



BATH & NORTH EAST SOMERSET

# **Regional Spatial Strategy Examination in Public**

## **Statement of Bath and North East Somerset Council (3000) Matter 4/1 - West of England**

Making Bath & North East Somerset a Better Place  
to Live Work and Visit

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#### **Summary**

- The RSS seeks to balance economic and housing growth with protecting environmental, cultural and heritage assets. Its supporting text recognises the diversity within the region, the exceptional World Heritage Status and regional role of Bath and the environmental designations covering much of B&NES. The supporting text also acknowledges the need for a fine grained approach to development growth to protect this value and diversity.
- There is insufficient RSS policy or flexibility to enable LDD's to develop options and policy which is built upon such fine grained analysis carried out by B&NES.
- The current RSS allocations for Bath cannot be acceptably accommodated within capacity and environmental limitations assessed and identified by B&NES. RSS policy fails to properly address the duty to protect the World Heritage Site.
- The imbalance between jobs and homes at Bath fails to demonstrate a basis for creating sustainable communities.
- Analysis of brownfield opportunities within B&NES has identified greater capacity for economic regeneration and development of homes than identified in the draft RSS at Keynsham and settlements to the south of the District.
- Environmental analysis of the urban periphery of Bath and at south east Bristol has identified the significant harm development would cause. A large proportion of Bath is bordered by the Cotswolds AONB where development is not acceptable
- Given the analysed sensitivities and circumstances of B&NES the council requests the flexibility in RSS to develop a responsive and deliverable growth strategy.
- Development must be directly linked to delivery of transport and other necessary infrastructure. This will impact on realistic start dates and delivery rates particularly at SE Bristol.
- The RSS has not taken account of significant lead in times necessary to bring forward policy and mechanisms to guide and deliver coordinated urban regeneration and well planned urban extensions.
- There is therefore doubt that delivery rates necessary to achieve RSS development levels within the plan period can be maintained by the building industry.
- There is serious concern that urban regeneration objectives will be undermined by uncoordinated urban extension development. RSS policy enforcing an appropriate link and phasing between urban regeneration delivery and development of urban extensions is needed.

**a) Is the draft RSS sufficiently clear about the spatial outcomes it is seeking in Bristol, Bath & Weston in terms of their present & future regional & sub-regional roles and links to the remainder of the HMA**

- 1 There is recognition of Bath's exceptional characteristics, its international role and status and the city's economic and cultural value to the region as a direct result. However this is not reflected in a bespoke policy approach to managing development associated with the City within the RSS. RSS policy relating to Bath should enable district level policy to bring forward responsive and deliverable policy of managed growth within environmental limits which will address the responsibility to protect the World Heritage asset whilst creating a deliverable development strategy. Bath & North East Somerset (B&NES) council have carried out extensive economic, environmental and sustainability assessment in support of its response to the RSS and to inform LDF preparation (see studies listed at end of this statement). It is currently considered that RSS policy constrains the ability to develop an appropriate strategy and risks the environmental, heritage and cultural values the city brings to the region and country.
- 2 Further analysis of Keynsham and the Midsomer Norton and Radstock area (*Bath & North East Somerset Business Plan, Ernst & Young 2006<sup>1</sup>*) has informed the position taken by the council in requesting flexibility to optimise deliverable opportunities at Keynsham and maximise the potential for economically led regeneration in the south of the District.
- 3 There is a lack of policy relating to the relationship between urban extension(s) in B&NES to the south east of Bristol and the city's regeneration programme.

**Development at Bath**

- 4 The RSS recognises the importance of the Region's environmental and cultural assets, the key role they play in both the economy and quality of life and the role of the RSS in protecting them. (para 2.2) The RSS also recognises Bath as a World Heritage city. (para 4.2.14). However, it fails to demonstrate a satisfactory response to the international importance and value of the city in the approach to the city's development. Despite clear weight being given to AONB, nature conservation and Green Belt designation in shaping development levels and locations, no such response is evident in the RSS strategy relating to Bath and its surroundings.
- 5 Failure to address this at a strategic level risks embarking upon a development strategy that will undermine the values of the world heritage site. Whilst such a strategy is unlikely to be deliverable, it

risks UNESCO considering removal of world heritage status with associated high profile implications.

