

# BATH & NORTH EAST SOMERSET COUNCIL

## Local Plan (Core Strategy and Placemaking Plan) Partial Update

### Consultation Document (Regulation 18 of the Town and Country (Local Plan) Regulations 2012)

January 2021

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**Bath & North East  
Somerset Council**

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**Improving People's Lives**

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## List of Abbreviations

AONB	Area of Outstanding Natural Beauty
B&NES	Bath and North East Somerset
BNG	Biodiversity Net Gain
BREEAM	Building Research Establishment Environmental Assessment Method
CO <sub>2</sub>	carbon dioxide
CS	Core Strategy
EV	Electric Vehicle
EqIA	Equality Impact Assessment
GI	Green Infrastructure
HIA	Health Impact Assessment
HMO	House in Multiple Occupation
HRA	Habitats Regulations Assessment
LP	Local Plan
LPPU	Local Plan Partial Update
NPPF	National Planning Policy Framework
PBSA	Purpose Built Student Accommodation
PmP	Placemaking Plan
SA	Sustainability Appraisal
SoCG	Statement of Common Ground
SPD	Supplementary Planning Document
SUDs	Sustainable Urban Drainage system
SVEZ	Somer Valley Enterprise Zone
WECA	West of England Combined Authorities

# 1. Introduction

## Background

- 1.1 The Development Plan in Bath & North East Somerset (B&NES) primarily comprises the Core Strategy (adopted in 2014) and the Placemaking Plan (adopted in 2017), both of which cover a plan period from 2011 to 2029. Together these documents form the Local Plan for B&NES. The Council is required to review the Local Plan every five years in order to determine whether it remains fit for purpose or whether all or part of it needs to be updated.
- 1.2 A full review of the Local Plan will be undertaken alongside the WECA Spatial Development Strategy (SDS) which is scheduled for publication in 2023. Therefore, in the interim, B&NES is undertaking a Partial Update of the Local Plan to address a number of urgent issues.

## Timetable

- 1.3 The key stages in the partial update of the Local Plan are as follows;

Jan/Feb 2021	Engagement on Options (Regulation 18)
Spring 2021	Formal consultation on Draft Partial Update (Regulation 19)
Autumn 2021	Submit Plan for examination (Regulation 21)
Winter 2021/22	Examination hearings
Spring 2022	Adoption

## Purpose and scope of the Options document

- 1.4 As this is a partial update to the existing Plan, and not a new Plan, the scope of the changes is confined to those areas that can be addressed without changing the spatial priorities; the spatial strategy; or the strategic housing and job growth requirements in the Core Strategy & Placemaking Plan.
- 1.5 In March 2019 the Council declared a climate emergency and pledged to enable carbon neutrality in the district by 2030. An ecological emergency has also been declared in response to the escalating threat to wildlife and ecosystems. The Council has also reviewed its corporate strategy. The Council's overriding purpose is to improve people's lives and its core policies are addressing the climate and nature emergency and giving people a bigger say. In order to translate the purpose into commitments the Council will operate three key principles of preparing for the future; delivering for local residents; and focussing on prevention.
- 1.6 The Council's planning policy framework needs to be updated in order to ensure that it is aligned with these priorities and that specifically it helps to facilitate solutions that address the climate and nature emergency. This can be

achieved without altering the spatial objectives set out in the Core Strategy as addressing climate change is already the cross-cutting theme of the existing Local Plan.

- 1.7 A crucial role of the Local Plan is to maintain the supply of new housing in order to meet the Core Strategy housing requirement with sufficient flexibility to take account of changing circumstances. As referenced in the National Planning Practice Guidance, the Council is undertaking the partial update in order to provide greater certainty about the delivery of the Core Strategy. A plan-led solution to supply will help to ensure that housing is delivered in the most sustainable locations, with the necessary supporting infrastructure.
- 1.8 Monitoring of the implementation of some Core Strategy and Placemaking Plan policies suggests that some policies need to be updated in order to ensure the outcomes sought are delivered. In addition, some policies may need to be revised or updated to reflect the current National Planning Policy Framework (NPPF) which was updated after adoption of the Core Strategy and Placemaking Plan, as well as other legislative changes. Finally, changes in circumstances resulting from covid-19 and facilitating the post-covid recovery may require some policies to be revised, principally those related to town centres or economic development.
- 1.9 In summary the key proposed elements or scope of the partial update are set out below and feedback is invited on this.
  - a) Policies to deliver on the Council's declaration of climate and ecological emergencies, including those on renewable energy generation, retrofitting, sustainable construction and biodiversity net gain,
  - b) Transport and travel policies including reviewing the parking standards
  - c) The approach to Houses in Multiple Occupation (HMOs), student accommodation, development on the University campuses
  - d) The district's housing land supply and type available to meet the Housing Requirement to 2029,
  - e) The supply of employment land in light of green recovery objectives
  - f) The role of City & Town centres in the context of ongoing changes affecting them
  - g) Review of some existing allocated development sites
  - h) Ensure the efficient and effective use of the Bath Park & Ride sites
- 1.10 Section 2 sets out the District-wide Development Management policies proposed to be updated; Section 3 the strategy and sites proposed to address the housing supply shortfall; Section 4 other place based or site allocation issues; and Section 5 District-wide policies that require minor modification for reasons of clarity or to ensure they accord with latest national policy or

legislation. The options document primarily sets out proposed policy approaches (with options where relevant). In some instances (in sections 2 and 5) proposed policy wording amendments are set out, where this is the case text proposed to be deleted is shown as a strike through and additions as underlined text. For clarity Section 6 lists the existing policies with no amendments proposed.

