

Bath and North East Somerset Placemaking Plan

Matters and Issues for Examination

It is necessary to be clear about what is to be examined. The explanatory note to the Draft Placemaking Plan explains that the Placemaking Plan allocates specific sites for development and outlines a district-wide suite of planning policies. The Core Strategy (CS) forms Part 1 of the Bath and North East Somerset (B&NES) Plan and the draft Placemaking Plan is Part 2. For the purposes of clarity and convenience for Plan users the Council has combined the Plans.

The Council has confirmed, in response to my initial questions (ID/1), that the Placemaking Plan is a separate development plan document in its own right. However certain elements of the CS would be superseded as a result of the Placemaking Plan – these were highlighted in the Pre-submission draft and comments invited. In summary, the Council explains that changes proposed to the CS are those which are superseded by a policy in the Placemaking Plan and are made in accordance with regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012 and reflect the desire for the end result to be a combined document offering clarity and convenience for plan users. The Council has sought to identify where those supersessions would occur through changes to the CS rather than setting this out in the text of the Placemaking Plan.

The purpose of the Placemaking Plan is to give effect to the strategic policies within the CS – it allocates sites for development and outlines a suite of district wide policies to manage development. My examination of the soundness of the Placemaking Plan will therefore be limited to whether it will be effective, positively prepared, justified and consistent with national policy in achieving this purpose. For example, any consideration of whether the authority should plan for a greater amount of housing or employment than set out in the CS is beyond the scope of this examination. These are matters to be properly considered through any review of the Local Plan.

I will also consider whether the proposed changes to the CS are necessary supersessions and / or are of a nature and scale that they do not materially change the strategic approach and strategy established, and found to be sound, in the Core Strategy.

Please refer to the Guidance Notes.

C Sherratt

Inspector

Matter 1 - Procedural requirements

Issue: Whether the Placemaking Plan meets the legal process and requirements?

- a) Has the Plan been prepared in accordance with the Local Development Scheme?
- b) Has the Plan been prepared in compliance with the Statement of Community Involvement?
- c) Has the Plan had regard to the Sustainable Community Strategy?
- d) Has the Plan been subject to adequate Sustainability Appraisal?
- e) Has the Plan been prepared in accordance with the Habitat Directive?
- f) Have all the procedural requirements for publicity been met (both in relation to the Placemaking Plan (Part 2) and alterations to the CS (Part 1))?
- g) Has the Council submitted robust evidence to demonstrate that it has met the duty to cooperate?

Matter 2 - Overall Approach

Issue 1: Whether the changes to the CS are necessary and appropriate having regard to policies contained in the Placemaking Plan and its purpose.

Q1 – Is the nature and scale of any of the proposed changes to the CS such that they materially change the strategic approach and strategy established in the CS? If so, which ones?

In particular:

Policy RA1 and RA2 were found to be sound

- (a) Why is the change to Policy RA1 (a) considered necessary?
- (b) What assessments have been carried out to establish whether the number of villages that would satisfy Policy RA1 would be reduced as a result of the suggested change and the likely reduction, if any on the supply of housing?
- (c) Does the change to the list of facilities required to meet criteria (a) of Policy RA1 when assessing which villages outside the Green Belt are appropriate for residential development, present a material change in strategy from that contained in the adopted CS?
- (d) How do the changed criteria relate to the SA that accompanied the CS?
- (e) Is the change in approach justified and consistent with national policy?

- (f) What is meant by 'limited residential development' in the context of Policy RA2?

Policy B2 4(d) - Hotel bedrooms

- (g) Does the increase in the number hotel rooms required present a material change to the strategy set out in the CS?
- (h) Is the increase in the number of hotel bedrooms to be provided from 500-750 to 1000 justified?

Overall Strategy for Bath

- (i) Is the proposed additional text to the CS set out in paragraphs 17 – 22 of Volume 2 of the B&NES Plan consistent with the strategic framework and strategy set out and examined in the adopted CS and SA that accompanied it? In particular, is the Council's decision "*to plan to meet its housing numbers and employment floorspace in full, to strive towards meeting the projected growth in hotel demand, and acceptance that there will be a shortfall in meeting the retail capacity identified for the whole plan period and that the aspirations of the universities may not be realised*" a change in approach to the CS spatial vision and strategy?
- (j) If so, how?