- 6 RSS does not promote balanced development in Bath. Scale of development for Bath set out in RSS would be likely to damage WHS and its setting. Paragraph 2.5.10 of draft RSS encourages “a better balance between homes and jobs”. However, policy SR5 states that “in the Bath TTWA for between 16,000 to 20,200 jobs over the plan period, complemented by provision for an average of about 375 dwellings per annum within and adjoining Bath’s urban area over the plan period.”
- 7 This will not set the foundations for the creation of sustainable communities, the opportunity to provide a range of affordable housing choices or the delivery of a development strategy responsive to Bath’s unique circumstances.
- 8 Urban Capacity Study work undertaken by B&NES (*B&NES Urban Capacity Study 2006-2026: Results and Conclusions*<sup>3</sup>) has assessed the potential of Bath to accommodate both residential and employment development. It has involved the assessment of a number of potential development opportunities across the city. It represents an ambitious but deliverable capacity which optimises the use of the sites assessed. The conclusions of the study suggest that around 5,500 dwellings and 8,500+ additional jobs, which nearly equates to trend based job growth, can be accommodated. The B&NES assessed deliverable capacity represents a more balanced approach to jobs/housing growth than that set out in draft RSS giving a greater opportunity for people to live and work in the city. The provision of an urban extension to Bath would give the opportunity to further improve this balance, as well as helping to ensure that economic growth, at least equivalent to the trend based scenario, could be achieved.

### **Development at South East Bristol**

- 9 B&NES fully support the need for a new policy linking delivery of the regeneration of south Bristol with urban extension development to the south west and south east of Bristol (within B&NES) as set out in North Somerset Council’s statement on matter 4/1. Such a policy would be more likely to help secure regeneration objectives, clarify coordinated programming and relationships and minimise the need for greenfield development.

### **Development at Surrounding Settlements**

- 10 Paragraph 2.5.10 of the Draft RSS states “The nature of the region requires a ‘fine grain’ approach if places are to develop as sustainable communities and, as such, a single region wide approach to development would not be appropriate.”

- 11 Policy B in the Draft RSS allows for locally significant development in some market towns where it meets local needs and increases self containment. Elsewhere in the countryside small scale development meeting local needs and promoting self containment may be appropriate. While it is not clear to which settlements policy B applies it is clear from the development distribution within B&NES that the strategy contained in draft RSS envisages only limited development at Keynsham, Midsomer Norton, Radstock and the villages. Overall the RSS estimates that these settlements will deliver about 2,000 dwellings.
- 12 B&NES strategy is based on achieving balanced growth, ensuring that housing development does not take place out of step with economic growth. It also seeks to build on the strengths of the various parts of the District in order to help deliver appropriate development meeting local needs. As such the approach would accord with policy B.
- 13 As stated above, Bath has unique characteristics and significance, making it essential that Local Development policy is given sufficient strategic flexibility to shape necessary growth within the most sustainable, responsive and deliverable strategy. This includes optimising the capacity at the District's smaller towns.
- 14 Development capacity assessments undertaken by B&NES to support the Council's response to draft RSS (*B&NES Urban Capacity Study<sup>3</sup> and Estimated Housing Capacity of the Rest of B&NES<sup>4</sup>*) suggest that during the RSS period Keynsham (around 1,000 dwellings), Midsomer Norton and Radstock (around 900 dwellings) and the villages (around 1,100 dwellings) will accommodate about 3,000 dwellings in total. This figure primarily comprises mixed use development of sites already committed through the Local Plan, plus an allowance for comprehensive redevelopment of the now vacant Paulton Printing Factory site and limited windfall development allowance (see draft RSS response and capacity studies for further detail).
- 15 Further assessment of employment development capacities suggests that there are sites available (primarily allocated in the Local Plan) which could accommodate job growth significantly in excess of these dwelling figures. The assessment (an addition to the previous capacity work - *Employment Development Capacity in Bath, Keynsham and Norton-Radstock area 2006-2026<sup>5</sup>*) suggests that net job growth of around 3,500 could be achieved in Keynsham and more than 3,000 in the Midsomer Norton and Radstock area. Economic analysis by Ernst & Young (*Business Plan 2006<sup>1</sup>*) will be used to inform the strategy for achieving this job growth. These levels of job growth could support additional housing development over and above that outlined above. The Council is therefore seeking flexibility in the RSS to realise locally informed strategies aimed at securing balanced economic led growth in these parts of the District.