### **Sustainability Appraisal and Habitats Regulations Assessment**

- 1.11 Plan preparation is informed by a sustainability appraisal (SA) and Habitats Regulations Assessment (HRA) at all stages. SA is a systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive. The purpose of sustainability appraisal is to appraise the social, environmental and economic effects of the strategies and policies in a local development document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable and healthy development.
- 1.12 The SA Framework is set out in the SA Scoping Report ([www.bathnes.gov.uk/localplan](http://www.bathnes.gov.uk/localplan)). The appraisals (SA and HRA) of options are published alongside the Options document and will be used to inform preparation of the Draft Plan. In addition, the Options document is accompanied by supporting evidence and a range of Topic Papers providing more explanation of the options on certain key issues. These are available on the website at [www.bathnes.gov.uk/localplan](http://www.bathnes.gov.uk/localplan)

### **Duty to co-operate**

- 1.13 Strategic planning authorities are under a duty to co-operate with each other, and other prescribed bodies, on cross boundary planning issues of a strategic nature. Effective and on-going joint working is required on identified strategic issues. The NPPF requires that this joint working is demonstrated by preparing and maintaining one or more statements of common ground (SoCG), documenting the cross-boundary matters being addressed and progress in co-operating to address these issues.
- 1.14 The Commencement Document (April 2020) confirmed that consultation and engagement with adjoining authorities and the other prescribed bodies will take place through a variety of means and will build upon joint working undertaken through preparing the Core Strategy and Placemaking Plan. The main cross-boundary strategic issue arising through the Local Plan partial update relates to the option of allocating land at North Keynsham for development. If this option is progressed it requires cross boundary working with South Gloucestershire and given its Green Belt location also requires engagement with other adjoining authorities, including Wiltshire and Mendip Councils. In order to demonstrate



and document the joint work being undertaken a SoCG with the relevant authorities is being prepared alongside the Local Plan partial update.

### **How to get involved**

- 1.15 The main purpose of this Options consultation is to facilitate discussion and generate comment on the options or potential approaches for addressing some of the critical issues facing Bath and North East Somerset and we would like you to be involved in this process. The comments previously received on the commencement document can be accessed on the Council's website at [www.bathnes.gov.uk/localplan](http://www.bathnes.gov.uk/localplan)
- 1.16 The proposed policy approaches and options set out in Section 2 to 5 each have a unique reference number which should be used when making comments.
- 1.17 The Local Plan Options document and other background information can be found on the Council's website [www.bathnes.gov.uk/localplan](http://www.bathnes.gov.uk/localplan)
- 1.18 Prior to the commencement of the consultation a [webinar](#) was held on how to get involved with planning policy, this discussed the Options consultation for the Local Plan Partial Update
- 1.19 Your comments - [Please submit comments online through the consultation portal](#)
- 1.20 Alternatively, comments can be emailed or sent to:
  - [local\\_plan2@bathnes.gov.uk](mailto:local_plan2@bathnes.gov.uk)
  - Local Plan Consultation, Bath & North East Somerset Council, Manvers Street, Bath, BA11JG
- 1.21 Comments on the Local Plan Options document must be received by 18<sup>th</sup> February 2021.

## 2. Development Management Policies

### Introduction

2.1 The policies in the Core Strategy and the Placemaking Plan provide the principal planning policy framework for determining planning applications and appeals. The policies in the Placemaking Plan were found 'sound' in July 2017, so the majority of them are still up-to-date. However, some policy areas need reviewing or new policies drafted in the context of the following:

- responding to the Council's climate and ecological emergency
- replenishing housing supply
- changes in national policy guidance or legislation
- problems in implementing a policy
- updated evidence
- acknowledging the impact of the COVID-19 pandemic and the importance of the wider determinants of health

2.2 Paragraph 21 of NPPF19 states that "plans should make explicit which policies are strategic policies." Where a single Local Plan is prepared, the non-strategic policies should be clearly distinguished from the strategic policies. Local Plan Part 1: Core Strategy sets out a strategic planning framework to guide change and development in the District and Part 2: Placemaking Plan covers site allocations and detailed development management policies, and together they address B&NES council's priorities for the development and use of land in its area. Therefore, it is considered that all policies in the Core Strategy and Placemaking Plan are 'strategic' policies.

### Responding to Climate Change

2.3 Bath and North East Somerset has declared a climate emergency and has committed to providing the leadership for the District to be carbon neutral by 2030. This will contribute to the UK's legally binding target of net zero carbon by 2050. There are three key priorities to achieve this which are;

- Energy efficiency improvement of the majority of existing buildings (domestic and non-domestic) and zero carbon new build;
- A major shift to mass transport, walking and cycling to reduce transport emissions;
- A rapid and large-scale increase in local renewable energy generation.

2.4 The Council's Climate Emergency Progress Report set out the scale of action needed to meet these priorities, including that "new homes and development

need to be zero carbon or net positive carbon from now". The Report was adopted in October 2019.

- 2.5 As part of this work the council is seeking to update their adopted policies on climate change including a net zero carbon construction policy.
- 2.6 There is currently a renewable energy installed capacity of 21.7 Mega Watt electricity within the district which is below the target of 110 Mega Watt electricity set out in the Core Strategy Policy CP3.

### **Sustainable Construction Policy (amendments to Policies SCR1 and CP2)**

- 2.7 Policy CP2: Sustainable Construction requires energy efficiency to be "maximised" and Policy SCR1: Onsite Renewable Energy requires major development to achieve a 10% reduction in carbon dioxide (CO<sub>2</sub>) emissions from renewable energy sources. The Sustainable Construction Checklist Supplementary Planning Document (2018) embeds this 10% requirement into a broader benchmark for all scales of new build development to achieve an overall 19% CO<sub>2</sub> reduction for compliance with the Placemaking Plan. The SPD also establishes a 10% reduction target for medium and large-scale development of existing buildings.
- 2.8 The preferred option is to set a net zero carbon policy with three elements reflecting the energy hierarchy below. This will replace policies SCR1 and CP2.

### **Residential Development**

- 2.9 The Future Homes Standard (FHS) was consulted on by the government in early 2020. The FHS would amend Building Regulations Part L1A and Part F to reduce energy demand and carbon emissions from new dwellings in two stages over the next few years.
- 2.10 Since Building Regulations are the baseline for the net zero carbon policies, if the Building Regulations change through the FHS, this changes the policy baseline. At present, the date for commencement of the FHS has not been announced by Government, therefore two options are considered to achieve net zero carbon development; one option for if the FHS has not been adopted and another for if it has.

**Consultation Reference: DM1 Net Zero Carbon Construction Policy:**

**New Build Residential Development** (amending and updating/replacing Policy CP2 and SCR1 Residential Development)

**Option 1 – If the Future Homes Standard is not implemented**

- A minimum operational CO<sub>2</sub> emissions reduction of 10% through fabric performance from a baseline of Building Regulations Part L 2013
- A minimum operational CO<sub>2</sub> reduction of 35% through on-site renewable energy
- Then offset remaining operational emissions that can't be mitigated on site through a financial contribution.

**Option 2 – If the Future Homes Standard is implemented as proposed**

If the Future Homes Standard is brought forward then it is proposed that the new Part L requirements are used as a starting point for delivering net zero carbon construction.

