to provide a technical report outlining these details and likely level of impact. More detailed guidance is set out in the current edition of the Council's External Lighting guide for applicants.

POLICY BH.22

Proposals for the external lighting of facilities will only be permitted where:

- i) they would not give rise to an unacceptable level of illumination into the sky, open countryside or in villages where present levels of illumination are low; or***
- ii) in urban areas and villages where present levels of illumination are already significant, the proposal would have no detrimental impact on residential or visual amenity.***

C4. MINERALS

MINERALS STRATEGY FOR BATH AND NORTH EAST SOMERSET

C4.1 The principles of sustainable development underpin the Overall Strategy of this Local Plan.

C4.2 National policy on sustainable development for minerals planning is based on the following criteria:

- to conserve minerals as far as possible, whilst ensuring an adequate supply to meet needs;
- to ensure that the environmental impacts caused by mineral operations and the transport of minerals are kept, as far as possible, to an acceptable minimum;
- to minimise production of waste and to encourage efficient use of materials, including appropriate use of high quality materials, and recycling of wastes;
- to encourage sensitive, high-quality working, restoration and aftercare practices so as to preserve or enhance the overall quality of the environment;
- to protect areas of designated landscape or nature conservation value from development, other than in exceptional circumstances and where it has been demonstrated that development is in the public interest; and
- to prevent the unnecessary sterilisation of mineral resources.

C4.3 The principles of sustainable development form the basis of strategic minerals planning advice contained within Regional Planning Guidance for the South West (RPG10) and strategic minerals policies contained within the Joint Replacement Structure Plan (Policies 26, 27 and 28).

C4.4 In conformity with the Structure Plan and having regard to relevant national and regional Minerals Planning Policy Guidance,

the minerals strategy for Bath and North East Somerset is therefore to balance, as far as practicable, appropriate demand for supply of minerals with the conservation of mineral resources and stewardship of the environment. An appropriate level of demand for minerals available within the District is, as a first principle, a level of demand for non-aggregate minerals which is commensurate in all material respects with existing underground working or the small-scale nature of current surface mineral workings in Bath and North East Somerset. Policy M.1 sets out the Council's overall strategy for minerals.

POLICY M.1

The winning and working of minerals and ancillary and related minerals development will be permitted where:

- i) the need for the mineral in relation to the availability of alternative sources of primary, secondary and recycled materials to the expected market is demonstrated;***
- ii) the scale and nature of the proposed development is compatible with the character of the area; and***
- iii) the adverse environmental effects are either acceptable or mitigation measures can be employed;***
- iv) soils, overburden and mineral wastes will as far as is practicable be retained within the site to assist progressive reclamation and to minimise the need to import waste or other materials for this purpose; and***
- v) the site will be restored to a condition which maintains or enhances its environmental value and value to the community.***

**TABLE 11. Active and Inactive Quarries within Bath & North & East Somerset
Summary of the Mineral Reserves and Registered Planning Permissions**

| | Name | Description | Extent of mineral reserve and type | Planning Permissions |
|-----------------------|-----------------------|---|--|--|
| Active sites | Stowey Quarry | 9 ha site located near Bishop Sutton on the edge of the escarpment overlooking the Chew valley | White lias and blue lias limestones with workable reserve of 170,000 tonnes at 2001. | Maximum output of 180,00 tonnes per annum following review of 1954 planning permission. |
| | Upper Lawn Quarry | 1.4 ha site located at Combe Down on south east edge of Bath just outside Green Belt and Cotswolds AONB | Surface mineral working producing Combe Down Bath Stone. Details of remaining reserves are not available. | Output limited by planning condition to 5,000 tonnes per annum by planning condition. Planning permission granted in 2001 for extension to secure reserves to 2011. |
| | Hayes Wood Mine | 29 ha site of underlying land located at Limpley Stoke to the south east of Bath within Green Belt and Cotswolds AONB | Stoke Ground Base Bed and Stoke Ground Top Bed Bath Stone producing 9–11,000 tonnes per annum. Reserves of saleable minerals estimated to be 395,850 tonnes in 1996. | Output is limited by planning condition to 20,000 tonnes per annum. Planning permission for 22.62 ha extension granted in June 1996. A further extension was granted permission in March 2005 which will enable extraction to continue at 18,000 tonnes per annum. |
| Inactive sites | North Wick Quarry | Dormant clay pit at East Dundry | Surface mineral working producing clay. Extractible remaining reserves estimated to be 2.3 – 2.5 million tonnes. | Planning permission registered over area of approximately 6.6 ha. |
| | Queen Charlton Quarry | Dormant quarry near Keynsham which has not operated since the 1950s | Unreclaimed quarry formerly producing lias limestone. Details of remaining reserves are not available but anticipated to be small. | Planning permission registered over area of approximately 17 ha though mineral extraction surrendered by agreement on a 2 ha area restored in the 1990s. |
| | Mount Pleasant Quarry | Dormant quarry at Combe Down, Bath which has not operated since themed-late 1980s | Unreclaimed quarry formerly producing Bath Stone. Remaining reserve is small and may not be economically workable. | Planning permission registered over area of approximately 0.7 ha. |

MINERAL RESERVES AND RESOURCES¹ AND CURRENT MINERALS OPERATIONS IN BATH AND NORTH EAST

C4.5 Limestone is the principal commercial mineral worked in the plan area. 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.

C4.6 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.

C4.7 There are also a further three sites which are currently inactive but with extant planning permissions. Table 11 provides a summary of the mineral reserves and registered planning permissions at the six sites.

¹ A minerals "reserve" refers to the quantity of mineral with planning permission for extraction. A minerals "resource" refers to the quantity of economically and/or environmentally workable mineral available.

GENERAL POLICIES

Safeguarding mineral resources

C4.8 Minerals are a finite and important resource both nationally and locally. Unlike most other forms of development mineral extraction can take place only where the mineral is found. Therefore it is essential that known or suspected occurrences of commercially valuable minerals are protected from development which might sterilise the potential for exploitation of the resource. In addition to the Preferred Areas and Area of Search for minerals set out below, an additional safeguard is required through designation of Minerals Consultation Areas (MCAs). MCAs ensure that the Mineral Planning Authority is informed of significant development proposals which may adversely affect minerals resources and has the opportunity to comment upon or oppose them. At the same time, they are not an indicator to the minerals industry that minerals development within an MCA is necessarily acceptable. Whilst Government advice is that MCAs will not normally be needed in a Unitary Development Plan or District-Wide Local Plan, it is considered nevertheless that the precaution of designating MCAs is desirable.

POLICY M.2

Non-mineral development within the minerals consultation areas identified on the Proposals Map will only be permitted where:

- i) it would not sterilise permanently or unduly restrict the extraction of mineral deposits, which are or may become of economic importance and which are capable of being worked; and***
- ii) it would not adversely affect the viability of exploiting a mineral resource or be***

incompatible with an existing or potential minerals development; or

- iii) *it is practicable and environmentally acceptable to extract the mineral before development commences.*

Secondary and Recycled Materials²

C4.9 Production and use of secondary and recycled materials is a key element in sustainable minerals development, particularly in the case of the high volume aggregates industry. Whilst initiatives have been slow to gather momentum, the Landfill Tax and the forthcoming Aggregates Levy are focusing waste management, construction and minerals industry attention on this area. Implementation of the EC Landfill Directive in 2001 will be an added incentive. It is anticipated that demand for secondary and recycled materials will increase during the Plan period.

Consequently, there will be a commensurate demand for production facilities. This issue is recognised in the Waste section of the Plan. The production of secondary and recycled materials could result in unacceptable environmental impacts – for example through additional traffic movements and noise from crushing and screening plant. The environmental benefits and disbenefits of a proposal will therefore need to be weighed carefully.

² Secondary materials are derived from mineral wastes – for example the processed off-cuts from building stone production. Recycled materials are derived from construction and demolition wastes such as bricks and concrete.

POLICY M.4

Development at mineral extraction sites involving the production of secondary and/or recycled aggregates will only be permitted where:

- i) it will not involve the redevelopment of a restored or regenerated quarry or landfill site, or redevelopment of a colliery spoil tip where it would cause significant harm in respect of landscape or nature conservation and/or industrial archaeology; and*
- ii) the site is either close to the source of waste and/or the market for the recycled material; and*
- iv) the development will not conflict with or unreasonably delay reclamation and restoration of the site.*

PROTECTING THE ENVIRONMENT

Primary Aggregates³

C4.10 The extraction of minerals for production of aggregates is an activity which in many cases has an environmental impact greater than that which can be expected from extraction for production of building and walling stone. Aggregate producing quarries generally are larger, more intensive operations which potentially can be more environmentally disruptive by reason of land-take, visual impact, noise and traffic generation and related issues.

C4.11 National guideline levels for production of primary aggregates are

³ Primary aggregates are virgin materials obtained or produced from winning and working of minerals

apportioned by region and thence by county. In the former Avon county, the apportionment is between South Gloucestershire and North Somerset. Joint Replacement Structure Plan Policy 26 sets out levels of production for both Unitary Authority areas. Having regard to strategic planning policy, Bath and North East Somerset is not required to contribute to provision of aggregates to meet former Avon's regional apportionment. Bearing in mind the potential environmental impact of primary aggregate production and the strategic planning position, the MPA considers that it is appropriate to resist proposals for primary aggregate production in Bath and North East Somerset unless the material to be produced is not obtainable from quarries in South Gloucestershire or North Somerset.

POLICY M.6

Planning applications for mineral extraction involving as a primary activity the production of crushed rock or other aggregate minerals will not be permitted unless:

- i) local demand for crushed rock or other aggregates cannot be supplied from areas with regionally-apportioned aggregate production requirements identified in Joint Replacement Structure Plan Policy 26; and***
- ii) the aggregate cannot be reasonably substituted with secondary or recycled materials.***

New Mineral Working Sites outside Preferred Areas or Areas of Search

C4.12 Whilst provision of minerals is essential for economic growth and development, mineral extraction can

be environmentally damaging. It is important therefore to control tightly where mineral extraction can take place. One purpose of this section of the Plan is to provide the public and minerals industry with a degree of certainty as to areas where mineral extraction possibly may take place. The allocation of Preferred Areas and Areas of Search for minerals is the means by which this is achieved. The MPA will resist proposals for development outside these areas unless the mineral to be worked cannot be supplied from existing operations within the Avon sub-region or by extension to existing quarries or, where appropriate, by reactivation of dormant sites with registered planning permissions.

POLICY M.7

Development of new mineral workings on land outside Preferred Areas or Areas of Search for minerals will only be permitted where:

- i) demand for the mineral cannot reasonably be met from development within a Preferred Area or Area of Search; and***
- ii) cannot reasonably be met elsewhere within the former County of Avon area by an existing operational mineral working; or***
- iii) cannot reasonably be met by extension to an existing operational mineral working or by development, where environmentally acceptable, of a dormant mineral working with a registered planning permission.***

Planning applications for minerals development

C4.13 In considering proposals for minerals development, it is important for the environment, for local

communities and for prospective developers that the Minerals Planning Authority has sufficient high-quality information upon which properly to evaluate proposals and base sound decisions. Planning applications for minerals development will require screening under Environmental Impact Assessment legislation.

Those applications required to be accompanied by an Environmental Statement will contain detailed information specific to the site and proposed development. Policy M.8 sets the context for the MPA's requirements for the content of planning applications which, as appropriate to the nature of the development and location of the site, should include details of:

- implications for the health and safety of the public including stability of the site during and following working and restoration;
- impact on amenity (including the potential effects of noise, fumes, vibration and dust);
- cumulative impact of the proposal in relation to previous and current minerals development in the area;
- visual impact and effect on landscape;
- traffic generation, its environmental impact and the suitability of the public highway to cater for quarry traffic;
- the feasibility of alternative forms of transportation;
- effect on the flow and quality of groundwater, surface water, land drainage and flooding;
- impact on nature conservation;
- impact on archaeology;
- impact on the historic character of any registered park, garden or area of special historic interest;
- effect on buildings or structures of architectural or historic interest, Conservation Areas and the World Heritage Site of Bath;
- impact upon public rights of way;
- impact on agriculture and forestry;

- impact on existing or potential recreational use;
- restoration of the site, aftercare (where appropriate) and the acceptability of the afteruse proposed;
- scope for limiting the duration of working.

POLICY M.8

Minerals development will not be permitted unless adequate safeguards can be secured for the protection of the environment and the amenities of the area likely to be directly or indirectly affected during all phases of the development.

Transport

C4.14 Although in the past waterways have been used to transport minerals in the Bath & North East Somerset area, this has for some time been replaced almost entirely by road transport. Traffic generated by minerals and waste development can have a significant impact on the environment, on highway and highway safety and on amenity. Noise, dust, vibration and fumes together with traffic congestion, damage to road surfaces and verges and potentially increased accident risk are amongst the issues which can arise.