Rural economy

- (k) Does the deletion of paragraph 509 that relates to major existing developed sites within the Green Belt represent a shift in strategic policy?
- (l) What contribution did the potential development of major existing developed sites within the Green Belt and identified in the local plan make on the strategy for meeting the economic needs of the area?

Issue 2 – whether the overall requirements of the adopted CS would be achieved through the Placemaking Plan

Q1. Would the Placemaking Plan meet the overall housing requirement of about 13,000 dwellings?

Q2. Is the strategy for determining Housing Development Boundaries positively prepared, justified and consistent with national policy?

Q3. Would the Placemaking Plan secure the delivery of sufficient land to accommodate 10,300 new jobs?

Q4. How have opportunities for prioritising new development on brownfield land been secured and considered in allocating sites?

Matter 3 – Responding to Climate Change

Issue 1 - Whether the Sustainable Construction and Renewable Energy policies in the Placemaking Plan are positively prepared, justified, effective and consistent with national policy, in the context of the adopted CS

Q1. Are the proposed changes to CS Policies CP2 and CP3 consistent with national policy?

Q2. Is there conflict between the terms reduction in energy use and reduction in carbon emissions in relation to Policy SCR1 and the supporting text?

Q3. Is Policy SCR1 consistent with national policy which supports the introduction of sustainable construction improvements through national described standards?

Matter 4 – Environmental Quality

Issue: Whether the Environmental Quality policies in the Placemaking Plan are positively prepared, justified, effective and consistent with national policy, in the context of the adopted CS

Q1. Are the development management policies consistent with national policy in relation to the consideration of mitigating impact on heritage interests and assets?

Landscape

Q2. Is the identification of areas that make a significant contribution to the landscape setting of settlements and the requirements of Policy NE2 positively prepared, justified and consistent with national policy?

Q3. Is Policy NE2B effective? The term 'curtilage' is not a use of land and the curtilage may not necessarily correspond to the residential planning unit associated with a dwelling. Policy NE2B appears to be aimed at the material change of use of land to provide additional land for use for residential purposes (garden).

Green Belt

Q4. Is Policy GB3 'Extensions and Alterations to Buildings in the Green Belt' criterion (ii) consistent with national policy?

Q5. The Placemaking Plan provides the opportunity for a review of the inner detailed Green Belt boundary such as to address anomalies.

In particular, do the circumstances set out in representation 7113 (Orchard House) & 4811 (Prior Park Garden Centre) represent the necessary exceptional circumstances to justify such a review?

Matter 5 - Building strong and vibrant communities

Issue: Whether the relevant proposed policies in the Placemaking Plan are positively prepared, justified, effective and consistent with national policy in the context of the adopted CS.

Q1. Is Policy H1 sufficiently flexible to be effective?

Q2. Is Policy H8 positively prepared and effective?

Q3. Policy LCR3 identifies land safeguarded for Primary School Use – are the sites the most appropriate when considered against the reasonable alternatives, particularly in respect of Site 5: Land at Silver Street, Norton Hill, Midsomer Norton.

Q4. Is the approach to the designation of Local Green Spaces (Policy LCR6A) sound and is there justification for those that are designated?

In particular:

(a) Are the following allocations justified?

Millers Walk, Bathampton

Adjacent to Bramble Cottage, Farmborough

Parkers Mead, East Harptree

Land south of Lower Road, Hinton Blewett,

Frederick Avenue / Albert Ave, Peasdown St John.

(b) Is the exclusion of the following sites justified?

Land behind Beechen Cliff in the city of Bath

Land at Breaches Gate, East Keynsham

~~Land south of Staddlestones, Midsomer Nortonⁱ~~

Extension of LGS18 (Land at Whitelands / Tynning, Radstock

Undeveloped land on northern part of University of Bath campus.

Q5 - is the final paragraph of Policy LCR7C that supports the material change of use of land consistent with paragraph 90 of the National Planning Policy

Framework that does not include the material change of use of land as development that is not inappropriate development?