The policy would require the higher fabric standards set out in the Future Homes Standard 2025 with the remainder of the carbon emissions mitigated through renewable energy. Any remaining emissions that cannot be mitigated onsite could be offset through financial contributions to achieve net zero carbon in operation.

For both options, the Passivhaus Plus standard will be considered as an alternative route to policy compliance.

**Non-residential buildings**

- 2.11 The proposals outlined in the Future Homes Standard only apply to new residential buildings and proposals for non-residential and existing buildings are yet to be consulted on.
- 2.12 The BREEAM Excellent standard is being considered for major developments in addition to the net zero carbon policy. BREEAM Excellent certification requires developers to address a holistic range of sustainable construction elements that would otherwise not be covered by local policy. BREEAM is an internationally recognised, widely used methodology that includes a robust certification process to validate the sustainability value of a development.

**Consultation Reference: DM2: New Build Non-Residential Development (amending and updating/replacing Policy CP2 and SCR1 Non-residential development)**

Proposed policy would use an energy hierarchy to achieve zero carbon as follows.

- A minimum reduction of 15% through fabric performance
- A minimum reduction of 35% through on-site renewable energy
- Then offset what can't be mitigated on site through a financial contribution

A policy to require major development with 1,000m<sup>2</sup> or more non-residential floorspace to achieve BREEAM Excellent Standard is being considered.

Heat and Cooling hierarchy

For both residential and non-domestic buildings, a heat and cooling hierarchy policy will be considered, as follows:

1. Development will be expected to minimise demand for heating, cooling, hot water, lighting and power through building and site-level measures.

2. Residual heat and cooling demand is expected to be met using renewable heat sources whilst complying with District Heating Policy CP4.

- 2.13 The West of England Cost of Carbon Reduction study by Currie and Brown (the Study) provided evidence on the costs of a range of policy options for reducing operational emissions arising from use of the building. Other emissions e.g. those arising from the materials used in construction are considered in the Whole Life Carbon policy below. The study looked at residential and non-domestic buildings, up to net zero regulated and unregulated emissions which is the council's preferred approach. These costs will be used to inform a viability assessment that will accompany the Draft Plan in Spring.
- 2.14 The Study also sets out options for reviewing the policy approach in response to the transition of the electricity grid to renewables. In recent years the mix of generation sources used to provide electricity through the national grid has changed significantly. The contribution of renewable energy has risen from under 5% in 2004 to over 30% in 2018. This trend of "grid decarbonisation" is set to continue in the coming decades. Electricity now produces less carbon per unit than gas. Government has stated that gas boilers will be banned in new buildings from 2025 or sooner which is already encouraging developers to switch away from gas heating and towards electric or renewable heat.
- 2.15 The best opportunity to improve building fabric is at the development stage. Post-occupation it is more costly and disruptive to improve the fabric. Many building fabric components will last the lifetime of the building providing long term carbon savings. Fabric improvements can deliver higher quality buildings

which are healthier to live in and cost less to run. A 15% improvement is being considered for non-residential development since the evidence shows it is more cost effective for non-residential development to achieve energy efficiency savings through fabric improvements.

- 2.16 Generating renewable energy on-site helps meet the renewable energy target in Policy CP3 and can reduce energy bills for building users. Renewable energy can be stored, e.g. with batteries, to support the transition of the electricity grid to renewable energy by releasing energy at times when renewable energy production is low. The Heat Hierarchy policy will ensure that new development does not “lock in” the use of gas, which will need to be phased out as a heating fuel in order to meet local and national climate change targets.
- 2.17 Remaining operational emissions up to 100% regulated or unregulated CO<sub>2</sub> can be offset by payments into a local fund for off-site carbon saving measures such as renewable energy or energy efficiency in existing buildings. The price of this offset is proposed to be £95 per tonne of CO<sub>2</sub>.
- 2.18 The measures outlined above will use the energy hierarchy to achieve net zero carbon construction in new buildings.

#### **Retrofitting Existing Buildings (amendments to Policy CP1)**

- 2.19 In the case of existing buildings the Sustainable Construction Checklist SPD currently requires a 10% reduction in CO<sub>2</sub> emissions on proposals for existing buildings of medium scale or higher (5 dwellings or 500m<sup>2</sup>). It is proposed to amend the policy CP1 to reflect this. There is also an option to increase this requirement to a 20% reduction.
- 2.20 The Council will seek to encourage and enable the sensitive retrofitting of energy efficiency measures and the appropriate use of micro-renewables in historic buildings (including listed buildings and buildings of solid wall or traditional construction) and in conservation areas, whilst safeguarding the special characteristics of these heritage assets for the future. Proposals will be considered against national planning policy.
- 2.21 The Sustainable Construction Checklist Supplementary Planning Document currently sets a benchmark for carbon reduction.

2.22 Available evidence suggests that Houses in Multiple Occupation (HMO) are more often in poor condition than other types of housing in the same area. The English Housing Survey suggests HMOs are often old, solid wall properties with low levels of insulation and sometimes expensive electric heating systems. In line with the suggested amendments to Policy H2 and Policy H2A below, requiring applications for change of use to HMO to achieve an Energy Performance Certificate rating of “C” or higher is being considered.

### **Consultation Reference DM3**

#### **Amendments to Policy CP1**

Option 1: Introduce a requirement that regulated carbon emissions are reduced by 10% from a baseline of Part L through use of renewable energy

Option 2: Introduce a requirement that regulated carbon emissions are reduced by 20% from a baseline of Part L through use of renewable energy

The above policies could continue to apply to proposals for existing buildings and the scale and type of proposal covered by the policy is being considered; currently it is for development of a medium scale or higher (5 dwellings or 500m<sup>2</sup>)

Applications for change of use to Houses of Multiple Occupation (HMOs) are required to achieve an Energy Performance Certificate “C” rating or above. An option for a financial contribution or fabric improvements is being considered if, due to the nature of the building, the renewable energy requirement cannot be met onsite. A heat hierarchy policy expects proposals to use renewable heat sources (e.g. ground and air sourced heat pumps and solar thermal panels) whilst referencing the opportunities for heat networks in the areas set out in Policy CP4

#### **Whole Life Carbon Assessments (new policy)**

2.23 Whole Life-Cycle Carbon (WLC) emissions are the carbon emissions resulting from the materials, construction and the use of a building over its entire life, including its demolition and disposal. A Whole Life Cycle Carbon assessment provides a true picture of a building’s carbon impact on the environment. For example it takes account of the embodied energy of the materials.