C4.15 Planning applications should ensure that the most environmentally acceptable method of transport is employed to move minerals and that in the case of road transport, the highway network serving the site is capable of handling the traffic – both in terms of volume and weight – that will be generated over the life of the proposed development. Whilst upgrading the highway may, in some circumstances, be a solution, prospective developers should note that in many areas upgrading or

realignment will be unacceptable if the nature of the road is changed to the extent that it will compromise its character or the character of the environment and the amenities of communities through which the road passes.

C4.16 Proposals may, as appropriate, be subject to the following provisions:

- planning conditions limiting vehicle numbers, output and/or times during which vehicles may access the site;
- planning obligations stipulating preferred access and egress routes;
- provision of new or improved access arrangements; and
- financial contributions where highway improvements are required and are acceptable to the MPA.

POLICY M.9

Applications for mineral and waste development will only be permitted where:

- i) the access roads to the proposed site, including parts of the public highway which serve such a site, are adequate for the type and volume of traffic proposed; or***
- ii) the highway can be upgraded without compromising its character and adversely affecting the environment in the vicinity of the road and the amenities of communities through which the road passes; and***
- iii) the use of the alternative methods of transport to road are used unless it is demonstrated to be neither commercially nor environmentally suitable.***

Reclamation, restoration and aftercare

C4.17 National policy on the reclamation of mineral workings is set out in Minerals Planning Guidance (MPG) note 7. The principal aim of national policy is to ensure reclamation of sites at the earliest opportunity and to a standard appropriate to the intended afteruse. Where there is doubt whether satisfactory reclamation can be achieved the MPA should consider whether planning permission should be granted.

C4.18 Prospective minerals developers should not view reclamation, restoration and aftercare as a secondary consideration. These issues must be addressed rigorously at an early stage in the conception of a scheme. Matters such as site orientation, phasing of working and progressive restoration, incorporation and enhancement of natural features and attributes, screen planting (in advance), soil handling/storage and availability of restoration materials must all be taken into account as integral elements of the overall proposal.

C4.19 A sensitive but imaginative approach to afteruse should be pursued. Nature conservation and recreation are potential afteruses of minerals sites alongside traditional uses such as agriculture or forestry.

C4.20 Restored sites often are not immediately capable of supporting fully the intended afteruse. A period of time – normally five years – is needed during which aftercare of the site can be managed, soils can be cultivated and fertilised, drainage can be monitored and adjustments made and so on. Aftercare schemes normally involve a stepped programme of treatment and an annual appraisal of progress towards objectives. Afteruses such as nature conservation will require, in addition to aftercare, management plans to

ensure that habitats and wildlife thrive. Management plans normally will be over a longer timescale than aftercare schemes.

POLICY M.10

Minerals development will not be permitted unless satisfactory provision is made for reclamation having particular regard to restoration and, where practicable, enhancement of the character, quality, amenity and distinctiveness of the landscape or other natural existing attributes of the site.

PROPOSALS

Stowey Quarry

C4.21 Extension of the site will require a new planning permission. Planning applications relating to extension of the quarry for production of materials other than building and walling stone at output levels compatible with historical output levels at the site will be evaluated against policies including Policies M.1 and M.6.

C4.22 The Preferred Area for extension of the quarry has been carried forward from the MWALP and is shown on the Proposals Map. Having regard to the ineffectual reclamation of the quarry it will be necessary for appropriate reclamation of the worked out areas to be clearly in hand before the MPA considers a planning application for extension of working into the preferred area. Winning and working of mineral within the preferred area should be phased to ensure that reclamation of the site keeps pace with extraction. Following reclamation the site should be put to an agricultural/nature conservation afteruse.

Upper Lawn Quarry

C4.23 Planning permission for a small extension into the allotments to the south-east of Upper Lawn Quarry was granted in 1994. This area was considered to have sufficient reserves for a further 20 year's production. It transpired subsequently that the area contained mostly unusable stone. A 1.2ha area of land adjacent to the south – western and south-eastern boundaries of the current working is identified as a preferred area for extension of the quarry in the MWALP.

C4.24 The site is close to a Special Area of Conservation incorporating Sites of Special Scientific Interest in respect of greater and lesser horseshoe bats. The quarry has features of geological interest. It is considered important that the quarry remains as a small building stone producer so that the present innocuous nature of activity is maintained.

C4.25 The preferred area set out in the MWALP has been reviewed. A revised preferred area is shown on the Proposals Map. The preferred area is in two phases. Phase 1 is a 0.4 ha area adjacent to the south western boundary. Phase 2 a 0.35 ha area adjacent to the northern boundary. Extraction and reclamation within Phase 1 should be completed before extraction begins in Phase 2. Permission will not be granted for extraction within any phase which will release reserves sufficient for more than 20 years supply at an output level of 5,000 tonnes per year or less. Afteruse as a masonry yard together with nature conservation and recreation may be acceptable subject to planning consent.

Hayes Wood Mine

C4.26 It is considered that sufficient permitted reserves of mineral exist at the mine to ensure supply through

the Plan period. No Preferred Area for extension is proposed. It is nevertheless considered that part of the extensive Area of Search for minerals set out in the MWALP should be carried forward in this Plan, and this is shown on the Proposals Map. It is considered that a smaller Area of Search is appropriate on the basis that no proposals have come forward for development of mineral workings in the area since 1993 other than proposals for extension of Hayes Wood Mine.

- nature conservation and amenity interests can be safeguarded;
- noise, dust and general disturbance can be contained within acceptable levels having particular regard to MPG11⁴ *The Control of Noise at Surface Mineral Workings* and other relevant guidance;
- sufficient inert soils and subsoils of acceptable quality can be obtained;
- work can be completed within a reasonable period of time.

POLICY M.11

The following sites are allocated as Preferred Areas for Mineral Extraction:

- 1. Stowey Quarry, Bishop Sutton;***
- 2. Upper Lawn Quarry, south of Bath;***

The following site is allocated as an Area of Search:

- 1. Land at north of Freshford.***

POLICY M.12

Land at Queen Charlton Quarry is allocated as a Minerals Restoration Site.

Queen Charlton Quarry

C4.27 The site is shown on the Proposals Map and is about 6 ha in area. Phased reclamation of the site utilising inert soils and subsoils to a managed nature conservation and agricultural use is proposed. Having regard to the rural context of the site and the desirability of minimising local disturbance and achieving phased orderly reclamation of the quarry complex, reclamation proposals for the site should be phased to accord with the completion of reclamation works on the Queen Charlton Concrete Works site. Any planning application coming forward will need to demonstrate, amongst other things, that:

- satisfactory access to and egress from the site can be achieved;

⁴ Or any Minerals Planning Policy guidance which amends or replaces it.

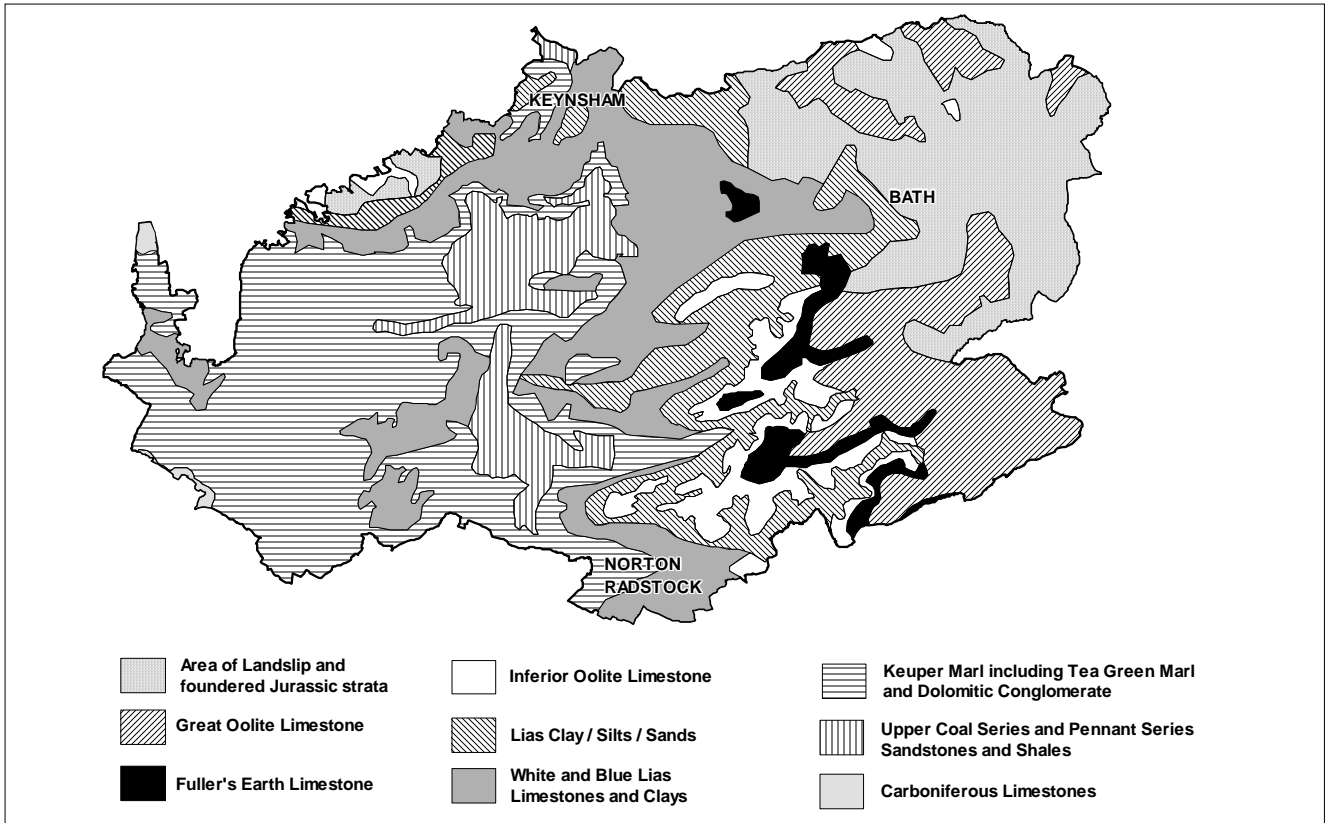


Diagram 15. The Geological series present in Bath & North East Somerset

SECTION D ACCESS

D. ACCESS

D1 A BALANCED AND INTEGRATED TRANSPORT SYSTEM

D1.1 The Council aims to identify new elements of the transport system that will be required to achieve a fully integrated transportation network within the next twenty years. Many of these elements are discussed in this chapter.

D1.2 The Joint Replacement Structure Plan (JRSP) states that there are three key requirements for the successful achievement of an integrated and balanced transport system. The first is the implementation of the Plan's locational strategy for new development a main aim of which is reduction in travel demand. The second is a concerted effort by all local authorities to encourage alternative modes of transport to the car. The third is the adoption of an area and corridor approach to the integration of development and transport proposals so that resources are concentrated where they will have maximum impact on travel patterns. The areas and corridors which are relevant to this Plan are:

Bath

Bath - Keynsham - Bristol
Bath - Chippenham
Bath – Trowbridge

Norton-Radstock

Norton-Radstock - Bath
Bristol - Norton-Radstock - Yeovil

D1.3 The new Local Transport Plans play a major role in the integration of

transport and land use planning. The proposals they contain have to be supported by policies in the Local Plan and it is intended that the two documents should be complementary. Transport Plans have a shorter time frame (5 years) and are reviewed annually. It is therefore appropriate that they should be consulted to find out about smaller road improvement or traffic management schemes which may previously have been found in the Local Plan. The Bath & North East Somerset Local Transport Plan (July 2000) sets out the Council's 20 year vision for transport, defines objectives and puts forward a programme of schemes and measures for the 5 years 2001/06. This has now been replaced by the Joint Local Transport Plan 2006/7 – 2010/11 for the former Avon area. It includes two major schemes – The Greater Bristol Bus Network and the Bath Package which are referred to below. The Plan's objectives reflect the Government's current transport policy priorities – congestion, road safety, air quality, accessibility and quality of life.

D1.4 These objectives are in turn reflected by those of this Local Plan set out in para A3.9 above and by the resultant Policy T1 below. The objectives reflect the Government's overall approach to addressing the needs of motorists, other road and public transport users, and business, by reducing congestion and pollution and achieving better access to development and facilities. They will also help to promote sustainable transport distribution.