- 16 In addition to having close links with settlements within the District, Bath is functionally linked to settlements in other parts of the HMA, principally Mendip and West & North Wiltshire. Given the need to respect Bath's status as a World Heritage Site (see 'd' below) in planning for its sustainable development, there is a need for further detailed consideration of these relationships and the opportunities for making them more sustainable e.g. in terms of transportation links and the provision of adequate affordable housing.
- 17 The strategies of the adjoining authorities are also clearly of relevance. Mendip DC is seeking greater levels of housing development than set out in draft RSS (9,000 dwellings as opposed to 7,200) and has recently consulted on its Core Strategy on this basis. West Wiltshire DC recognises the important links between Bath and Trowbridge/the rest of West Wiltshire and supports joint working in order to improve public transport links. It also supports the role of Trowbridge as a SSCT and its potential for some housing and employment expansion above draft RSS figures.

**b) Has the scale of additional greenfield development been adequately justified particularly in terms of the urban renewal opportunities in Bristol, Bath & Weston?**

- 18 B&NES have brought regeneration plans for delivering in excess of 2,000 new dwellings at Bath Western Riverside forward to an advanced stage which is scheduled to start delivery of brownfield regeneration early in the RSS period.
- 19 Detailed assessment carried out by B&NES council has analysed the optimum capacity available on brownfield land at Bath taking assessed and designated contextual issues into account (*see B&NES Urban Capacity Study<sup>3</sup>*). It has also identified significant brownfield regeneration need and potential at Keynsham and Radstock and Midsomer Norton. Realisation of this potential for employment led development must be facilitated as a priority to reduce the need for greenfield development associated with Bath.

**c) Has sufficient consideration been given to the impact of the lead-in times for larger developments on the required output for the HMA?**

**Policy Development**

- 20 RSS fails to allow sufficient time for new sustainable communities to be properly planned through the LDF process (Core Strategy and other LDDs). Experience gained in planning for the regeneration at Bath Western Riverside has demonstrated the need to thoroughly

address all aspects of policy and guidance in moving towards a deliverable scheme

- 21 The scale and locations of development proposed within the draft RSS represent a step change in both policy and rates of delivery within B&NES. The B&NES Local Plan provides a policy and allocations framework until 2011. There is no policy framework relating to urban extensions. B&NES are now embarking upon the early stages of preparation of the Local Development Framework (ref LDS 2007). Preparation of the full policy framework to test and manage location, volume, quality and phasing of strategic growth will take at least until 2011.

### **Infrastructure provision**

- 22 Delivery of West of England Strategic transport investment contained in the RFA is essential to the delivery of any strategic growth. Both development at Bath and delivery of the SE Bristol urban extension cannot occur in any strategic scale until this infrastructure is in place. Scheme development programmes demonstrate schedules for delivery of these schemes, but are themselves subject to significant risk.
- 23 Completion of the Avon Ring Road (phase 3), essential to SE Bristol regeneration and extension, is not scheduled until 2016. There are serious doubts about the ability of the development industry to sustain completion rates, particularly at SE Bristol, necessary to achieve growth targets following completion of the ring road. (See also N Somerset statement 4/1). The submitted Roger Tym report into infrastructure requirements has highlighted a very significant requirement for physical and social infrastructure. This will challenge public and private agencies further in delivering sustainable communities.

### **d) Have environmental limits arising from matters such as flood risk and the protection of environmental assets, including the Bath World Heritage Site, been adequately taken into account?**

#### ***Bath***

#### **Heritage**

- 24 B&NES Council's consideration of Bath's realistic capacity has been informed by the city's heritage designations and related adopted appraisal and guidance (see documents in EiP library). The city is a unique heritage asset demanding a responsive sensitive development strategy.