Matter 6 - A prosperous economy

Economic Development:

Issue 1: whether the development management policies in the Placemaking Plan will support economic growth, whilst working towards a low carbon economy as set out in the CS.

Q1. Do policies avoid the long term protection of sites allocated for employment use, where there is no reasonable prospect of a site being used for that purpose?

Q2. Is the designation of existing industrial premises such as Hallatrow Business Park as 'non-strategic industrial premises' rather than Strategic or Primary Industrial Estates justified and consistent with national policy?

Q3. Is the lesser protection afforded to existing employment sites as non-strategic industrial premises justified having regard to the CS objective to support economic growth and the need for balanced sustainable communities?

Q4. In paragraph 494 is it clear to the decision maker that the reference to 'these locations' refers to the Strategic Industrial Estates and Other Primary Industrial Estates?

Centres and Retailing

Issue 2: Whether the approach to meeting the assessed retail needs of the area is soundly based.

Q1. CS Policy CP12 was clear that the Placemaking Plan will review and define the boundaries of all shopping centres and that an updated retail study will be undertaken. Paragraph 23 of the NPPF confirms that it is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability.

- (a) Is the approach to retail provision consistent with national policy?
- (b) Is the approach justified and the most reasonable strategy when considered against any reasonable alternatives?
- (c) Paragraph 546 explains that Council unable to meet OAN in longer term. What period of need is being met?

Q2. Is the scale of development of 280 sq. m gross floorspace set out in Policy CR1 justified?

Q3. Are the locally set thresholds for impact assessments contained in Policy CR2 justified?

Q4. Is Policy CR1 consistent with national policy?

Matter 7 - Sustainable Transport

Issue: Whether policies for supporting sustainable transport are soundly based

Q1. Why is it no longer necessary to safeguard routes for the Whitchurch bypass and Temple Cloud / Clutton by pass and studies to assess the Saltford bypass and an A46/A36 link?

Matter 8 - Infrastructure

Issue: Whether the timely delivery of the infrastructure necessary to support the proposed development is realistic and feasible.

Q1. Does the Infrastructure Development Plan demonstrate that the infrastructure required to achieve the proposed development in the B&NES Plan can be achieved without compromising the timely delivery of development?

Q2. How are the traffic management proposals contained in Policy ST5 to be achieved and in what timescales?

BATH – PART 2

Matter 9 – Natural and Built Environment

Issue: Whether the policies in the Placemaking Plan will sustain and enhance the significance of the city’s heritage assets and green infrastructure as set out in Policy B1: Bath Spatial Strategy.

Q1. Are the management of development policies justified and consistent with the Bath Spatial Strategy and vision contained in the CS and national policy?

Matter 10 – Economic Development

Issue 1: Whether the policies contained in the Placemaking Plan would secure the additional jobs and increase in offices premises set out in the CS in Bath.

Q1. Will the Placemaking Plan secure an overall net increase of 7,000 jobs in Bath?

Q2. Will the Placemaking Plan achieve the net additional increase to the stock of office premises of 40,000 m²?

Q3. Do policies ensure that the focus of new office development is within and adjoining the city centre?

Q4. Will policies in the Placemaking Plan support a multi-skilled workforce and multi-faceted economic base by retaining a presumption in favour of industrial land in the Newbridge Riverside area?

Matter 11 – Housing in Bath

Issue 1: Whether the policies contained in the Placemaking Plan would enable the development of 7,020 dwellings in Bath

Q1. Will sufficient housing be provided through the site allocations and development management policies to secure the provision of 7,020 dwellings during the plan period?

Q2. Is the distribution of housing provided for in the Placemaking Plan, in accordance with CS Policy B1 as follows:

Large sites in the Central Area and Enterprise Area – 3,300;

Large sites in the outer neighbourhoods, including former MoD land and the extension to MoD Ensleigh – 2,100;

Small scale intensification distributed throughout the existing urban area 1,150;

Land adjoining Old Down 300?

Matter 12 - Site Allocations

Issue 1 – whether the strategy for site selection is the most appropriate when considered against the reasonable alternatives, having regard to the evidence to support the selection of allocated sites?