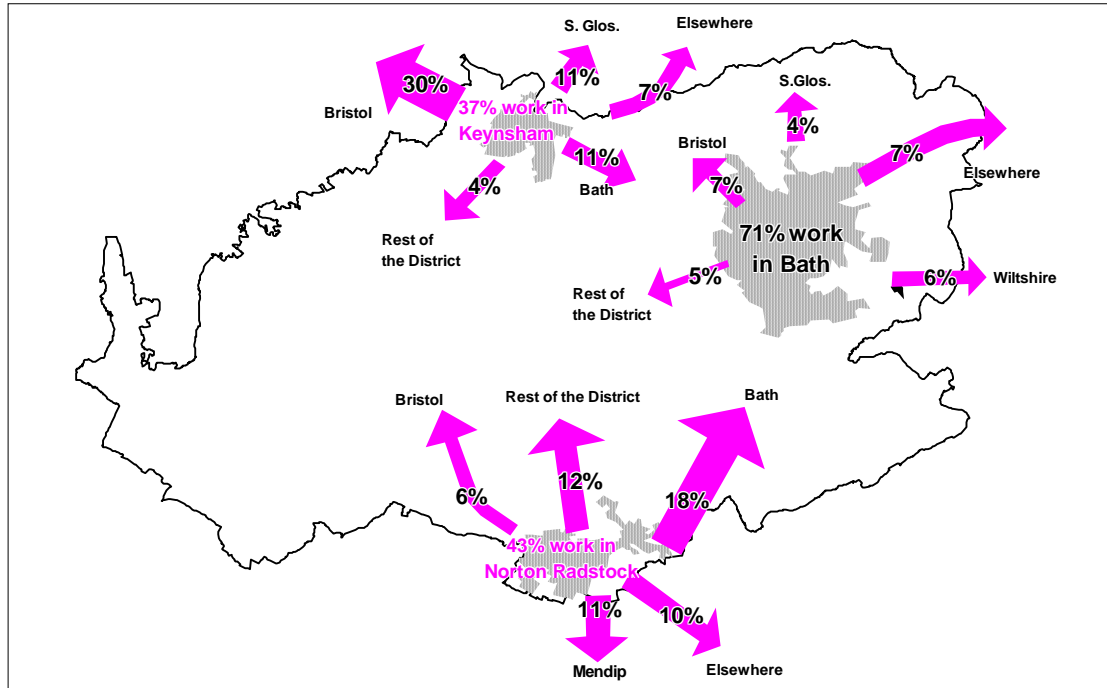


Diagram 16. Commuting in Bath & North East Somerset – where local residents work

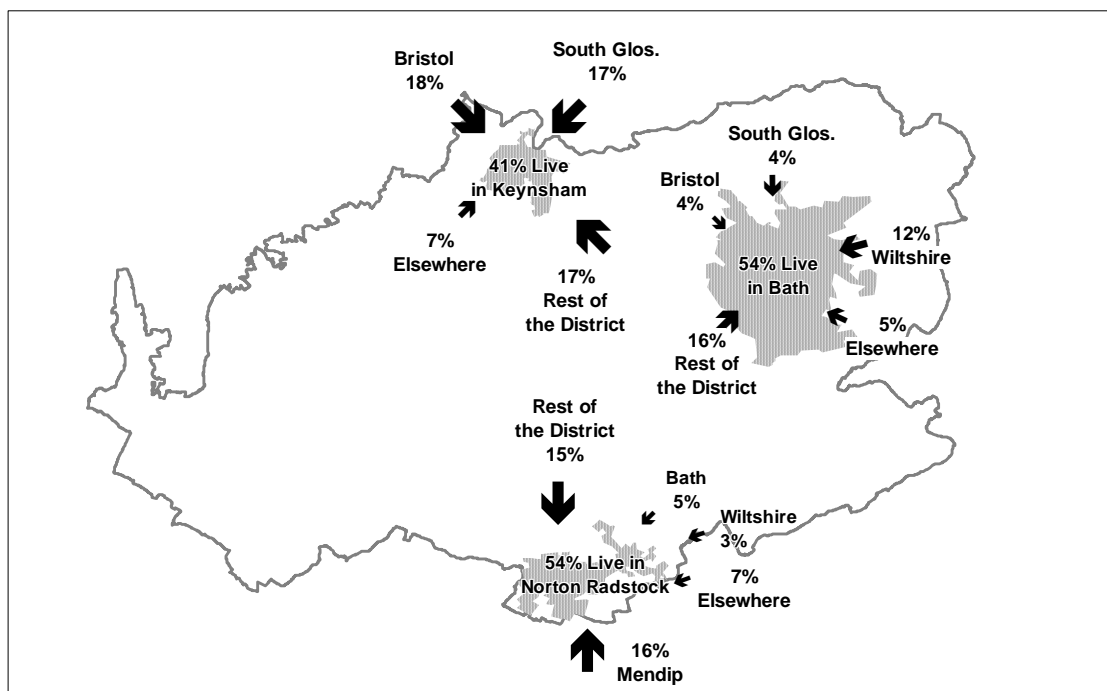


Diagram 17. Commuting in Bath & North East Somerset - where local workers live

POLICY T.1

The Council will encourage the development of balanced communities by:

- 1) Seeking to reduce the adverse impact of all forms of travel on the natural and built environment;***
- 2) Seeking to maximise the safety of all types of movement;***
- 3) Seeking to support the local economy through the provision of enhanced transport facilities;***
- 4) Pursuing the area and corridor approach to the integration of development and transport proposals as required by the Joint Replacement Structure Plan with the major aim of reducing dependency on the private car;***
- 5) Seeking to reduce the growth and where possible the overall level of traffic by measures which encourage movement by public transport, bicycle and on foot, including traffic management and assisting the integration of all forms of transport; and***
- 6) Seeking the improvement of existing and the provision of new public transport facilities.***

Government's 10 year Transport Plan (2000) and the Regional Transport Strategy. It was the subject of a Government multi-modal study, which recommended, inter alia, improvements to increase the capacity of the main London-Bristol railway and that a further study be undertaken the Greater Bristol area. Strategic Transport Study. This has now reported with recommendations which will guide both national and local expenditure on transport infrastructure between 2006 and 2026. These include the extension of road user charging to the Bath area following its introduction in Bristol, the construction of a South Bristol Ring Road and a road linking the A36 and A46 to the east of Bath, together with the radical improvement of public transport.

D2.2 The A36 and A46 which pass through Bath are major elements of the second corridor, that between South Wales/M5 and Portsmouth, Southampton and Poole which is identified in the Regional Transport Strategy. The World Heritage site of Bath has therefore to contend with an unacceptable level of through traffic. This includes large numbers of H.G.V.'s en route to or from the Channel ports. Surveys have revealed that 67% of the H.G.V.'s recorded in the streets of Bath do not need to be in the city. The draft Regional Spatial Strategy for the South West envisages infrastructure improvements and other elements of corridor management which will reduce the impact of long distant traffic on the built and natural environment.

D2. STRATEGIC TRANSPORT CORRIDORS

D2.1 In addition to the local transport corridors referred to in the JRSP Bath & North East Somerset is crossed by two strategic transport corridors of regional, national and European significance. The London to South Wales and the South-West corridor is identified in the

D2.3 The Council therefore welcomed the Government's recent Bristol/Bath to South Coast Transport Study and especially its focus on investigating the best way to reduce the amount of through traffic in Bath. This is essential if national air quality standards are to be met, the city's built heritage safeguarded and many of the Council's other aspirations for

environmental improvement achieved. A number of the measures recommended by the Study have been included in the Bath Package Major Scheme which is incorporated

in the Joint Local Transport Plan 2006-2011. They include the expansion of park & ride and restrictions on movement of HGVs in the city.

Table 12. 2001 Mode of Travel to Work for Selected Urban Areas

| Location | Pop'n 2001 (000) | Main Mode to Work for Resident Employees (percentage) | | | | | | | |
|--------------------|------------------|---|-------|-----|------|-----|------|-------|-------|
| | | Walk | Cycle | Bus | Rail | Car | Home | Other | Total |
| Bath | 90 | 22 | 3 | 9 | 4 | 50 | 10 | 2 | 100 |
| Cambridge | 131 | 12 | 23 | 5 | 3 | 45 | 9 | 3 | 100 |
| Oxford | 143 | 14 | 14 | 16 | 2 | 43 | 9 | 2 | 100 |
| York | 138 | 18 | 14 | 7 | 2 | 49 | 7 | 3 | 100 |
| Lincoln | 104 | 15 | 8 | 7 | 0 | 61 | 7 | 2 | 100 |
| Exeter | 107 | 19 | 5 | 10 | 1 | 56 | 8 | 1 | 100 |
| Gloucester | 136 | 10 | 6 | 7 | 0 | 68 | 7 | 2 | 100 |
| Cheltenham | 110 | 17 | 7 | 5 | 1 | 60 | 9 | 1 | 100 |
| Chester | 91 | 13 | 4 | 8 | 1 | 64 | 8 | 2 | 100 |
| Maidstone | 90 | 13 | 2 | 5 | 5 | 65 | 9 | 1 | 100 |
| Warwick/Leamington | 85 | 14 | 4 | 4 | 2 | 66 | 8 | 2 | 100 |
| Worcester | 94 | 15 | 5 | 5 | 1 | 65 | 8 | 1 | 100 |
| Torbay | 110 | 15 | 2 | 5 | 1 | 64 | 11 | 2 | 100 |

Source: 2001 Census

Table 13. 2001 Mode of Travel to Work for Bath (percentage)

| | Walk | Cycle | Bus | Rail | Car | Home | Other | Total |
|----------------------------------|------|-------|-----|------|-----|------|-------|-------|
| Resident in Bath: work in Bath | 30 | 3 | 11 | 0 | 39 | 14 | 3 | 100 |
| Resident in Bath: work elsewhere | 3 | 2 | 5 | 12 | 75 | - | 3 | 100 |
| Resident elsewhere: work in Bath | 2 | 1 | 8 | 5 | 81 | 1 | 3 | 100 |

Source: 2001 Census

Table 14. Mode of Travel to Work of Resident Employees (percentage)

| | Walk | Cycle | Bus/rail | Car | Work at home | Households with no car (percentage) |
|----------------------------|------|-------|----------|-----|--------------|-------------------------------------|
| Bath & North East Somerset | 15 | 2 | 10 | 60 | 10 | 22 |
| Bath | 22 | 3 | 13 | 50 | 10 | 28 |
| Keynsham | 12 | 2 | 12 | 62 | 9 | 21 |
| Norton-Radstock | 10 | 3 | 65 | 73 | 7 | 16 |
| Rural Parishes | 6 | 1 | 36 | 68 | 17 | 7 |
| England & Wales | 10 | 3 | 11 | 61 | 9 | 27 |

Source: 2001 Census

D3. WALKING AND CYCLING

D3.1 In 2001 some 22% of resident employees in Bath walked to work compared to 12% in the former Avon County and 10% in the country as a whole. The Council hopes to see an increase in this high proportion and a considerable increase in pedestrian movement in the remainder of the District where the average figure for urban areas was only 7% in 2001. A Citizen Panel survey indicated that there may have been an increase in the proportion of journeys made on foot during the past decade.

D3.2 The Council also wishes to encourage cycle use. The proportion of work journey by this mode increased in most of the urban parts of the District between 1991 and 2001 and in 10 wards this proportion is above the national average. Despite the hilly topography of much of the District, away from the Avon valley, there is considerable scope to increase the choice of this mode especially for short "everyday" journeys to add to the increase in recreational cycling engendered by the establishment of the National Cycling Network and other initiatives.

D3.3 In pursuit of these aims the Council adopted a Walking Strategy in May 2001 and a Cycling Strategy in July 1998. These strategies have the following objectives:

- increase the role of walking and cycling as key transport modes and to assist in reducing the use of private cars, by raising the status of walking and cycling and promoting them as safe and healthy means of transport;
- develop a safe, convenient, efficient transport infrastructure which encourages and facilitates walking, cycling and the use of public transport, and which minimises reliance on, and discourages unnecessary use of,

private cars, especially for local trips;

- ensure that policies which will increase walking and cycling and meet the needs of pedestrians and cyclists are fully integrated into all the Council's strategies;
- integrate walking and cycling as essential elements in the Council's transport strategy, which emphasises traffic restraint, speed reduction, safe driving and the promotion of sustainable development; and
- ensure that walking and cycling policies respond and evolve in accordance with local needs and circumstances.

D3.4 Mechanisms which will be employed to implement the Walking Strategy include:

- identifying a network of safe and convenient pedestrian routes which link major attractions and residential areas (such routes would be provided with widened footways, improved pedestrian crossings, re-timing of traffic signals to make crossing on foot easier, traffic calming and restraint measures and projects such as Home Zones);
- ensuring that footways are maintained to a high standard;
- auditing highway and land use development schemes to ensure a positive environment for pedestrians;
- ensuring that pedestrian facilities are integrated fully with public transport operations;
- developing a road danger reduction strategy to reduce traffic danger through engineering, enforcement and education measures;
- promoting walking as a means of children getting to school through the Safe Routes to Schools Scheme; and

- providing training and advice to increase safety and enjoyment among children when they walk.