2.24 Whole Life Cycle Carbon Assessments have been introduced by the Greater London Authority in the draft London Plan and we are learning from the London approach and from other emerging approaches in this area. The policy in London requires a Whole Life Cycle Carbon Assessment for applications referred to the mayor which includes developments of over 150 dwellings. The policy currently only requires the assessment to be submitted, there is no

required threshold in terms of carbon emissions, however individual boroughs can set thresholds.

- 2.25 The West of England Authorities are working towards updating the evidence base to explore the possibility of introducing Whole Life Cycle Carbon Assessments as part of future policy.

#### **Consultation Reference DM 4**

##### **New Policy Whole Life Cycle Carbon Assessment**

The use of a performance threshold to demonstrate reduction in the Whole Life Cycle carbon emissions of new buildings is being considered

Option 1: For all large scale major developments. Large scale major developments are defined as more than 50 dwellings or 5,000m<sup>2</sup> or more of floor space.

Option 2: For all major development defined as 10 dwelling units or 1000m<sup>2</sup> or more of non-residential floor space.

Measures that can be taken by smaller scales of development are also being considered.

#### **Renewable energy (amendments to Policy CP3)**

- 2.26 Renewable electricity production has significantly increased since the adoption of the Development Plan. As the most common renewable energy sources, solar and wind, are intermittent, there is a greater need for power reserves that can “balance” the grid by releasing power onto the grid at times when demand exceeds supply.
- 2.27 This has led to an increase in proposals for “balancing plant” technology. Balancing plant can be gas turbines or gas engines that can be turned on at short notice to meet temporary demand. Alternatively, energy storage plants can be used to balance the grid, most commonly battery packs although other technologies are emerging. These either store energy from the grid to release when supply is scarce or can be co-located with renewable energy to release renewable power when renewable energy production is otherwise unable to meet demand.
- 2.28 It is acknowledged that there is a need for flexibility and stability in the energy supply, and that grid balancing plant will be required to help enable transition to 100% renewable electricity. However, the burning of fossil fuels for energy generation, including by gas balancing plants, would increase the district’s carbon dioxide emissions and is therefore not supported since it is inconsistent with the Council’s Climate Emergency Declaration.



2.29 In order to facilitate an increase in the level of renewable energy generation and the Council's 2030 net zero carbon goal it is proposed to amend Policy CP3. A topic paper on Energy Balancing Plants has been prepared to explain this approach.

#### **Consultation Reference DM 5**

#### **Amendments to Policy CP3**

##### **POLICY CP3: Renewable Energy**

Development should contribute to achieving the following minimum level of Renewable Electricity and Heat generation by 2029.

Capacity (Megawatt)

Electricity      110MWe (Megawatt Electricity)

Heat              165MWth (Megawatt Thermal)

Development should also contribute to the need to balance electricity demand and supply in order to assist the transition to 100% renewable electricity.

Proposals for grid balancing plant will be expected to follow the hierarchy below:

1. Energy storage plant co-located with renewable energy generation plant
2. Freestanding energy storage plant

Balancing plant that increases the district's carbon emissions, for example those that burn fossil fuels such as gas will not be acceptable.

#### **Harnessing wind power (new policy)**

2.30 For some time it has been Government policy for local planning authorities to have a positive strategy to promote energy from renewable and low carbon sources including the identification of suitable areas for renewable and low carbon energy sources.

2.31 Particularly for wind energy development Local Plans should identify suitable areas for wind energy development and make clear what criteria have determined their selection, including what size of development is considered suitable in these areas. The NPPF (Feb 2019) states that:

*'A proposed wind energy development involving one or more wind turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.'*

- 2.32 The preparation of the partial update presents an opportunity to reconsider the Council's approach to wind energy development in light of the NPPF. A study was undertaken in 2010 to assess the potential capacities and the landscape sensitivity to wind development for small, medium and large wind turbines. It also provides guidance on identifying suitable areas for the location of wind turbines in the formulation of criteria against which specific proposals may be assessed in relation to landscape impact. Further work was undertaken to identify Landscape and Visual Issues for Areas with Technical Potential for Wind Energy Development.
- 2.33 The Council has commissioned a Renewable Energy Resource Assessment Study (RERAS) jointly with South Gloucestershire Council and North Somerset Council, as well as updating the landscape sensitivity analysis taking into account the World Heritage Site Setting Supplementary Planning Document and also Cotswolds AONB Position Statement on Renewables. These studies will update the evidence base and identify suitable areas for renewable and low carbon energy generation and related infrastructure. The outcome of this work will, where possible, be presented at future stages of preparing the Local Plan.
- 2.34 The suggested approach is to identify areas more suitable for wind energy development on the Local Plan Policies Map, based on the latest available landscape sensitivity analysis study and other landscape character and ecological evidence and supported by a comprehensive criteria-based policy. This would give greater certainty as to where such development will be acceptable provided the impacts identified in the policy can be successfully mitigated. Proposals would also need to take in to account environmental constraints and sensitivity.