Q1. Does the evidence support the selection of the allocated sites, when considered against any reasonable alternatives and having regard to deliverability considerations?

In particular, do the site allocations have regard to flood risk and the need to ensure development in vulnerable areas is safe whilst not increasing flood risk elsewhere?

Q2. Are the development requirements and design principles for the site allocations positively prepared, justified, effective and in accordance with national policy?

Q3. Should Policy SB4 include hotel use?

Matter 13 – Bath’s Universities

Issue – whether the approach to Bath’s Universities is sound

Q1. The Strategic Housing Market Assessment upon which the CS is based assumes that the expected modest growth in the student population will be accommodated through on-campus provision (CS Policy B5). With this in mind; is it appropriate to review Section 2F of the adopted CS in isolation to general housing policies and the overall strategy for Bath?

Q2. Is the proposed strategy justified and supported by evidence?

Q3. In the absence of off-campus provision for student accommodation, what impact are the recently revised growth aspirations of both the University of Bath and Bath Spa University likely to have on the objectively assessed needs for housing in Bath?

Q4. Will policies within the Placemaking Plan be effective in ensuring that any additional increase in need for student accommodation will not reduce the supply of general housing?

Q5. Paragraph 17 of the CS confirms that the development of the University of Bath and Bath Spa University requires strategic policy direction in order to secure the future of each institution. Is the strategy contained in the

Placemaking Plan in relation to student accommodation the most appropriate when considered against any reasonable alternatives? What alternative options have been considered to meet the more recent indications / aspirations of the universities?

Q6. Are relevant policies positively prepared, effective and consistent with national policy?

Q7. Is there tension between Policy SB.19 and LCR5 in relation to the safeguarding of playing fields and recreational space?

Q8. Is the strategy sustainable over the plan period?

Matter 14 – Tourism, Culture & Sport

Issue – Whether the relevant policies in the Placemaking Plan will be effective

Q1. Do policies support and facilitate the development of a sporting, cultural and leisure stadium at the Recreation Ground?

(A Statement of Common Ground including any agreed modifications between the Council and Turley on behalf of Arena 1865 Ltd (297) would be welcomed)

Q2. Do policies support and facilitate the provision of a new cultural / performance/ arts venue within the Central Area as set out in CS Strategic Policy B2 (4i)?

Matter 15 – Transport, Infrastructure and Delivery

Issue: Whether the necessary infrastructure to support the Bath spatial strategy will be delivered.

Q1. Does the Infrastructure Delivery Plan demonstrate that the key infrastructure required to achieve the proposed development can be achieved without compromising the timely delivery of development?

Policy ST6 – Park and Ride

Q2. Are the traffic management proposals referred to in Policy ST5 reliant on the expansion of existing Park and Ride facilities and the provision of a new Park and Ride to the east of Bath?

Q3. Is provision of an East of Bath Park and Ride justified?

Q4. What alternative options to the proposed East of Bath Park and Ride have been considered?

Q5. Is it appropriate to defer any decision on a suitable location for a new park and ride facility to the submission of a planning application?

Q6. Will policy ST6 be effective – does the policy wording reflect the need to balance competing considerations?

Policy ST7 - Parking strategy

Q7. Are proposed parking standards justified and consistent with national policy?

Keynsham (Part 3)

Matter 16 – Housing in Keynsham

Issue 1: Whether the policies contained in the Placemaking Plan would meet the housing requirement for Keynsham of 2,150 new dwellings (net)?

Q1. Are sufficient housing allocations made to achieve the housing requirement for Keynsham?

Issue 2 – whether the site allocations are the most appropriate when considered against the reasonable alternatives, having regard to the evidence to support the selection of allocated sites?

Q1. Does the evidence support the selection of the allocated sites, when considered against any reasonable alternatives and having regard to deliverability considerations?

Q2. Are the development requirements and design principles for the site allocations positively prepared, justified, effective and in accordance with national policy?

Matter 17 – Economic development in Keynsham

Issue 1 - Whether the policies contained in the Placemaking Plan would secure the additional employment floorspace required in Keynsham?