POLICY T.3

To promote walking and the use of public transport, the Council will seek the provision of safe, convenient and pleasant facilities for pedestrians and the mobility impaired, including the extension of a network of pedestrian routes. These requirements should be incorporated in all new developments including traffic management and transport infrastructure schemes.

D3.5 Mechanisms which will be employed to implement the Cycling Strategy include:

- implementing a series of measures including traffic reduction, traffic calming, junction treatments, redistribution of carriageway space and provision of shared use facilities on footways;
- auditing the highway and land use development schemes to ensure they encourage cycle use;
- providing a network of high quality cycle routes, concentrating on providing for work, school and shopping trips;
- ensuring a high quality of maintenance of cycle routes;
- developing cycle parking design standards, adopting them through the Local Plan and ensuring that they are met; and
- promoting and encouraging safe cycling in schools, with employers and across the wider Council area.

D3.6 Development of the Council's Cycling Strategy was continued with the publication of a draft Strategic

Cycling Network in August 2000. This includes both existing and proposed cycle routes in both urban and rural areas, some of which form part of the National Cycle Network. The main components of this network are shown in Diagram 18. Where use is made of former railway lines these routes are protected for sustainable transport under Policy T.9. Other main links are also shown on the Proposals Map and safeguarded by Policy T.7. The national and local cycle network includes a range of routes, for example the Chew Valley Trail, which are actively promoted by the Council. It is an evolving network and one area where it is hoped to extend it is around the Chew Valley Lake where the Council and Bristol Water are co-operating in investigations to identify new or improved cycling (and walking) routes.

POLICY T.5

The Council will whenever possible provide, or seek the provision of facilities which will encourage cycling as a means of travel in association with transport and development proposals.

POLICY T.6

Development will only be permitted if provision is made for secure cycle parking in accordance with the standards set out in the schedule attached to this policy.

POLICY T.7

Cycle routes shown on the Proposals Map which form part of the Bath & North East Somerset Strategic Cycling Network will be safeguarded against prejudicial development.

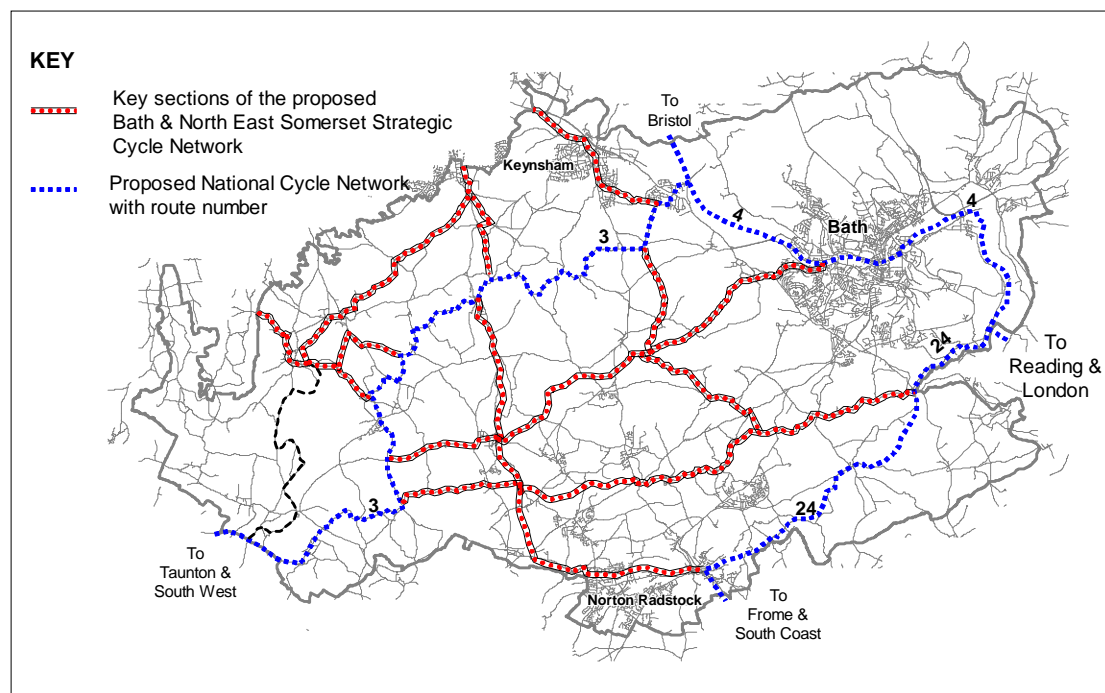


Diagram 18. Strategic Cycle Routes

D3.7 Funding for the implementation of both strategies will be sought from developers by way of planning obligations.

D4. BUSES

D4.1 The achievement of the Council's aspirations for a reduction in car use is dependent to a large extent on the ability of the bus industry to attract more passengers. The Council will endeavour to play its part by providing appropriate infrastructure and managing traffic wherever possible to give priority to buses. It also has a significant role in ensuring that passenger information is available. It will endeavour to maintain non-commercial services through financial subsidy but unless the industry provides an integrated public service of high quality and competitive cost as the "carrot" no amount of "stick" on the part of the Council in the form of parking restrictions or charges will bring about a meaningful change in travel habits.

D4.2 The Council recognises that there are many journeys which will never be made by bus but it has adopted a Bus Strategy in the hope that the necessary increase in the proportion made by this mode can be achieved. During the 1990s the bus network in Bath & North East Somerset was maintained by public subsidy and census figures reveal that the proportion of work journeys made by bus was the same in 2001 as in 1991 despite a reduction in the country as a whole. To enhance the level of service the Bus Strategy (which was incorporated into the Local Transport Plan 2000) has four main strands:

- Bath - increasing patronage for bus travel within the built up area and enhancing interchange in the city centre;
- Keynsham and Norton-Radstock - widening opportunities for bus travel for local destinations;
- Inter-urban corridors - providing an attractive alternative to the car for commuters, shoppers and others;
- Rural areas - maintaining and where possible expanding the role of the bus whilst recognising the

contribution of community transport.

D4.3 The Council has also been actively involved with neighbouring authorities in drawing up and seeking to implement a Surface Access Strategy for Bristol International Airport which seeks to improve public transport access.

D4.4 Implementation of the Bus Strategy will involve the Council into Bus Quality Partnerships with bus companies which require investment in infrastructure such as bus lanes and bus priority at traffic signals. On their part the companies undertake to improve the attractiveness of services through provision of better vehicles. The Council will also seek agreement on ways of achieving timetable reliability, higher frequencies, integration of ticketing and better information. Services which are considered appropriate for this investment are identified as Showcase Routes and these figure prominently in the two Major Scheme in the current Joint Local Transport Plan. The Greater Bristol Bus Network will include Showcase Routes linking Bath and Bristol with Norton Radstock and Keynsham, whilst the Bath Package will help fund the upgrading of the main Bath City Services.

D4.5 It is hoped that these measures will make a major contribution towards meeting the traffic reduction targets for the corridors listed in Policy T.8. Developments which will generate a significant increase in movement in an area will be expected to contribute financially towards this investment by way of a Planning Obligation.

POLICY T.8

The Council will provide, seek the provision of facilities which will increase the proportion of journeys that are made by bus in association

with traffic management, transport infrastructure and development proposals. Priority in the implementation of traffic management proposals which will improve the efficiency and reliability of bus and coach operations will be afforded to the following areas and transport corridors:

- 1) City and town centres***
- 2) Bath - Keynsham (A4)***
- 3) Bath - Batheaston (A4)***
- 4) Norton-Radstock - Bath (A367)***
- 5) Norton-Radstock - Bristol (A37)***
- 6) Bristol International Airport***

D5. RAILWAYS

D5.1 Bath & North East Somerset benefits from good rail links despite having only four stations at present at Keynsham, Oldfield Park, Bath Spa and Freshford. In 1991 some 4% of those working in Bath travelled by train but this proportion may well now be higher as it is estimated that rail passenger numbers in this area have increased by an overall 38% in the last five years.

D5.2 In June 2000 the Council, together with the other former Avon authorities adopted the 'Rail Strategy for the Bristol, Bath and Weston-Super-Mare area'. This was based on the Strategic Avon Rail Study (1992) and more recent studies which revealed that it would be possible to increase the capacity of the Great Western main line substantially. The Strategy therefore calls for more frequent trains between Cardiff and Southampton/ Portsmouth and on the "Heart of Wessex" line to Weymouth to provide an improved service from the three smaller stations listed above.

D5.3 Other possible developments envisaged by the Strategy include the re-opening of the Radstock to Frome line and the provision of a new station either at Saltford or the western edge of Bath. As neither of

these developments is now expected within the Plan period no sites are allocated.

D5.4 The Strategy is less specific about rail freight with no infrastructure proposals for Bath and North East Somerset apart from the retention of the railhead facility at Westmoreland Station Road, Bath, used for transportation of waste. There may be scope to make greater use of this facility and its use for rail freight is safeguarded in Policy T.10.

D5.5 It is hoped that the measures that are implemented will maintain the increase in rail use that has occurred in recent years, raising the modal share of the journey to work in the District from 1.9% in 1991 and 2.4% in 2001 to at least 4% by 2011. When appropriate, developers will be expected to contribute financially towards the implementation of the strategy.

D5.6 A number of disused railway lines cross the area. Some are still very identifiable and still in use as footpaths or cycleways such as the section of the former Midland Railway which provides part of the Bristol/ Bath Railway Path between Saltford and Newbridge. Others like the Somerset and Dorset line between Midford and Radstock and the former Great Western line between Radstock and Whitchurch have seen some development for other uses since closure. There are proposals to re-open the best preserved line, that between Radstock and Frome in conjunction with part of the national cycle network. The Avon Valley Railway has recently been extended a short way into the District at Saltford and the company ultimately hopes to reach Bath, alongside National Cycle Route 4. Detailed studies would be needed to determine the feasibility of reusing any of the other former railway lines to provide public transport but sections of the following lines are designated as Sustainable Transport Routes in

accordance with Structure Plan Policy 53:

- (i) Former GWR – Bristol and North Somerset line between Whitchurch and Radstock, and Camerton Branch from Hallatrow to Limpley Stoke;
- (ii) Former Midland Railway line between Saltford and Bath (Green Park);
- (iii) Former Somerset and Dorset Railway line between Bath (Green Park) and Midsomer Norton.

D5.7 In addition to the Radstock – Frome and Avon Valley Railway schemes, there are proposals to use part of (ii) above to provide a segregated busway to link a transport interchange at Newbridge with the Western Riverside area and the City Centre (see paras D6.1 - D6.3 and Policy T.11 below), but otherwise the only envisaged use of these safeguarded lines during the Plan period is as cyclepaths or footpaths.

POLICY T.9

Development will not be permitted which would prejudice:

- 1) the efficient functioning and acceptable development of the railway network; or***
- 2) the use of former railway land shown on the Proposals Map for Sustainable Transport purposes.***

POLICY T.10

Land shown on the Proposals Map will be safeguarded for the retention of the rail freight facility at Westmoreland Station Road, Bath.

D6. RAPID TRANSIT

D6.1 Consideration has been given for a number of years to the possibility of using the former Midland railway on the Western side of Bath to provide some form of rapid transit. Initially, when it was believed that the capacity of the main railway line could not be increased the proposal was to provide an additional rail link between Bath and Bristol. Although this may be needed in the future, attention has more recently concentrated on the possibility of using the former line to provide an enhanced park and ride service from the Newbridge area.

D6.2 The concept has now acquired greater impetus with the realisation that the regeneration of the Western Riverside area is dependent on the provision of park and ride and improved public transport. The Bath Transportation Package 2006 formally proposes the provision of a segregated busway along the line of former railway land. Now that detailed proposals for the area are being submitted to the Council it is necessary to safeguard this route.

D6.3 In 2000 another study investigated the potential for a tram network for the city and concluded that priority should be given to the development of a segregated corridor from Newbridge to the city centre. Further segregation may be possible in the future but the Bath Package proposes on-street measures to provide showcase bus routes and enhanced park and ride.

POLICY T.11

Land shown on the Proposals Map will be safeguarded for the provision of a segregated busway linking the Newbridge area with Bath city centre serving the Western Riverside Regeneration Area.

D7. TRANSPORT INTERCHANGE

D7.1 As much as possible of the perceived inconvenience of public transport must be eliminated if car use is to be significantly reduced. Any change in mode or vehicle which is necessary must be made as easy as possible, with minimal walking distance and adequate shelter. Public transport users in Bath have long benefited from the close proximity of the bus and coach station and city service bus stops to the railway station but pedestrian movement is often difficult and the Council is keen that advantage is taken of the proposed redevelopment of the Southgate area to provide a new integrated public transport interchange with enhanced passenger and operational facilities.