- 25 The entire city of Bath is inscribed as a UNESCO World Heritage Site. It is considered to be of outstanding universal value for “its contribution to the art of urban design, for its architectural quality, its Roman remains, its Georgian town centre and its historic associations.” (1986 Nomination papers). The setting of the World Heritage Site is principally the surrounding hills which form an integral part of the values associated with inscription.
- 26 The UK Government ratified the UNESCO World heritage convention in 1984 and in doing so accepted clear duties:  
“To ensure that effective and active measures are taken for the protection, conservation and presentation of the cultural and natural heritage... and to integrate the protection of that heritage into comprehensive planning programmes.” Article 5
- 27 Responsibility for the implementation of the Convention has been devolved to B&NES council with support from English Heritage. The council (with English Heritage) has both responsibility for stewardship of the World Heritage site and considers the current RSS fails to demonstrate an appropriate strategy for safeguarding the international heritage.
- 28 66% of the city is designated conservation area (*ref Bath Citywide Character Appraisal SPG 2005*). There are nearly 5,000 listed structures. Bath contains a rich archaeology covering 200 years of history (*ref Archaeology in the City of Bath SPG 2004*). The RSS has not taken sufficient account of Bath’s exceptional heritage value and designations. B&NES council require a more “fine grained” and managed approach to deliverable growth which should be devolved to LDD’s to determine built upon strategic levels informed by B&NES detailed knowledge and responsibilities.

### **Natural Environment**

- 29 Potential for urban extension at Bath is limited to the area of search outside the Cotswolds AONB, the maintenance of which is both essential to the setting of Bath and the AONB itself. No exceptional circumstances (as set out in PPS7) have been established to justify development in the AONB (*see Urban Extension Environmental Capacity Appraisal: Land within the AONB surrounding Bath<sup>10</sup>; Strategic Sustainability Assessment of Potential Urban Extension locations on land surrounding Bath<sup>11</sup>; and Background Paper on the importance of the AONB<sup>12</sup>*). Studies carried out by both B&NES (*see above studies plus Landscape and Heritage Study of the Potential for an Urban Extension to the South/South West of Bath<sup>7</sup> and Urban Extension Environmental Capacity Appraisal<sup>8</sup>*) and SWRA (ARUP) have established the harm that development would cause and that no scope for strategic development in the AONB exists.



- 30 The environmental capacity appraisal and a strategic sustainability assessment of the entire periphery of Bath undertaken by the council also shows the environmental harm and significant sensitivities of delivering development on the edge of the city outside the AONB. In developing options for a potential urban extension related to Bath, there is a need for flexibility to develop a bespoke “fine grained” approach to resolve a solution that is deliverable, sustainable and complimentary to the setting of the world heritage city and the surrounding rural environment.

### **Hot Springs**

- 31 Bath exists because of the emergence of three natural springs in the heart of the city which deliver over 1 million litres of mineral-rich water every day. These springs continue to be a focus of economic, social and cultural developments in the City. As such, their protection is of paramount importance locally and nationally. The springs are protected by the 1982 County of Avon Act. The Act imposes restrictions on development to ensure safeguarding of the water purity which has impacted on recent development proposals at Southgate and BWR and will be likely to affect future development design and delivery rates.

### **Flood Risk**

- 32 Flood Risk Assessments and management measures have been approved as part of the scheme to deliver more than 2000 dwellings at Bath Western Riverside, which delivers a large element of the city’s capacity. SFRA is now being commissioned for the District which is scheduled for completion in summer 2007. The council are in discussion with the EA concerning their Catchment Flood Risk Assessment, which will be complete in 2007 and propose strategic measures to reduce peak flow. These will inform LDD preparation.

### ***South East Bristol***

- 33 Assessments at South East Bristol have also identified acceptable environmental limits on urban extension (*see Stage 1 Review of Broad Areas of Search for Urban Extension<sup>6</sup> and Urban Extension Environmental Capacity Appraisal<sup>8</sup>*). As stated in “a” above, policy to require a link between urban renewal and urban extension at Bristol is essential in minimising the need for Greenfield development within the plan period. (ref 4/1(a)).

### **(e) Have infrastructure considerations been adequately taken into account?**

- 35 Analysis carried out on behalf of West of England Partnership (WEP) by Roger Tym has estimated the necessary demands for

infrastructure to support levels of growth put forward by WEP. This is referred to in the WEP submission to session 4/1.