## Consultation Reference DM6

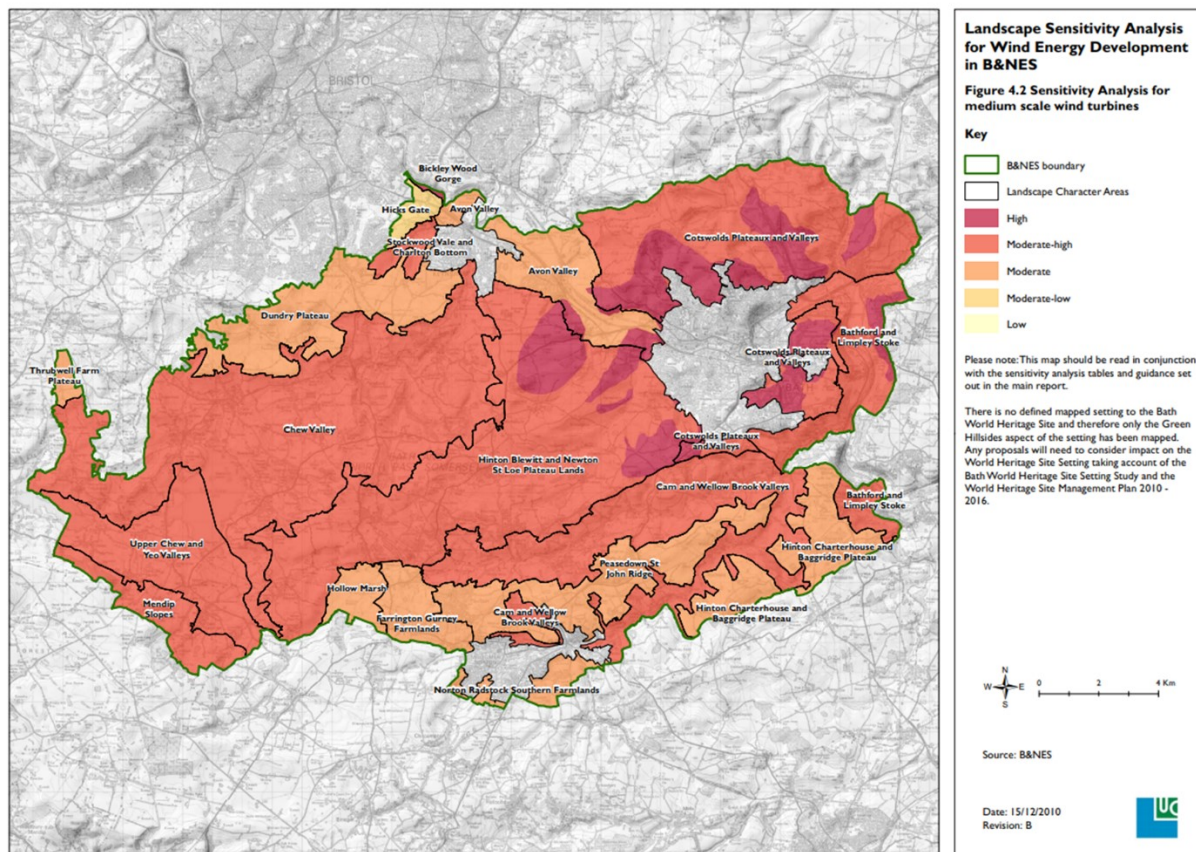
### New Policy Emerging policy approach for harnessing wind energy

It is proposed that the policy framework for wind energy development should cover and address the following considerations:

- Proposals for wind energy development must lie within an area identified as being potentially suitable for this type of development (see options below)\*
- Community support for the scheme can be demonstrated and the material planning impacts identified by affected local communities can be adequately addressed
- The proposal satisfactorily addresses impact on:
  - Residential amenity resulting from noise, vibrations, shadow flicker or visual dominance
  - Landscape character and visual impact including cumulative impacts
  - Landscape and scenic beauty of the Cotswolds and Mendip Hills AONBs
  - Historic environment including Bath World Heritage Site and its setting
  - Biodiversity and ecology
  - Highway safety and aviation
- Wider environmental benefits outweigh any significant demonstrable harm to amenity
- Applications for the replacement and re-powering of existing wind turbines within the district will be considered, in line with the guidance in the NPPF

2.35 The figure below shows the landscape sensitivity analysis for medium size ([Link](#)) wind turbines (typically 25-95m to blade tip with rotor diameters up to approximately 68m) based on the 2010 landscape sensitivity analysis. The Landscape sensitivity analysis for small ([Link](#)) to large ([link](#)) wind farms can be viewed in full in the 2010 Landscape sensitivity analysis study ([link](#)). The 2010 landscape sensitivity analysis will be updated in the context of reviewed landscape character areas and this may be used to inform the policy approach in the Draft Plan.

Figure 1 landscape sensitivity analysis for medium size wind turbines



2.36 The table below shows the theoretical potential capacity based on the landscape sensitivity areas identified in the Study. This is based on medium scale wind turbines so is likely to be larger given that large and small scale turbines could also come forward in the areas shown to be suitable for them (although in practice, there will be site-specific limiting factors as set out in DM5).

Landscape sensitivity	Theoretical potential Area (ha)	Theoretical potential installed capacity (MW)	Theoretical potential power generation (MWh/yr)
Moderate-low	16	2	1,798
Moderate	1,475	207	206,718
Moderate-high	2,706	375	374,490
High	385	53	53,327
Unknown	4	5	5,393
<b>Grand Total</b>	<b>4,586</b>	<b>643</b>	<b>641,726</b>

## Consultation reference DM7

### New Policy Harnessing wind energy

Option 1 Subject to assessment against the criteria set out in policy approach DM6 above allow wind turbines in moderate and less sensitive landscape areas: The study shows that by allowing turbines in landscape areas up to moderate impact would give the technical capacity for 209 MW of wind generated power (based on the analysis for medium size wind turbines).

Option 2: Subject to assessment against the criteria set out in policy approach DM6 above allow wind turbines in Moderate-high and less sensitive landscape areas: This allows increase in land available for wind energy projects and therefore an increased technical capacity/potential level of power generation allowing turbines up to Moderate-High areas would increase the technical potential capacity for 584 MW (based on the analysis for medium size wind turbines).

In both options individual schemes/applications would need to be assessed and determined against a criteria based policy as set out above (ref DM6).

### Electric Vehicle (new policy)

- 2.37 In 2018 the government launched its Road to Zero Strategy. The ambition being to see at least half of new cars to be ultra-low emissions by 2030. The sale of cars with combustion engines will be phased out. As part of this the government aims to roll out infrastructure to support electric vehicles.
- 2.38 In October 2019 the government conducted a consultation with regards to the installation of electric vehicle infrastructure. By amending building regulations, it proposes:
- residential buildings to include requirements for electric vehicle charge-points
  - non-residential buildings to include requirements for electric vehicle charge-point infrastructure
  - introduce requirement for existing non-residential buildings to have electric vehicle charge-points
- 2.39 Should the proposal be adopted then an electric vehicle policy requiring charging infrastructure in new development will be amended so as not to duplicate building regulations.
- 2.40 Active charging provides a charger on site when a development is constructed. Passive charging provides the ducting and infrastructure that can easily be connected to a charger when it is required. The advantage of providing 100% active charging means that EV charging is available upon completion of development. However, the passive charging allows for charging to be

activated as demand increases so allows for the latest technologies to be used. The cost of passive charging is much less than active charging.

## **Consultation Reference DM 8**

### **New Policy Electric Vehicle**

#### **Residential Development:**

##### **Minor Residential Development**

Option 1a: For all dwellings with one or more dedicated parking space or garage passive infrastructure shall be installed to allow for the charging of electric vehicles.