D7.2 The Council will seek the bus companies' co-operation in providing more attractive interchange points in the centres of Keynsham, Midsomer Norton and Radstock together with improved bus access to Keynsham station, taking account of the proposed restoration of the railway in Radstock.

D7.3 Elsewhere in the District the possibility of providing small scale interchange facilities and improved bus/coach/rail links will be pursued as part of the Council's bus strategy.

POLICY T.12

The Council will seek to secure an efficient public transport interchange incorporating enhanced amenities and facilities for passengers and operators at the following locations:

- 1) Bath Spa railway/bus station***
- 2) Midsomer Norton town centre***
- 3) Radstock town centre***
- 4) Keynsham town centre***
- 5) Keynsham railway station***
- 6) Newbridge, Bath***

D8. TRAFFIC MANAGEMENT

D8.1 Consultation on the Council's 1999 Issues Report revealed strong support for measures to improve car access to shopping centres as well as for measures to reduce the speed of traffic and to improve the environment for pedestrians and cyclists. The Council's traffic management measures will seek to reconcile these ostensibly contradictory aims whilst at the same time helping to make public transport, cycling and walking more attractive options.

D8.2 In the centre of Bath a solution has long been sought to the problem of through traffic. With the abandonment of the planned tunnel in the early 1970s steps were taken to reduce east-west traffic beginning with the prevention of traffic entering Queen Square from Barton Street in 1975. These measures were aimed at reducing the disruption by traffic of the main north-south shopping spine but steps have now been taken to reduce the north-south flow of traffic in order to assist pedestrian movement, assist public transport and improve air quality on a wider scale. The extent to which further measures are implemented within the Plan period will very much depend on the outcome of these traffic restrictions and the amount of redevelopment which takes place at the southern end of the central area.

D8.3 Measures to improve the pedestrian safety and appearance of the main shopping centres in Keynsham and Norton-Radstock are also planned in addition to a major scheme in Keynsham High Street which has been recently implemented. As in Bath the aim is to reduce traffic to a minimum where full pedestrianisation is not possible. There is also scope to improve the convenience of buses for shoppers. At present bus passengers have no advantage over motorists in terms of walking distances.

D8.4 The exclusion of through traffic will also be achieved in selected residential areas and in some this will be combined with severe traffic calming to provide "home zones" with a 20 mph speed limit. The reduction or exclusion of through traffic is often more difficult in rural areas because of the absence of alternative routes or the length of possible diversions. It is nevertheless proposed to designate some narrow lanes as "Quiet Roads" where the pedestrian and cyclist would have priority. Within villages the emphasis will be on providing more footpaths and footways to provide safe routes to schools, shops, pubs and bus stops provided that this does not detract from the character and appearance of the settlement. This provision will often entail a reduction in carriageway width which will reduce traffic speed unless its effect is to deter on-street parking.

**POLICY T. 13
CITY AND TOWN CENTRES**

Traffic management proposals for the centres of Bath, Keynsham and Norton-Radstock will have as their prime aim the further exclusion of through traffic and other unnecessary motorised vehicles from the main shopping streets whilst enhancing vitality and viability. They will also seek to achieve the following objectives:

- i) environmental improvements for the benefit of pedestrians;***
- ii) improved safety for all road users;***
- iii) maintained or enhanced standards of access for cyclists and the mobility impaired;***
- iv) improvements in the quality and integration of public transport;***
- v) access that adequately***

meets the servicing needs of commercial, cultural, recreational and residential activities both now and in the future;

- vi) unimpaired access for the emergency services;*
- vii) the enhancement of air quality;*
- viii) the protection and enhancement of Conservation Areas and of the City of Bath as a World Heritage Site.*

The needs of all road users will be taken into account in their design and implementation.

POLICY T.14 RESIDENTIAL AREAS

Traffic Management schemes will be introduced in residential areas to reduce the amount and speed of traffic and to discourage through traffic from using unsuitable routes. Measures to be employed will include:

- *Road humps and speed tables*
- *Limited road closures*
- *Chicanes and road narrowings*
- *Selective one-way operation*
- *Introduction of 20 mph zones*
- *Weight restrictions*
- *Speed cameras*

The needs of all road users and the character of the local environment will be taken into account in their design and implementation.

POLICY T.15 RURAL AREAS

Traffic Management schemes will be introduced in rural areas with the prime aim of increasing highway safety in ways which do

not detract from the character and appearance of the countryside or the settlements within it. Measures to be employed will include:

- i. Physical traffic calming as described in Policy T.14*
- ii. The provision of footways, footpaths and cycle ways within villages, as part of safe route to school schemes, or where they will encourage walking, cycling and the use of public transport*
- iii. The designation of "Quiet Roads" which may form part of the Strategic Cycle Network, which will be subject to low speed limits*
- iv. Weight restrictions*

The needs of all road users will be taken into account in their design and implementation.

D9. TRANSPORT INFRASTRUCTURE

D9.1 As a Highway Authority the Council is responsible for the planning and implementation of a wide variety of transport infrastructure projects ranging in scale from the provision of a new footpath or cycleway to a new bypass. As a Planning Authority it has to make decisions about new access roads and junctions. Roads are no longer constructed simply to cater for projected traffic levels but sometimes the diversion of through traffic is the only way in which the environment of an area can be substantially improved, and it must not be forgotten that measures which ease the flow of traffic can benefit public transport and reduce pollution.

D9.2 If badly designed or insensitively implemented a small

junction improvement can be as equally damaging to the character and appearance of an area as a much larger scheme. The Council will therefore give as much attention as possible to the details of both public and private proposals including matters such as signs, materials and visibility splays. There will also be a rigorous assessment of the need for the scheme.

D9.3 The Council inherited a number of highway improvement schemes from Avon County Council. Some have been abandoned, others remain to be assessed. Of these, those which require a substantial land allocation are listed in Policy T.17. The A36 Lower Bristol Road scheme is being reviewed as part of the preparation of the Western Riverside Regeneration Plan. A route study of the A37 is proposed that will include a review of the village bypass proposals for Temple Cloud and Whitchurch. There are at present no Highways Agency schemes in the District.

POLICY T.16

The development of transport infrastructure will only be permitted if adequate account has been taken of:

- i. The visual and functional impact of the scheme and any associated surface treatment, street furniture, signing, road markings and lighting upon the character of the area;***
- ii. The impact of noise and other forms of pollution on surrounding land uses from traffic likely to be generated by the proposal;***
- iii. The need in the case of proposals affecting Areas of Outstanding Natural Beauty and Sites of Special Scientific Interest to thoroughly consider alternatives;***

- iv. The effect upon the best and most versatile agricultural land, sites of nature conservation and archaeological importance, the water environment, trees, and any need to safeguard or assist the passage of wildlife;***
- v. The effect upon the World Heritage Site, Conservation Area and Listed Buildings;***
- vi. The needs of pedestrians including those with impaired mobility, cyclists and horseriders;***
- vii. The need for provision in appropriate cases of street furniture which aids security of premises without adversely affecting pedestrian circulation;***
- viii. The environmental benefits that may be gained through implementation of the scheme and any additional traffic management or calming measures that may be needed to maximise those benefits;***
- ix. The effect upon the quality, patronage and efficiency of public transport operations;***
- x. The effect upon the response time of emergency services; and***
- xi. The need for acceptable provision for the transportation of materials to and from the site or disposal of spoil during construction.***

POLICY T.17

The Council will safeguard the land required for the following major highway improvement schemes shown on the Proposals Map

- 1) Lower Bristol Road, Bath (A36) Stages 1, 2 and 3 - A4 junction Newbridge to Churchill Bridge***
- 2) Entry Hill, Bath***
- 3) London Road West/Gloucester Road, Bath***
- 4) Rossiter Road, Bath***
- 5) A37 Clutton and Temple Cloud Bypass (Western Route)***
- 6) Whitchurch Bypass (A37)***

Implementation of these schemes will be subject to evaluation in accordance with Policy T.16.

the Local Transport Plan therefore plays a major part in its efforts to reduce traffic levels. At the heart of the strategy, in respect of Bath, is the policy of reducing long stay parking provision in the city centre to deter commuter parking whilst maintaining adequate provision for shoppers and other shorter stay visitors. This policy will be implemented in progressive stages in tandem with the provision of alternative facilities in the form of additional Park and Ride and public transport. There will, however, be continued provision for those who have a valid need for long-stay off-street parking in the city centre including tourists unfamiliar with the park and ride system or staying in city centre hotels.

D10.2 The first purpose built Park and Ride site was opened at Newbridge in 1986 and this site together with those at Lansdown and Odd Down provide over 2,000 spaces. A further 600 spaces are currently available on Saturdays at the University. There is little doubt that the successful operation of these sites contributed towards a 5% reduction in traffic entering the centre of Bath during the 1990's compared with a rise of 13% at the city boundary and an increase in traffic of around 20% nationally over the same period.

D10. CAR PARKING

D10.1 It is recognised that the availability of a parking space - and its cost - are major factors in determining whether people will use their car. The Council's parking strategy which was drawn up in 1998 and has since been incorporated into

Table 15. Existing Park and Ride Site Capacities

| | University | Newbridge (A4 West) | Lansdown (A46) | Odd Down (A367) |
|-------------------|------------|---------------------|----------------|-----------------|
| Days of Operation | Saturday | Mon. - Sat. | Mon. - Sat. | Mon. - Sat. |
| Year of Opening | 1981 | 1986 | 1988 | 1996 |
| Existing Capacity | 600 | 440 | 600 | 1000 |

D10.3 The Council is keen to expand its provision of Park and Ride facilities with its Lambridge proposal on the north-eastern edge of the city. This will provide nearly 800 more spaces and intercept traffic from the A4 and A46. The site was safeguarded in the 1990 and 1997 Bath Local Plans and it has been the subject of recent studies which have confirmed that it is the best site to serve this approach to Bath. To implement the Park and Ride facility, the Council will need to acquire the site and secure suitable, alternative provision for the existing sports pitches and facilities.

D10.4 Other proposals which may be implemented during the Plan period are an extension to the Odd Down site, the provision of an all-week site to serve the A36 and a much needed additional site in the Newbridge area. The latter will serve the Western Riverside regeneration area as well as the city centre, the link being provided by some form of rapid transit (see paras D6.1-D6.3, D7.1, Policy T.12). Outside Bath there is the prospect of an additional site for Bristol adjacent to the A37, which has been the subject of a joint study with Bristol City Council to determine need, capacity and location and smaller car parks to support existing inter-urban bus services. All these proposals will be evaluated using the criteria set out in Policy T.22. Any proposals for development within the Green Belt will have to comply with Policy GB.1A and the guidance about assessment of alternative sites in para C1.34. Whilst the prime function of the existing Park and Ride sites is to serve Bath city centre, the Council may agree to other links being provided if spare capacity is available. Wessex Water provides a link between Odd Down Park and Ride and their HQ at Claverton Down and a Park and Ride service from Odd Down to the Royal United Hospital via Twerton has also commenced.

D10.5 Although Park and Ride is such a key element of the Council's parking strategy for Bath it is acknowledged that all the District's shopping centres are reliant on a supply of short stay parking to maintain their vitality and viability. In Bath city centre this supply will be strictly monitored to ensure that even though redevelopment may provide additional shopping floorspace any additional short stay off-street spaces are obtained at the expense of long stay spaces and there is no appreciable increase in the current 3,400 off-street space supply. It is planned to discontinue a substantial number of on-street spaces and close the Saw Close and Broad Street car parks whilst still maintaining provision for disabled drivers.

D10.6 In the residential areas that immediately adjoin the city centre the policy is to reserve a substantial proportion of the on-street spaces for residents in order to encourage the use of public transport and Park and Ride by commuters. This policy has been extensively implemented and some 1,400 long-stay parking spaces are no longer available for commuters. Some of the displaced parking has inevitably transferred to the city centre, underlining the need to give priority to short-stay parkers there. Some has moved further out and the need to safeguard residents' interests in these areas is fully appreciated.

D10.7 Any development proposal which would involve the loss of parking which serves a shopping area will be carefully examined to determine whether it would affect trade adversely. Conversely any increase in parking for shoppers will only be approved if need can be substantiated and if the environmental impact will on balance be positive. Smaller scale changes to the parking and servicing provision for any commercial premises will be evaluated in a similar way.

D10.8 The Council will seek funding for its parking strategy by way of planning obligations. The level of contributions will be based on forecast traffic generation rather than floorspace. Parking standards are dealt with in the final section of this chapter.