Q1. Will the B&NES Plan secure an overall increase in office floorspace from about 13,000m² in 2011 to about 20,200m² in 2029?

Q2. Will the B&NES Plan achieve an increase of industrial / warehouse floorspace from 52,000 m² to 60,300m² in 2029?

Matter 18 - Infrastructure & Delivery

Issue: Whether the timely delivery of the infrastructure necessary to support the Keynsham Spatial Strategy is realistic and feasible.

Q1. Does the Infrastructure Delivery Plan demonstrate that the key infrastructure required to achieve the proposed development can be achieved without compromising the timely delivery of development?

Somer Valley (Part 4)

Matter 19 – Housing in Somer Valley

Issue 1: Whether the policies contained in the Placemaking Plan would meet the housing requirement for Somer Valley of 2470 new homes to be built at Midsomer Norton, Radstock, Westfield, Paulton and Peasedown St John?

Q1. Is CS Policy SV1, as amended to restrict development within the housing development boundary (unless identified in a neighbourhood plan), positively prepared and justified?

Q2. Are sufficient housing allocations made to achieve the housing requirement?

Issue 2 – whether the site allocations are the most appropriate when considered against the reasonable alternatives, having regard to the evidence to support the selection of allocated sites?

Q1. Does the evidence support the selection of the allocated sites, when considered against any reasonable alternatives and having regard to deliverability considerations?

Matter 20 – Economic development

Whether the policies contained in the Placemaking Plan would secure the delivery of around 900 net additional jobs in Somer Valley area?

Q1. Will the Placemaking Plan secure an overall increase in office floorspace from about 31,000m² in 2011 to about 33,700m² in 2029?

Q2. Will the increased office and industrial / warehouse floorspace be focussed at the locations identified in Policy SV1 3(b)?

Q4. Are the employment sites the most appropriate when considered against the reasonable alternatives?

Matter 21 – Midsomer Norton

Issue: Whether the policies are consistent with the neighbourhood plan

Q1. What is the current status of the Midsomer Norton Neighbourhood Plan?

Q2. Do policies in the Placemaking Plan align with the Midsomer Norton NP?

Matter 22 - Infrastructure & Delivery

Issue: Whether the timely delivery of the infrastructure necessary to support the Somer Valley Spatial Strategy is realistic and feasible.

Q1. Does the Infrastructure Delivery Plan demonstrate that the key infrastructure required to achieve the proposed development can be achieved without compromising the timely delivery of development?

Q2. How will enhancements to green links between the two town centres and rest of Somer Valley be funded and implemented?

Q3. How will the proposed new Town Park in Midsomer Norton be funded and provided?

Rural Areas (Part 5)

Matter 23 – Housing in the Rural Area

Issue 1: Whether the approach to development in the rural areas is justified and positively prepared.

Q1. Will the Placemaking Plan provide sufficient housing in the rural areas?

Q2. Is there tension between Policy RA1 and the Clutton Neighbourhood Development Plan and The Stowey Sutton Neighbourhood Plan in so far as Policy RA1 supports residential development of a greater scale than in-fill and without any requirement to accord with the most recent Housing Needs Survey?

Q3. No development is proposed in some settlements meeting the definition of Policy RA1 villages (i.e. High Littleton) and less than 50 in others. Is this inconsistent with the strategy set out in the CS to enable housing developments of around 50 dwellings in these villages?

Issue 2 – whether the site allocations are the most appropriate when considered against the reasonable alternatives, having regard to the evidence to support the selection of allocated sites?

Q1. Does the evidence support the selection of the allocated sites, when considered against any reasonable alternatives and having regard to deliverability considerations?

Q2. Are the development requirements and design principles positively prepared, effective and justified?

Q3. Is the inclusion of site 0006 (land south of Maynard Terrace) within the Housing Development Boundary justified in Clutton if it is inconsistent with a neighbourhood plan?

Matter 24 – Economic development

Issue 1 - Whether the policies contained in the Placemaking Plan would secure the delivery of 500 jobs in the rural area?

Q1. Is sufficient land identified to secure the delivery of 500 jobs?

ⁱ Revision – added in error.