- 36 As set out in response to 'c' above, infrastructure delivery must be fully integrated with growth. Lead in times for such coordination is likely to slow the rates of growth. It is not evident that the RSS has taken sufficient account of the strains on infrastructure, the need and provision of necessary community infrastructure and the programme for its delivery.

**f) Do the proposals adequately reflect the need to reduce the need to travel, support the use of public transport & minimise congestion & in particular do they reflect the output from the GBSTS?**

- 37 In principle, the RSS strategy provides a framework which offers the opportunity to reduce the need to travel by car for daily activities. However, this is heavily dependent upon the quality of infrastructure and masterplanning associated with implementation. At Bath, the Draft RSS proposes significantly greater job growth than housing in Bath – potentially increasing commuter travel distances. Council strategy seeks to achieve greater balance. Given Bath's particular circumstances it is also essential the council is given flexibility to optimise the potential for economically viable sustainable balances of development at the District's smaller towns.

**g) Are the proposed modifications to the Green Belt adequately justified?**

- 38 Exceptional circumstances for amending the general extent of the Green Belt arise from the level of growth to be accommodated and spatial strategy of developing at the SSCTs. The fundamental purpose of the Green Belt in the West of England is to maintain the separation of Bristol and Bath and this should wherever possible be recognised in planning for urban extensions.
- 39 Whilst Strategic Green Belt Review (undertaken for the SWRA) suggests that areas of search defined for urban extensions most strongly serve Green Belt purposes, the overall objectives and sustainability benefits of the West of England strategy are considered to take priority e.g. regeneration of South Bristol. SSA work undertaken by B&NES highlights harm to Green Belt purposes but also the overall sustainability benefits which justifies the urban extensions search areas proposed and therefore modifications to the general extent of the Green Belt extent.
- 40 Given the acknowledged harm to Green Belt purposes it is especially important that in planning urban extensions the role of green infrastructure is adequately recognised. It is also considered that a

clearer rationale should be set out for the additions to the general extent to the Green Belt set out in policy SR3.

**h) Does the draft RSS set out adequate guidance on the provision of green infrastructure?**

- 41 Green infrastructure requirements should be more ambitious if we are going to create distinctive & sustainable communities – particularly where they are integrated as part of the proposed new urban extensions.

**List of supporting documents**

1. *Bath & North East Somerset Business Plan (Ernst & Young 2006)*
2. *Methodologies for Urban Capacity and Urban Extension Capacity Studies for B&NES (B&NES Council, September 2006)*
3. *B&NES Urban Capacity 2006-2026: Results and Conclusions (B&NES Council, September 2006)*
4. *Estimated Housing Capacity for the Rest of B&NES (Rural Areas) (B&NES Council, September 2006)*
5. *Employment Development Capacity in Bath, Keynsham and Norton-Radstock area 2006-2026 (B&NES Council, March 2007)*
6. *Stage 1: Review of Broad Areas of Search for Urban Extension (for GBSTS) (B&NES Council, June 2005)*
7. *Landscape and World Heritage study of the potential for urban extension to the south/southwest of Bath (B&NES Council, September 2006)*
8. *Urban Extension Environmental Capacity Appraisal (within draft RSS areas of search) (B&NES Council, October 2006)*
9. *Strategic Sustainability Assessment of Potential Urban Extensions (within Draft RSS Areas of Search) (B&NES Council, September 2006)*
10. *Urban Extension Environmental Capacity Appraisal – Land within the AONB surrounding Bath (B&NES Council, March 2007)*
11. *Strategic Sustainability Assessment of Potential Urban Extension locations on land surrounding Bath (B&NES Council, March 2007)*
12. *Background Paper 'Urban Extension to Bath – the importance of the Cotswolds AONB' (B&NES Council, March 2007)*

**List of documents in the EiP Library**

*City of Bath World Heritage Site management Plan 2003-2009 (B&NES Council, English Heritage, UNESCO)*

*Bath Citywide Character Appraisal SPG (B&NES Council, 2005)*

*Archaeology in the City of Bath SPG (B&NES Council, 2004)*

*Rural Landscapes in B&NES: A Landscape Character Assessment SPG (B&NES Council, 2003)*