POLICY T.18

The provision of public car parking to serve the centre of Bath will be controlled to limit traffic generation whilst maintaining provision for shoppers and other visitors. Any increase in short-stay off-street parking will be at the expense of long-stay and on-street spaces. Additional short-stay spaces will be provided by the re-allocation of long-stay parking in accordance with demand and the provision of alternative facilities in the form of additional Park and Ride and public transport.

POLICY T.19

The Council will maintain and extend on-street parking control within and close to the centre of Bath, in order:

- i. to discourage travel by private car to the central area, particularly for journeys to work;*
- ii to protect the appearance of the historic city; and*
- iii to ensure that the parking requirements of residents can be met close to their home.*

POLICY T.20

Development that would result in an unacceptable loss of existing off-street parking or servicing provision will not be permitted.

Additional or enhanced parking facilities will only be permitted if:

- i. the need for any additional parking spaces has been demonstrated and that such provision will not create further reliance on private car use;*
- ii. associated surface treatments, street furniture, signing, surface markings and lighting would not detract from the appearance and character of the area;*
- iii. surrounding land uses would not be unduly affected by noise and pollution from increased traffic;*
- iv. the needs of pedestrians including those with mobility impairment, and cyclists have been incorporated; and*
- v. any relevant maximum parking standards included in this Plan or subsequently adopted by the Council are adhered to.*

POLICY T.22

The Council will safeguard land shown on the Proposals Map for Park and Ride purposes at Lambridge, Bath, adjacent the A4. The expansion of existing Park and Ride schemes or the development of additional sites will be permitted if there would be no unacceptable impact on:

- i. the environment with particular reference to the policies relating to the Green Belt, Areas of Outstanding Natural Beauty, the open countryside, the World Heritage Site; and the need to minimise light pollution;*
- ii. agricultural, nature conservation, water environment and archaeological interests;*

- iii. the amenities of local residents;*
- iv. other public transport provision;*
- v. the surrounding road network and its capacity to safely accommodate potential traffic generation and, in addition;*
- vi. provision is made for the needs of those with impaired mobility and for the safety and security of all users.*

D11. AIRPORTS/ AERODROME SAFEGUARDING AREAS

D11.1 Bristol International Airport at Lulsgate lies close to the western boundary of the District and parts of the Plan area are covered by the Safeguarding Areas for this airport, Filton aerodrome to the north of Bristol, and Colerne, a military aerodrome in North Wiltshire. Air installations that are protected in this way are selected on the basis of their importance to the national air transport system or national defence.

D11.2 Land uses or tall structures which would prejudice air safety or the ability of the installation to maintain either its existing or acceptable increased level of activity will not be permitted within these areas. 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 Civil Aviation Authority (CAA).

POLICY T.23

Within the airport/aerodrome safeguarding areas as defined by the CAA development will not be permitted which would prejudice air safety or the optimum use of the facility.

D12. THE REQUIREMENTS AND IMPLICATIONS OF DEVELOPMENT

D12.1 The expected journey generation and the nature of any impact on the safe and efficient functioning of the transport system as a whole will be major considerations in the Council's determination of planning applications. Developers will be required to submit sufficient data to enable the Council to assess these matters and to demonstrate that any traffic reduction targets or initiatives aimed at promoting public transport, cycling and walking set out in the Local Transport Plan will not be jeopardised by their proposals. In the case of large scale developments this will take the form of a full scale Transport Assessment as described in Policy T.25 and the associated schedule below, but many applications for development below the thresholds set out in that schedule will need to specify access and parking needs.

D12.2 The Council is hopeful that developments will make a positive contribution towards the achievement of the Council's traffic reduction targets instead of simply having a neutral impact on the transport system. There are at least three ways in which this may be brought about.

- The new development may be so designed and located that car use is discouraged and access by other modes encouraged.

- The occupier(s) of the development may build on this initial advantage and seek to secure changes in the travel behaviour of employees, clients or other visitors by drawing up a workplace or school travel plan which would be submitted to the Council for approval very often as a Planning Obligation. These Plans do not have to be associated with development and can be phased to take account of planned improvements in public transport for example.
- The development may make a financial contribution towards the implementation of the Council's various access strategies which have been outlined in this chapter. Such contributions will be tailored as far as possible according to the nature and location of the development.

POLICY T.24

Development will be permitted if, as appropriate, it provides:

- i. a high standard of highway safety;*
- ii. safe and convenient access for pedestrians including those with a mobility impairment;*
- iii. safe access for cyclists and cycle parking;*
- iv. facilities for public transport including measures which would facilitate the early introduction or enhancement of services;*
- v. adequate vehicular access having regard to environmental considerations and, in addition;*
- vi. it avoids the introduction of traffic of excessive volume, size or weight onto an unsuitable road system or into an environmentally*

sensitive area;

- vii. it avoids an increase in on-street parking in the vicinity of the site which would detract from highway safety and/or residential amenity; and*
- viii. provision is made for any improvements to the transport system which are required to render the development proposal acceptable having regard to the safe and efficient functioning of the transport system and the traffic targets and related initiatives set out in the Local Transport Plan.*

POLICY T.25

Planning applications for development of a type and scale above the thresholds set out in the schedule attached to this policy must be accompanied by a Transport Assessment. This will

- i. estimate the likely modal split of journeys to and from the site;*
- ii. specify measures to improve access by public transport, walking and cycling; and*
- iii. specify measures to reduce the number and impacts of motorised journeys associated with the proposed development.*

The Council may require that details of these measures, including their implementation and funding be included in a travel plan to be submitted to and formally agreed by the Council in association with the granting of planning permission.

**SCHEDULE TO POLICY T.25
TRANSPORT ASSESSMENT DEVELOPMENT THRESHOLDS**

| <i>Land Use</i> | <i>Threshold above which Transport Assessments are required</i> | |
|--|---|---|
| | <i>Gross Floorspace*</i> | <i>Site area in hectares for outline applications</i> |
| <i>Food Retail</i> | <i>1,000 sq.m.</i> | <i>/</i> |
| <i>Non Food Retail</i> | <i>1,000 sq.m.</i> | <i>/</i> |
| <i>B1 Offices</i> | <i>2,500 sq.m.</i> | <i>0.4</i> |
| <i>B2 Industry</i> | <i>5,000 sq.m.</i> | <i>2.0</i> |
| <i>B8 Distribution and Warehousing</i> | <i>10,000 sq.m.</i> | <i>3.0</i> |
| <i>D2 Cinema & Conference Centre</i> | <i>1,000 sq.m.</i> | <i>/</i> |
| <i>D2 other leisure</i> | <i>1,000 sq.m.</i> | <i>/</i> |
| <i>D2 Stadia</i> | <i>1,500 seats</i> | <i>/</i> |
| <i>Education</i> | <i>2,500 sq.m.</i> | <i>/</i> |
| <i>Residential</i> | <i>100 dwellings</i> | <i>3.0</i> |

All developers are encouraged to hold early discussions with the local authority in order to clarify whether a Transport Assessment will be required.

Smaller developments will be required to provide a simple statement of transport and car parking needs as appropriate to the scale and location of the proposal. Full assessments will be required to accompany applications for development below these thresholds if, in the Council's view, circumstances dictate this to be necessary.

** Gross floorspace = the entire area of the building measured externally and including all partition, corridors, etc.*

Parking Standards

D12.3 The PPG13 *Transport* sets out national maximum parking standards for large developments but makes it clear that these will not be appropriate in many locations. The Council will use the criteria in Policy T.26 to determine an appropriate level of provision, taking account of any Transport Assessment submitted in line with Policy T.25.

Development at locations which have good accessibility by non-car modes or where there is adequate public off-street or shared parking available will be expected to provide less than the permitted maximum level of parking. The Council will expect that applicants for development with significant transport implications should show (where appropriate in a Transport Assessment) the measures they are taking to minimise the need

for parking. The standards set out in the schedules to Policy T.26 should therefore be regarded as only the starting point in determining what would be acceptable provision in any specific location.

D12.4 The use of the criteria in Policy T.26 to determine parking provision will mean that for many uses very little off-street parking will be permitted within and close to the centres of Bath, Keynsham, Midsomer Norton and Radstock. The Council may welcome "car-free" developments in which no or very little provision is made for the private car and residents make a conscious decision to live without one. In many instances where development includes the use of existing buildings or is in a sensitive location, it may be impossible, or undesirable to provide off-street

parking. It is however recognised that the availability of secure off-street parking can encourage residents to leave the car at home and use public transport.

D12.5 The Council proposes to provide clearer guidance to developers by defining accessibility zones within which different parking standards will apply. This will be possible when a methodology can be devised which is sufficiently sensitive to the differing circumstances and characteristics of individual sites and locations and yet is not too complex to preclude its practical application in development control. Such refinement of the Council's parking standards will be introduced by way of Supplementary Planning Document or future revisions of this Plan.

D12.6 The car parking standards in Policy T.26 will be applied as maximum standards unless the applicant can satisfactorily demonstrate (when appropriate through a Transport Assessment) that a higher level of parking is needed. In such cases the applicant should show the measures they are taking to minimise the need for parking. Conversely developers will not be required to provide more off-street parking than they themselves wish unless the likely increase in on-street parking would have irresolvable implications for road safety or seriously detract from the amenities of local residents.

D12.7 When the environmental capacity of a site is being evaluated (clause iii. of Policy T.26) account should be taken of the potential to provide underground or under-building parking.

POLICY T.26

Development will only be permitted if an appropriate level of on-site servicing and parking is provided having regard to:

- i. the maximum parking standards and the suggested provision for drivers with disabilities and cycle parking set out in the schedules attached to this policy and any additional standards which may be adopted by the Council;***
- ii. the proposed use, any need for on-site provision to ensure its efficient operation, and the likely extent of movement to and from the site;***
- iii. the environmental capacity of both the site and its surroundings to accept parking;***
- iv. the capacity of the local highway network and the need to control any increase in traffic levels;***
- v. the need to ensure highway safety;***
- vi. the accessibility of the site by public transport, including Park and Ride;***
- vii. the ease of access by cycle or on foot;***
- viii. the availability of public car parking in the vicinity of the site;***
- ix. the provisions of any travel plan which may be submitted by or on behalf of the proposed occupier of the premises.***

SCHEDULE TO POLICY T.26 – PARKING STANDARDS

| MAXIMUM PARKING STANDARDS (Incorporating National Maximum Standards from PPG13) | | | |
|---|---|---|--|
| Use Class | Description of Use | Parking Provision Maximum Standards (unless otherwise stated) | Notes |
| A1 | Retail (includes cash and carry) | Below 200m ² No specific standard | Each case assessed on merit. |
| | | Between 200m ² and 1000m ² 1 space per 35m ² | |
| | | Above 1000m ² Non food: 1 space per 20m ² Food: 1 space per 14m ² | Large non food retail stores will be required to accept a planning condition precluding food sales within Class A1 unless an area of land sufficient to satisfy the higher parking standard can be accommodated on site without compromising landscape setting or other amenities. |
| | Open Air Markets and Car Boot Sales | | Each case assessed on merit. |
| A2 | Financial and Professional Services | 1 space per 30m ² | |
| A3 | Restaurants, Cafes and Public Houses | 1 space per 10m ² of drinking and dining area | Standard applies to eating and drinking areas only. Any residential accommodation to be assessed separately. |
| | Hot food takeaway | | Each case assessed on merit. |
| | Transport Cafes | 1 lorry space of 50m ² per 5m ² of dining area. | Provision for appropriate manoeuvring. |
| B1 | Offices and light industrial, R & D, Laboratories Studios | 1 space per 30m ² | |
| B2 | General Industry (Manufacturing) | Up to 235m ² 1 space per 30m ² Above 235m ² 1 space per 50m ² | Where office content is in excess of 10% the office floorspace will be assessed as B1 above. |
| B8 | Storage, distribution and Warehousing | Up to 235m ² 1 space per 30m ² Above 235m ² 1 space per 200m ² | Where office content is in excess of 10% the office floorspace will be assessed as B1. Restricted by condition or agreement to "Wholesale distribution" only. For any element of Cash and Carry retail standards will apply. |

