



Bath and North East Somerset Placemaking Plan
Matters and Issues for Examination
ID/3A Rev1

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?

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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?

- 1.1 Much of the proposed development of Bath lies along the river corridor. This is partly because there are substantial areas of land ready for regeneration at this point and also because these sites, many of which are ex-industrial, are currently are below-grade for the quality required in a World Heritage Site. The alternative to developing these sites would be to encroach substantially into the Green Belt/AONB around the city which would be contrary to the principles of the NPPF in relation to Green Belt and designated heritage and natural assets, as well as maintaining below par environments.
- 1.2 The flood risk has been considered and our understanding is that there has been investment in mitigation measures.
- 1.3 We are aware that residents of Henrietta Park area (that is, upstream from Pulteney weir) are concerned that downstream developments will increase their flood risk. We would argue that the risk (and opportunity) to them lies further upstream and that this should be taken into account particularly with the siting of any East of Bath Park and Ride, if permitted, or cross-border catchment mitigation measures to river flow on the mid-Bristol Avon catchment.

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

- 2.1 It is imperative that a World Heritage Site with c60% of the city a conservation area should make clear in local planning policy that there are expectations for design quality and development requirements which might inform land value in the City. The Vision for the City emphasises the key words 'conserve and enhance' as the determinants for treatment of the historic environment; this wording is in line with primary legislation, the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.2 If land value is not influenced by the development requirements, we do not think it is justifiable for developers to argue on viability grounds (due to price paid for land) that the development requirements are unreasonable. The government has confirmed that it aims to ensure that the value of land should reflect planning requirements, in response to a query over a site in Islington. The government's legal department said it is the communities secretary's "unambiguous policy position" that land or site value "should reflect policy requirements". The letter to the London Borough of Islington came after a recent appeal decision (see DCS No 200-004-148) on the Parkhurst Road Territorial Army site in the borough.

- 2.3 We have argued in earlier submissions that;
- a) There should be a change in the design values emphasising the specific use of Bath Stone or materials which complement and enhance Bath stone. This principle has been well-supported at appeal in the conservation area (Planning Inspectorate Reference (1): APP/F0114/A/13/2204329, Planning Inspectorate Reference (2): APP/F0114/A/13/2206113, Local Authority Reference (1): 12/04076/FUL, Local Authority Reference (2): 13/02227/VAR) and its explicit inclusion in planning policy will assist in the avoidance of doubt.
 - b) The requirement for an historic environment assessment should be considered as the first development requirement for each site as this may determine subsequent factors, and that the requirements would be better justified, effective and in line with national policy if it were to be so. We would like to see stronger reference to the conservation area character appraisals in the development requirements.
- 2.4 The Bath Building Heights strategy needs urgently to be developed into SPD. This together with a reduction in ambiguity about its terminology, will give it greater planning weight.

Q3. Should Policy SB4 include hotel use?

- 3.1 We have questioned the need for the further increase in hotel bed provision in light of the number of schemes currently coming on-stream. Given the desire in policy for North Quays to act as a driver for economic regeneration, we think it is reasonable not to include it in the development principles.