Option 1b: For all dwellings with one or more dedicated parking space or garage an active charger for the charging of electric vehicles will be installed.

##### **Major Residential Development**

Option 2a: For major residential development at least 20% of parking spaces shall have active charging facilities, and passive provision for all remaining parking spaces with the layout of the car park ensuring that all spaces can be easily activated with minimal disruption as demand increases.

Option 2b: For major residential development 100% active charging shall be installed.

Where off street parking is not provided and parking is provided on street within a development proposal, the design and layout of the development should incorporate infrastructure to enable the on-street charging of electric vehicles.

##### **Non-residential development**

In all non-residential developments providing 1 or more car parking bays, passive infrastructure shall be installed to enable provision of charging facilities for electric vehicles.

Option 3a: Where 10 or more car parking bays are provided, at least 20% of those bays to provide active charging facilities for electric vehicles, and passive provision for all remaining bays.

Option 3b: In non-residential development where parking bays are provided, 100% active charging shall be installed.

##### **Grid Capacity**

Where an applicant is seeking to argue that local grid infrastructure cannot accommodate additional charging the applicant must submit evidence from Western Power Distribution to demonstrate that this is the case

2.41 The council's parking standards are being reviewed and it is proposed that the proposed parking standards are removed from the Local Plan and instead form part of a new Supplementary Planning Document. The standards in the Parking Strategy for 'active' and 'passive' charging provision are principally aimed at

increasing the uptake of electric vehicles within B&NES in order to minimise the impact of vehicle emissions on air quality.

- 2.42 The council is currently consulting on its Liveable Neighbourhoods Strategy. As part of this work an on-street electric vehicle charging strategy has been published and is being consulted on.
- 2.43 Electric vehicle chargers can be installed under permitted development. Part 2, class C allows for the installation of a charging unit within a parking area, subject to certain conditions. On street chargers can be provided under Part 12, class A which allows for on street charging when installed by Local Authorities.
- 2.44 This policy seeks to provide electric vehicle infrastructure within new housing and non-residential development where parking is provided. It is proposed to complement the proposals by the council for on street charging.

### **Environmental Quality (Ecological emergency)**

- 2.45 An Ecological Emergency has been declared by the Council in response to the ongoing threat to wildlife and ecosystems. The declaration recognises the essential role nature plays in society and the economy and provides a statement of intent to protect wildlife and habitats, enabling residents to benefit from a green, nature rich environment.
- 2.46 The Environment Bill 2019-2021 in support of the 25 Year Environment Plan is currently progressing through Parliament and seeks to introduce legally binding nature, water, air and waste targets from 2022. It proposes to introduce a mandatory requirement for measurable biodiversity net gain in the planning system, to ensure that new developments enhance biodiversity and create new green spaces for local communities. The Environment Bill further proposes introducing provisions requiring the development of Local Nature Strategies across England.
- 2.47 It is proposed within the Local Plan Partial Update to include updates to biodiversity and green infrastructure policies to support the climate and ecological emergency and introduce new policy as relates to the requirement for biodiversity net gain within new development.

### **Ecology: Sites, Species and habitats (amendments to Policy NE3)**

- 2.48 Policy NE3: Sites, Species and Habitats within the current Local Plan sets out the policy approach to development affecting internationally or nationally protected species and habitats, species, habitats or features of biodiversity/geodiversity importance or value and in all other cases. It is proposed to revise this policy through the partial update to reflect updates to the NPPF 2019, legislation, the emerging Environment Bill, B&NES Council's

Ecological Emergency declaration, and to provide clarity to applicants/developers as follows:

## Consultation Reference DM 9

### Amendments to Policy NE3: Sites, Species and Habitats

1 Development that would adversely affect, directly or indirectly, ~~internationally or nationally protected species and/or their habitats~~ irreplaceable habitats, will not be permitted.

2 Development that would adversely affect, directly or indirectly, Internationally or Nationally Important Sites or Species and/or their habitats will not be permitted except in exceptional circumstances where:

a there is no alternative solution; and,

b there are imperative reasons of overriding public interest for the development; and

c mitigation measures can be secured to prevent any significant adverse effect on the site, including retention of existing habitat and vegetation in situ; replacement habitat creation and bespoke measures.

3 Development ~~which~~ that would adversely affect, directly or indirectly, other species, habitats or features of biodiversity/ geodiversity importance or value will not be permitted unless only be permitted in the following cases:

~~a for Sites of Special Scientific Interest, where the benefits of the development, at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of Sites of Special Scientific Interest;~~

~~b-a for Sites of Nature Conservation Importance; Local Nature Reserves, Regionally Important Geological/ Geomorphological Sites and other sites of equivalent nature conservation value, where material considerations are sufficient to outweigh the local biological geological / geomorphological and community/amenity value of the site; where impacts have been minimised; where there are opportunities to replace and/or offset the loss; and where the test of 'No Satisfactory Alternative (including do-nothing) have been met;~~

~~e b for UK Priority Species and UK Priority Habitats, where the importance of the development and its need for that particular location is sufficient to override the value of the species or habitat and where impacts have been minimised; where it can be demonstrated that it is possible to replace and/or offset the loss to at least equivalent or greater ecological value; and where the test of No Satisfactory Alternative (including do-nothing) have been met;~~



d-c for locally important species and habitats, where the importance of the development and its need for that particular location is sufficient to override the value of the species or habitat;

e d for features of the landscape such as trees, copses, woodlands, grasslands, batches, ponds, roadside and grass 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, where such features are retained and enhanced unless the loss of such features is unavoidable and material considerations outweigh the need to retain the features.

4 In all cases:

a ~~Firstly~~, any harm to the nature conservation value of the site is minimised; and

b ~~secondly~~, compensatory provision of at least equal nature conservation value is made for any outstanding harm, and

c ~~Thirdly, ecological enhancements are made~~ Biodiversity Net Gain will be delivered and managed in perpetuity (minimum of 30 years) through the appropriate means e.g. a legal agreement.

d ~~Then~~, as appropriate:

i Measures for the protection and recovery of priority species are made.

ii Provision is made for the management of retained and created habitat features.

iii Site lighting details are designed to avoid harm to nature conservation interests; including habitat connectivity and function as part of an ecological corridor.