Chapter D – Access

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|-----------|--|--|---|
| C1 | Hotels and Guest Houses | 1 space per bedroom | Public drinking/dining areas and Conference/function areas assessed as A3. Adequate setting down provision for coaches and taxis is also required. |
| | Hostels | | Each case assessed on merit. Conference/function and public drinking/dining areas, as for A3. |
| C2 | Hospitals | 1 space per 4 staff plus 1 space per 3 visitors | When allocating parking spaces preference should be given to the needs of patients and the operational needs of staff. Each case assessed on merit. <u>New/expanded</u> health facilities will be required to improve access by public transport, walking and cycling and provision of Travel Plans will be sought. Adequate disabled parking provision and dropping off facilities must be provided. |
| | Residential/Boarding Schools | 1 space per 2 members of staff which shall include sufficient space for each member of duty staff. | Duty staff are those required to be present “on duty” over night. Operational requirements will be considered in addition. Adequate disabled parking provision and dropping off facilities must be provided. |
| | Residential Colleges, | | |
| | Convalescent, Residential Care and Nursing Homes | 1 space per 2 staff plus 1 space per 6 bed spaces | Standard permit allowance for visitors. Dropping off area and temporary parking area for open days to be defined. Educational establishments are expected to discourage use of cars by students and staff. <u>New/expanded</u> facilities will be required to improve access by public transport, walking and cycling. Provision of Travel Plans will be sought. |
| C3 | Houses / Flats / Maisonettes | (i) One bedspace/bedroom 1 space per dwelling plus 1 space per 4 dwellings for visitor parking | The standards will be applied flexibly and considered against accessibility criteria. (Site design should provide access for emergency and servicing vehicles) |
| | | (ii) Two bedrooms 2 spaces per dwelling plus 1 space per 4 dwellings for visitor parking. | |
| | | (iii) Three bedrooms 2 spaces per dwelling | |
| | | (iv) Four bedrooms and over | |

Chapter D – Access

| | | | |
|-----------|---|--|---|
| | | 3 spaces per dwelling | |
| | | (v) Elderly Persons Dwellings Sheltered Houses 1 space per 3 dwellings plus 1 space per warden (if applicable) plus 1 space per 5 dwellings <i>Others</i> 1 space per dwellings plus 1 space per warden (if applicable) plus 1 space per 5 dwellings | |
| | | (vi) Conversions | Parking space allocation must be related to the number of bedrooms provided in the development, as for C3. |
| D1 | Non Residential Institutions Places of Worship, Church Halls | 1 space per 10 seats | |
| | Medical/Health Centres, Dentists Veterinary Surgeries | 1 space per medical staff plus 1 space per 2 admin. staff plus 3 spaces per consulting room. | In applying these standards, account will be taken of the particular services provided |
| | Crèches, Day Centres, Day Nurseries | | Each case assessed on merit dependent on accessibility and ages catered for. Adequate and safe space for picking up/setting down must be provided. |
| | Primary and Secondary Schools and Sixth Form Colleges | | Each case assessed on merit dependent on accessibility of location and ages catered for. Adequate and safe space for picking up / setting down (including coaches) must be provided. |
| | Colleges of Further Education, Polytechnic/University/Ot her Training Centres | 1 space per 2 staff plus 1 space per 15 students | Standard for students relates to total number of students attending, not full time equivalent. |
| | Art Galleries/ Museums/ Exhibition Halls/ Citizens Advice Bureaux, Tourist Information Centres/ Libraries | Each case assessed on merit | The provision of Travel Plans will be sought for all developments in accordance with PPG13 Transport. Residential accommodation to be assessed as C2/ C3. The allocation of staff and public spaces to be decided on merits (including need to accommodate coaches). |

Chapter D – Access

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| D2 | Cinemas/ Conference Facilities | 1 space per 5 seats | Adequate and safe space for picking up/setting down must be provided including, where applicable, space for coaches. |
| | Music and Concert Halls | Up to 1,000 m ² 1 space per 22m ² Above 1,000 m ² 1 space per 5 seats | Drinking/dining areas assessed as A3. |
| | Bingo/ Hall/ Casino/ Dance Halls/ Discos | 1 space per 22m ² | Adequate and safe space for picking up/setting down must be provided including that for buses. |
| | Sports Hall/ Swimming Baths/ Gymnasia/ Leisure Centres | Above 1,000 m ² 1 space per 22m ² Up to 1,000 m ² 1 space per 2 players plus 1 space per 5m ² spectator area. | Conference/function and drinking/dining areas assessed as A3. |
| | <i>Other</i> | | |
| | Stadia | 1 space per 15 seats | In accordance with PPG13 Transport, sufficient coach parking should be provided to the satisfaction of the local authority and treated separately from car parking. Coach parking should be designed and managed so it will not be used for car parking. In addition, satisfactory emergency access is required, in accordance with PPG13. |
| | <i>Petrol Filling Station</i> | 1 space per 35m ² floor space of sales kiosk | Each case assessed on merit. Workshop and other uses, asses as below. |
| | <i>Vehicle Repair Garages, Tyre and Exhaust Centres</i> | 2 spaces per repair/service bay 3 spaces per MOT bay | |
| | <i>Motor vehicle sales</i> | 1 space per 50m ² of sales display area. | |

| PROVISION FOR PEOPLE WITH DISABILITIES | | | |
|---|--|---|--|
| | Disabled parking will be provided at all developments to an appropriate minimum standard that will be determined from the relevant maximum standard prior to any discounting, and will be additional to the final discounted level of parking. | | |
| Use Class | Description of Use | Parking Provision Minimum Standards (unless otherwise stated) | Notes |
| | <i>Employment*</i> | Up to 200 spaces 5% of capacity or 2 spaces, whichever is greater. Above 200 spaces 2% of capacity plus 6 spaces | In accordance with DETR Traffic Advisory Leaflet 05/95 "Reducing Mobility Handicaps" *Spaces for disabled employees will be in addition to these requirements. Car parking spaces should be clearly identified for blue badge holders only and should be located so as to allow easy access to the building they serve. |
| | <i>Shopping, leisure, recreation and other uses requiring public access</i> | Up to 200 spaces 6% of capacity or 3 spaces, whichever is greater. Above 200 spaces 4% of capacity plus 4 spaces | A minimum of 1 space should be provided where calculations produce a figure of less than one whole space. Where development is to take place without on-site parking the availability of parking for disabled people in public/shared car parking needs to be reassessed and additional provision funded by the development if appropriate. The availability of on-street parking for disabled people may also be taken into consideration. |

NOTES: Operational requirement, such as deliveries, coaches etc, will need to be considered in all cases in addition to the parking standards set out in the schedule to Policies T.6 and T.26.

SCHEDULE TO POLICY T.6 MINIMUM CYCLE PARKING STANDARDS

General Provisions

1. 'One Sheffield' type parking stand (or one of similar or better design and quality) is required for every 20 car spaces provided. Where a reduced standard of car parking provision is applied, no reduction shall be made in the number of cycle stands to be provided, which shall be based on the maximum non-operational car parking standard.
2. At educational establishments and youth clubs the minimum provision is one stand per 7 students.
3. A minimum of two parking stands shall be provided at any one site unless there are overriding local circumstances for not providing them, such as lack of space in front of a building where change of use is proposed. In such circumstances, consideration should be given to the provision of wall hoops or a similar device.
4. In the case of B1 developments such as business parks, a minimum of two stands shall be provided within 20m of each unit. A higher standard of provision may be required depending on the scale of the development.

Additional Requirements

1. At sites frequented by touring cyclists and at all sites where non-staff long stay (over 8 hours) parking can be anticipated, some of the provision should consist of cycle lockers or a supervised cycle store in place of 'Sheffield' stands. The proportion of superior provision will be decided by the Council.
2. Where 5 or more stands are provided as a group, they should be located under cover, lit at night, and adequately signed. The detailed design and lighting of such facilities should pay due regard to their location and surroundings. Superior provision will be required where 10 or more stands are necessary.
3. Provision of facilities for cyclists, such as lockers, showers and changing areas, will be sought by the Council where appropriate.

Location of Parking Spaces

1. Visitors' parking should be located in close proximity to, and no more than 20m from, access points to buildings. Staff, students and long stay parking may be located at up to 50m from the access served, except as in General provision 4, above. In the case of offices and similar buildings separate parking may be provided for visitors and staff.
2. In general, cycle parking should be provided in locations where it is regularly observed by passers-by or an official, such as a car park attendant, in order to deter thieves. It should not be hidden away at the sides or rear of a building.

MOTORCYCLE PARKING

Provision for motorcycle parking, including provision of security bars to which machines can be attached, should also be made for all developments other than private dwelling houses. Whilst no specific standards are given for motorcycle parking, the aim generally will be to achieve one motorcycle space for every 20 cars spaces provided, depending on the location and type of development proposed.

DEFINITIONS

Operational Parking: The space required for vehicles regularly and necessarily involved in the function of particular premises. By way of example, operational parking includes space for delivery or collection of goods, space for picking up or setting down passengers and space for storing or servicing vehicles, only where these operations are a necessary on-site requirement of the business being carried on.

Non-Operational Parking: The space required for vehicles used by customers or those employed at an establishment.

Car Space: An area normally measuring not less than approximately 4.8m x 2.44m (16 ft x 8 ft).

GFA: Gross floor area; the entire area of the building measured externally and including all partitions and corridors etc. All areas are given in gross floor area unless stated otherwise.

Disabled Parking Space: Normally will measure 4.8m x 3.6m (16 ft x 12 ft); or 4.8m x 3.0m (16 ft x 10 ft) where two adjacent bays may share and unloading area. When bays are in line they should be 6.6m long to permit rear wheelchair access.

Sheffield Type Cycle Stand: Tubular parking stand against which 2 cycles can be secured.

SECURITY

The design of new parking provision should take into account the need for security and measures to reduce crime, e.g. lighting, CCTV, parking within view of residents or employees etc.

ABBREVIATIONS

| | |
|---------|---|
| AONB | Area of Outstanding Natural Beauty |
| AQMA | Air Quality Management Area |
| BPEO | Best Practicable Environmental Option |
| CHP | Combined Heat and Power |
| C&TCS | City and Town Centre Study (retail) |
| DEFRA | Department of the Environment, Food and Rural Affairs (from 2001) |
| DETR | Department of the Environment, Transport and the Regions (up to 2001) |
| DTLR | Department of Transport, Local Government and the Regions (from 2001) |
| DWLP | District wide Local Plan |
| EIA | Environmental Impact Assessment |
| HDB | Housing Development Boundary |
| HERS | Heritage and Economic Regeneration Scheme |
| HGV | Heavy Goods Vehicle |
| HLF | Heritage Lottery Fund |
| HMO | House in multiple occupation |
| HSE | Health & Safety Executive |
| HW & RC | Household Waste and Recycling Centre |
| JRSP | Joint Replacement Structure Plan |
| JSPTU | Joint Strategic Planning and Transportation Unit |
| LNR | Local Nature Reserve |
| LAP | Local Area for Play |
| LEAP | Local Equipped Area for Play |
| MCA | Minerals Consultation Area |
| MEDS | Major Existing Developed Site (in Green Belt) |
| MoD | Ministry of Defence |
| MPA | Minerals Planning Authority |
| MRF | Materials Recovery Facility |
| MSW | Municipal Solid Waste |
| MWALP | Mineral Working in Avon Local Plan |
| NEAP | Neighbourhood Equipped Area for Play |
| NPFA | National Playing Fields Association |
| PPG | Planning Policy Guidance Note |
| PROW | Public Right of Way |
| RIGS | Regionally Important Geological Site |
| RPG | Regional Planning Guidance |
| (c)SAC | (candidate) Special Area of Conservation |
| SMR | Sites and Monuments Record |
| SNCI | Site of Nature Conservation Importance |
| SPA | Special Protection Area |
| SPG | Supplementary Planning Guidance |
| SRB | Single Regeneration Bid |
| SSSI | Site of Special Scientific Interest |
| SUDS | Sustainable Drainage Systems |
| SWRDA | South West Regional Development Agency |
| SWMA | Strategic Waste Management Assessment 2000 (Environment Agency) |
| UAD | Urban Archaeological Database |
| UCO | Town and Country Planning (Use Classes) Order 1987 |
| WPA | Waste Planning Authority |
| WRAA | Waterside Recreational Activity Area |

GLOSSARY

A1/A2/A3 Uses

A1 refers to shops. A2 refers to Financial and Professional Services such as bank and building societies. A3 refers to use for the sale of food and drink for consumption on the premises or hot food takeaways. The terms are drawn from the Town and Country Planning Use Classes Order 1987.

Adit

A more or less horizontal entrance to a mine.

Affordable Housing

a) For Large Allocated or Windfall Sites

The range of both subsidised and market housing that will be available for those whose incomes generally deny them the opportunity to purchase or rent houses on the open market as a result of the local relationship between income and market price.

b) For Rural Exceptions Sites

Housing provided with subsidy for people who are unable to resolve their housing needs in the private sector market because of the local relationship between housing costs and incomes.

Aggregates

Sand, gravel, crushed rock and other bulk materials which are suitable for use in the construction industry as concrete, mortar, finishes or roadstone or for use as a constructional fill or railway ballast.

Area of Outstanding Natural Beauty (AONB)

An area of particularly attractive landscape and unspoilt character which should be protected and enhanced as part of the national heritage. It is designated by the Countryside Commission under the National Parks and Access to the Countryside Act 1949.

B1/B2/B8 Uses

B1 refers to "Business" uses. These would include: office, research and development and industrial uses which can be carried out in any residential area without detriment to amenity. B2 refers to general industrial uses and B8 to storage and distribution uses including warehousing. These terms are drawn from the Town and Country Planning Use Classes Order 1987.

Best Possible Environment Option (BPEO)

The option that provides the most benefits or the least damage for the environment, as a whole, at acceptable cost, in the long term as well as the short term. (Defined in the 12th report of the Royal Commission on Environmental Pollution).

Biodiversity

The range of plant and animal species present in an area. It can refer to global, regional or local systems.

Brownfield Site

Sites which have been previously developed (see previously developed land).

Comparison Goods

Generally, non-food goods which the purchaser will compare on the basis of price, quality and design offered before a purchase is made.

Conservation Area

An area of special architectural or historic interest identified by the Local Planning Authority under the Planning (Listed Buildings & Conservation Areas) Act 1990. There is a statutory duty to preserve or enhance the character or appearance of such areas. Buildings in such areas are protected from unauthorised demolition in part or in full, and trees may not be felled or pruned without 6 weeks notice.

Convenience Goods

Generally, goods which are purchased regularly for relatively immediate consumption, such as food, drink and newspapers.

Design Statement

A document submitted with a planning application to explain the way in which design issues have influenced the proposal.

Development

"The carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material changes in the use of any building." (Town & Country Planning Act (1990) Part III Section 55).

Development Brief

Supplementary Planning Guidance or Supplementary Planning Statement providing more detailed guidance on the planning and development of a particular site.

Development Plan System

The system of Structure and Local Plans (or Unitary Development Plans) prepared by local authorities as a framework for development and land use decisions in their area.

Ecotourism

A tourism market based on an area's natural resources that attempts to minimize the ecological impact of the tourism.

Environmental Impact Assessment

An assessment required to accompany planning applications for developments which are likely to have significant effects on the environment by virtue of their nature, size or location.

Floodplain

Floodplains are generally flat-lying areas adjacent to a watercourse, tidal lengths of a river or the sea where water flows in times of flood or would flow but for the presence of flood defences where they exist.

Green Belt

A planning designation designed to prevent urban sprawl by protecting land around or between urban areas from development which would detract from its open appearance.

Greenfield Site

Land which has not been previously used for urban development or other urban land uses, most often comprising land last used for agriculture and located outside existing built up areas of a settlement. (See also definition of previously used land)

Greenhouse Gases

The major greenhouse gases are carbon dioxide, largely from the burning of fossil fuels (including petrol) with some contribution from methane, nitrous oxides and CFCs. Increasing levels of greenhouse gases from non-natural sources are being produced. The build up of these gases in the upper atmosphere increases the planet's insulation and may cause global warming.

Gross Retail Floorspace

The total enclosed floor area of a store including space used for storage, handling goods, own production (e.g. bread baking) administration, staff rooms, lobbies, plant rooms, cloakrooms and amenity rooms.

Historic Park and Garden

Parks and gardens included in a register of Parks and Gardens of Special Historic Interest prepared by English Heritage.

Household

A household comprises one person living alone, or a group of people (not necessarily related) living at the same address with common housekeeping - that is, sharing either a living room or sitting room or at least one meal a day.

House in Multiple Occupancy

A house occupied by people who do not form a single household. This includes any purpose built or converted flat whose occupants do not form a single household.

Housing Development Boundary

The boundary which defines that part of certain settlements within which the principle of residential development will usually be acceptable subject to compliance with the policies of this Plan.

Infilling

The filling of small gaps within existing development e.g. the building of one or two houses on a small vacant plot in an otherwise extensively built up frontage. The plot will generally be surrounded on at least three sides by developed sites or roads.

Joint Strategic Planning and Transportation Unit (JSPTU)*

The JSPTU was supported by the four Unitary Authorities of Bath and North East Somerset, Bristol, North Somerset and South Gloucestershire and is responsible to a Joint Committee comprising Members from each of these authorities. The Unit is responsible, inter alia, for the preparation and review of the Structure Plan and has been replaced by the *West of England Partnership.

Large Housing Site

A housing development site consisting of ten or more houses, or with an area of 0.5 hectare or more.

Listed Buildings

Buildings of special architectural or historic interest designated by the Department of Culture, Media and Sport under the Planning (Listed Building and Conservation Areas) Act 1990. Planning Services should be consulted to determine whether Listed Building Consent is required (in addition to any possible need for planning permission) for any proposed alteration or demolition.

Local Transport Plan

This provides a clear statement of how the Council intends to deliver an integrated and sustainable transport system within a five year period. It also forms a bid to central government for funding to implement its proposals. The current Plan covers the period 2001-2006.

Major Existing Developed Sites

Green Belts contain some major developed sites such as factories, collieries, power stations, water and sewage treatment works, military establishments, civil airfields, hospitals, and research and education establishments. These substantial sites may be in continuing use or be redundant. If specifically identified in a Local Plan infilling or redevelopment may be acceptable.

Material Consideration

A factor which will be taken into account in reaching a decision on a planning application. It must have relevance to the purpose of planning legislation which is to regulate the development and use of land in the public interest.

Minerals Reserve

The quantity of mineral with planning permission for extraction.

Mineral Resource

The quantity of economically and/or environmentally workable mineral available.

Mixed Use Development

Developments that include a mixture of more than one of the following: housing, employment, leisure, shopping and community facilities.

Multi Modal Study

A study examining the roles of different modes of transport along a transport corridor.

Net Retail Floorspace

Internal area used for selling and displaying goods and services. It includes floor area to which customers have access, counter space, checkout space, and window or other display space.

Original Dwelling

In the case of a dwelling built since the 1947 Town and County Planning Act, 'original' refers to the dwelling as first built. In the case of a dwelling built prior to the 1947 Act, 'original' refers to the dwelling as it existed at the time of the Act.

Park and Ride

An arrangement whereby car users are encouraged to leave vehicles in car parks on the periphery of a town or city and complete the remainder of their journey by public transport.

Planning Obligation

A legal undertaking entered into in connection with a planning permission under Section 106 of the Town and Country Planning Act 1990. Such obligations may restrict development or use of land; require operations or activities to be carried out in, on, under or over the land; require the land to be used in any specified way; or require payments to be made to the planning authority either in a single sum or periodically. Planning obligations may be created by agreement or by unilateral undertakings on the part of the developer/owner of the land.

Planning Policy Guidance Notes (PPGs) & Planning Policy Statements (PPSs)

PPGs were issued by the Department of Transport, Local Government and the Regions (in some cases jointly with other Government departments) and set out the national policy context for Structure and Local Plans. These are gradually being replaced by Planning Policy Statements (PPSs) issued by the Department of Communities and Local Government. Plans are expected to take PPGs and PPSs into account.

Pollution

PPS23: Planning & Pollution Control (2004) at para 10 states that '*Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health. The planning system plays an important role in determining the location of development which may give rise to pollution, either directly or from traffic generated, and in ensuring that other developments are, as far as possible, not affected by major existing, or potential sources of pollution.*' Forms of environmental pollution can include noise, dust, smell, noxious substances, vibration, light and heat.

Precautionary Principle

Requires that where there are significant risks of damage to the environment or human health, precautionary action to limit the impacts is taken, even where scientific knowledge is incomplete.

Previously-developed Land

There are various definitions of previously-developed land in use. For the purposes of this Plan, such land is defined as set out in PPS3 Annex B:

'Previously-developed land is that which is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure.

The definition includes defence buildings, but excludes:

- Land that is or has been occupied by agricultural or forestry buildings.*
- Land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures.*
- Land in built-up areas such as parks, recreation grounds and allotments, which, although it may feature paths, pavilions and other buildings, has not been previously developed.*

Glossary

- *Land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time (to the extent that it can reasonably be considered as part of the natural surroundings).*

There is no presumption that land that is previously-developed is necessarily suitable for housing development nor that the whole of the curtilage should be developed.'

Principal Urban Area (PUA)

An urban area usually in excess of 50,000 population identified in Regional Planning Guidance.

Proximity Principle

The disposal of waste close to the point of generation.

Primary Shopping Frontage

Those parts of Bath, Keynsham, Midsomer Norton and Radstock shopping centres where existing A1 retail uses at ground floor level will be safeguarded.

Public Realm

All space to which the public has ready physical and visual access.

Regionally Important Geological Site (RIGS)

Sites identified by local conservation groups as important for their geological or geomorphological interest but which are not of sufficient interest to justify statutory designation as a Site of Special Scientific Interest.

Regional Planning Guidance for the South West (RPG 10)

Issued by the Government Office for the South West with advice from the Regional Assembly this contains matters of regional importance, which must be taken into account by Structure and Local Plans. The latest version covering the period to 2016 was issued in September 2001.

Rural "Exceptions" Scheme

Small schemes for affordable housing which are allowed in rural areas where housing will not normally be permitted.

Safeguarded Land

A greenfield site not allocated for development but excluded from the Green Belt to provide for development needs beyond the Plan period.

Scheduled Ancient Monument (SAM)

A site of national archaeological importance within which protection is afforded to the archaeological interest. Sites are designated by English Heritage.

Section 106

The section of the Town and Country Planning Act 1990 that provides for the creation of 'Planning Obligations' (defined above).

Sites and Monuments Record

A record of archaeological sites of local importance kept by the Council Archaeologist and available for inspection.

Sites of Special Scientific Interest (SSSI)

Site of national importance defined under section 28 of the Wildlife and Countryside Act 1981 by English Nature within which protection is afforded to ecological or geological features.

South West Regional Development Agency (SWRDA)

One of the Agencies set up in 1998 by Government in each region with powers to co-ordinate and promote regeneration and encourage inward investment.

Special Area of Conservation (SAC)

A site designated under the E.U. Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora as of international importance.

Special Protection Area (SPA)

A site designated under Article 4 of EC Directive 19/409 as being of international importance for the conservation of rare and/or migratory wild birds.

Supplementary Planning Guidance (SPG)

Planning Guidance which supplements the policies and proposals of the development plan, giving more detailed advice on a particular topic or site. It does not have the same status as a development plan but the local planning authority will take it into account as a material consideration. Supplementary Planning Guidance is gradually being replaced by Supplementary Planning Documents (SPDs).

Sustainable Development

Development which meets the needs of the present without compromising the ability of future generations to meet their own needs and aspirations.

Townscape

Those elements of the natural and built environment that together give urban areas their sense of identity and distinctiveness.

Traffic Management

Schemes to regulate traffic speeds alter road capacity or increase safety within the existing highway width. Includes traffic signals, bus priorities, parking controls, traffic calming, pedestrian crossings, one way systems, road closures etc.

Transport Assessment

A document submitted with a planning application which demonstrates how the proposal will comply with and assist the implementation of the Council's transport policies.

Travel Plan

A plan addressing initiatives to be taken to encourage the use of more sustainable modes of travel (usually undertaken by an employer or occupier of premises). It may be formally agreed in association with the granting of planning permission.

Urban Design

The relationship between buildings and the streets, squares, parks, waterways, and other spaces which make up the public domain; the nature and quality of the public domain itself; the relationship of one part of a village, town or city with other parts; and the patterns of movement and activity which are thereby established: in short, the complex relationships between all the elements of built and unbuilt space.

Village Buffer

An area outside the Green Belt where development will be strictly controlled to prevent the coalescence of settlements.

Village Design Statement

A study highlighting the special qualities and features that create particular local character of a settlement. Usually prepared by local communities and adopted by the local planning authority as Supplementary Planning Guidance and used to assess whether new development would be in keeping with a village's character and appearance.

Windfall Sites

Previously developed sites which come forward on an ad-hoc basis and are not identified either in local plans or through other formal planning policies.

World Heritage Site

A cultural or natural site designated by UNESCO as a place of outstanding universal value. These sites should be preserved as part of the World Heritage of mankind as a whole.

SUBJECT INDEX

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The background image is a grayscale photograph of Bath, Somerset. It features the Radstock Museum, a large industrial building with a prominent clock tower. The museum's facade has the text 'RADSTOCK MUSEUM' and 'NORTH SOMERSET COALFIELD HERITAGE' visible. In the foreground, there is a stone bridge with several arches over a river. The overall scene is a mix of historical architecture and industrial heritage.

This document about the Local Plan can be made available in a range of community languages, large print, Braille, on tape, electronic and accessible formats from the Planning Policy Team Tel (01225 477548) Fax (01225 477641), Minicom (01225 477535).

Prepared by
Bath & North East Somerset Council
Planning Services – Planning Policy
Tel: 01225 477548 Fax: 01225 477641
e-mail: planning_policy@bathnes.gov.uk
www.bathnes.gov.uk

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