### **Ecological Networks (amendments to Policy NE5)**

2.49 The NPPF 2019 sets out that planning policies and decisions should contribute to and enhance the natural and local environment by *‘establishing coherent ecological networks that are more resilient to current and future pressures.’*

2.50 Under the Environment Bill it is proposed to require the development of Local Nature Strategies across England. B&NES Council is part of the West of England Nature Partnership (WENP), the designated Local Nature Partnership (LNP) for the West of England which is working in partnership to restore the natural environment in the West of England through embedding the value of nature in decision making across spatial planning, public health and economic development.

2.51 It is proposed to update Policy NE5 to support ecological networks and nature recovery as follows:

## Consultation Reference DM 10

### Policy NE5: Ecological Networks and Nature Recovery

Development proposals will be expected to demonstrate that a positive contribution will be made to ~~ecological networks~~ Nature Recovery Networks as shown on the Policies Map and for maintaining or creating local ecological networks through habitat creation, protection, enhancement, restoration and/or management.

Note: The Policies Map will be updated to reflect nature recovery networks which will replace ecological networks mapping.

#### **Biodiversity Net Gain (new policy)**

- 2.52 The NPPF 2019 sets out that planning policies and decisions ‘should contribute to and enhance the natural and local environment by minimising impact on and providing net gains for biodiversity...’ The Environment Bill proposes to introduce a 10% mandatory requirement for biodiversity net gain within development. Biodiversity net gain (BNG) is the achievement of measurable gains for biodiversity through new development and occurs when a development leaves biodiversity in a better state than before development. Work is progressing on the B&NES Biodiversity Supplementary Planning Document (SPD) setting out local requirements for delivering biodiversity net gain.
- 2.53 The government is considering how mandatory net gain will apply to different sites. There may be targeted exemption for some brownfield sites, as well as those with specific ownership characteristics such as self-build schemes. Householder development (such as extensions) may also be exempt and the government is considering how BNG will apply to minor development schemes, including whether they are subject to a lower net gain requirement.
- 2.54 Under the B&NES Council Ecological Emergency declaration, it is also proposed to consider the potential to increase the percentage of biodiversity net gain through the Local Plan Partial Update beyond that required by the new Environment Bill.

## Consultation Reference DM 11

### New Policy for Biodiversity Net Gain

It is proposed to introduce a new policy requiring biodiversity net gain within development. It is proposed to consult on the policy options set out below (subject to viability testing). The application of these requirement options to different types of development (e.g. major and minor development proposals, brownfield sites etc) will be considered further in preparing the Draft Plan in light of government guidance.

**Option 1:** Development will only be permitted where a Biodiversity Net Gain of at least 10% is demonstrated and secured in perpetuity (at least 30 years) *subject to other requirements as set out below.*

**Option 2:** Development will only be permitted where a Biodiversity Net Gain of 15% is demonstrated and secured in perpetuity (at least 30 years) *subject to other requirements as set out below.*

Further policy requirements applying to both options for consultation under this policy are proposed as follows:

- a) The latest DEFRA metric or agreed equivalent is used to quantify the baseline and post-development biodiversity value of the development site and off-site areas proposed for habitat creation
- b) That the assessment be undertaken by a suitably qualified and/or experienced ecologist and is submitted together with baseline and proposed habitat mapping in a digital format with the application
- c) A 30 year management plan is submitted detailing how the post-development biodiversity values of the site and any supporting off-site mitigation will be achieved
- d) any off-site habitats created are well located to maximise opportunities for local nature recovery

### Option 3

Subject to government guidance consider introducing bespoke local Biodiversity Net Gain requirements for brownfield sites and householder applications.

## Green Infrastructure (GI) (amendments to Policies CP7 and NE1)

- 2.55 Green infrastructure is a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. The Spatial Vision in the Core Strategy highlights '*valued green infrastructure network*' and Strategic Objective SO2 sets out '*Protect and enhance the District's natural, built and cultural assets and provide green infrastructure.*' Several policies throughout the Plan reference the importance and delivery of GI.
- 2.56 The creation, maintenance and enhancement of a local GI network, coupled with encouraging people to use it, can provide multiple wins, by improving environmental sustainability, improving health, and improving health equity. Many of the benefits to health will also help to mitigate and adapt to climate change. Policy NE1 seeks to ensure that new development makes provision for well-designed GI and makes a positive contribution to the GI network. The health and sustainability benefits of GI in both providing and linking to active travel routes for walking and cycling should be facilitated through the policy. This accords with the approach set out in guidance including that from Public Health England, entitled 'Improving access to greenspace. A new review for 2020.'
- 2.57 The Council has a central role in the provision, delivery and planning of GI through its role as local planning authority and direct provider of significant areas of open spaces. It will also work in partnership with key public and private bodies, local communities and the voluntary sector to protect and enhance the GI network and ensure a strategic approach is taken. Key GI projects such as the Bath River Line project will support climate and ecological emergency objectives. It is proposed to designate the Bath River Line project area through the partial update. The designation of other key strategic GI projects, including those referenced in the West of England Joint Green Infrastructure Strategy, will be considered through the full Local Plan review.

## Consultation Reference DM 12

### Amendments to Policy CP7

Green Infrastructure policy to include a designation as relates to the Bath River Line project. Work has been progressing on the Bath River Line: the project is to create a high quality, continuous 10km walking and cycling connection from Newbridge to Batheaston/Bathampton and to improve and better connect the green spaces along the route and manage it as one. The purpose of the designation would be to protect/safeguard the area from built development; to ensure opportunities are taken within development proposals coming forward in the area to plan for green infrastructure and connectivity; and to help identify & facilitate opportunities for the wider network (of GI corridors, footpath/cycle paths etc) to connect into it.



Also amend the policy to emphasise the benefits of green spaces for health and well-being.

## Consultation Reference DM 13

### Amendments to Policy NE1

It is proposed to amend Policy NE1 to ensure that new development in making a positive contribution to the GI network ensures that links are made with active travel routes to help improve accessibility and to require that major development proposals are accompanied by a proposed network of GI that can be used for walking and cycling and other forms of formal or informal physical activity.

### **Artificial pitches (amendments to Policies PCS1, PCS5 and LCR6)**

2.58 Within the region there is an insufficient supply of youth play space, parks and recreational grounds across all area profiles. Difficulties maintaining natural turf and a shortage of available space has amplified the growth in artificial alternatives. Since the late 1970s when artificial alternatives gained popularity, technologies have advanced and third generation (3G) pitches are being employed with the backing of Sport England and the Football Association among other sporting bodies. Artificial pitches are useful mainly due to their

ability to withstand inclement weather and provide significant benefits supporting active lifestyle and well-being by allowing people to play and exercise longer especially in winter.

2.59 3G pitches are constructed using longer pile artificial grass with a rubber crumb infill. These crumb granules are typically styrene butadiene rubber (SBR) originating from shredded waste tyres. Even though the Construction (Design and Management) Regulations 2007 place additional duties on those designing artificial pitches to eliminate or reduce hazards and risks during design, there are some concerns regarding impact on people's health resulting from exposure to contaminated granular material and through the contamination of soil and water. Investigations are ongoing by the European Chemicals Agency (ECHA) to determine whether crumb infill poses a risk to the health of those using third generation sports pitches. Users are advised to follow the safety recommendations made by the ECHA.

2.60 The NPPF states that planning policies and decisions should aim to avoid new and existing developments contributing to land contamination, soil degradation and water pollution. Policy PCS1 embodies the 'precautionary principle' toward the healthy functioning of environmental systems.

2.61 Therefore, some amendments are proposed to Policy PCS1 Pollution and nuisance, PCS5 Contamination and LCR6 New and Replacement Sports and Recreational Facilities as below.

#### **Consultation Reference DM 14**

##### **Amendments to POLICY PCS1: Pollution and Nuisance**

Development will only be permitted providing there is:

1. no unacceptable risk from existing or potential sources of pollution or nuisance on the development, or
2. no unacceptable risks of pollution to other existing or proposed land uses arising from the proposal

## **Consultation Reference DM 15**

### **Amendments to Policy PCS5**

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

1. the proposal would not cause significant harm or risk of significant harm to health or the environment or cause pollution of any watercourse, water body or aquifer
2. remediation measures are put in place as appropriate, and
3. any identified potential harm can be suitably mitigated

## **Consultation Reference DM 16**

### **Amendments to Policy LCR6 New and replacement sports and recreational facilities**

The policy is proposed to be amended to introduce a requirement for applicants to produce a management plan for artificial pitch proposals to address pollution issues.

The management plan should outline the materials used and should consider potential sources of pollution from the installation phase through to end of life, including disposal. This includes both chemical and solid wastes including micro-plastics. Adequate remediation measures must be reported to ensure any identified potential harm can be suitably mitigated.

## Housing

### Affordable housing 'Build to Rent' schemes (amendments to Policy CP9)

- 2.62 Within B&NES and particularly in Bath “Build to Rent” schemes are becoming increasingly popular. These are schemes that provide solely rented accommodation. They are attractive to developers and investors as they generate significant long-term income. For occupiers they provide flexibility, through often short-term tenancy terms, and security of renting high quality accommodation usually from a management company. The rental levels charged are high, especially in Bath. In terms of affordable housing this is provided as an affordable rented tenure and Planning Practice Guidance states that 20% discount is generally regarded as a suitable benchmark for the level of affordable private rent homes to be provided. National affordable housing policy also requires a minimum rent discount of 20% for affordable private rent homes relative to local market rents. Whilst this helps make schemes attractive, a 20% discounted rent does not adequately meet affordable housing need within B&NES and especially Bath.
- 2.63 In order to support people that wish to purchase a home in their local area but are unable to afford a property on the open market the government is introducing ‘First Homes’, which will be made available at a 30% discount off market price. In order to make affordable provision in ‘Build to Rent’ schemes more affordable to those in need in B&NES it is proposed that market rents should be discounted by an equivalent 30%. This would be achieved by amending Policy CP9 as set out below. The financial and delivery implications of this policy change will need to be viability tested in preparing the Draft Plan. In addition, the specific circumstances of individual schemes would need to be taken into account in determining the rental discount level.
- 2.64 ‘Build to Rent’ properties are typically small and usually occupied by one or two people, sometimes from independent households. If they are occupied by three or more people from different households they are classed as Houses in Multiple Occupation (HMO) and may require a HMO licence and planning permission in Bath as an Article 4 direction in place. HMOs are an important part of the local housing market and purpose-built shared accommodation may help affordability for occupiers and address some of the issues relating to HMOs which are converted from family homes. There may be some benefits from allowing flexible uses of new purpose-built managed schemes to help address the existing HMO issues and development viability to support higher discount levels. This will be further explored in preparing the Draft Plan.



## Consultation DM 17

### Amendments to Policy CP9

Add ' Build to Rent Scheme: Affordable units as part of a Build to Rent scheme should be discounted in line with First Homes, to a minimum of 30% which should be capped to a First Homes discounted sale equivalent, however, regard will be given to affordability on a site by site basis'.

### Houses in Multiple Occupation (HMO) (amendments to Policy H2)

- 2.65 The current planning policy framework at Policy H2 sets out the criteria to determine a change of use from residential (use class C3) to a large HMO (use class Sui Generis/SG) district-wide, as well as a change of use from residential (C3) to a small HMO (C4) in Bath, following the introduction of an Article 4 Direction.
- 2.66 Policy H2 is supplemented by the HMO SPD, which sets out the Council's approach to the distribution of HMOs in Bath and seeks to address areas of concentration. Various issues relating to HMOs have been discussed during consultation with stakeholders, a number of which will be reviewed as part of the HMO SPD update currently being prepared alongside the Local Plan Partial Update.
- 2.67 This options consultation relates to the issues raised regarding amendments to policies in the Local Plan. Policy H2 currently relates to assessing applications for a change of use from C3 (residential) to C4 / SG (HMO). The current wording does not provide policy on assessing applications for:
- **New-build HMOs** (either C4 (small HMO) or Sui Generis (large HMO));
  - **Intensification of existing HMOs** from use class C4 (small HMO) to Sui Generis (large HMO); or
  - **Change of use from other uses to HMOs**, for example, applications relating to the change of use of a shop, community facility or office to provide a HMO.
- 2.68 These types of development are not dealt with elsewhere in the Placemaking Plan (except for the change of use from an office to a small HMO at policy ED1B), leaving a policy gap in the existing Local Plan, regarding how they should be assessed. Including these types of HMO applications within planning policy will ensure that they are assessed against relevant criteria, specific to the proposed development. Their inclusion will also give more certainty to applicants prior to submission of a planning application.
- 2.69 As discussed above HMOs are more often in poor condition than other types of housing in the same area. In line with the suggested amendments to Policy CP1 (retro fitting existing buildings), requiring applications for change of use to

HMO to achieve an Energy Performance Certificate rating of “C” or higher is being considered.

### **Proposed policy options for consultation**

2.70 Two options are set out below, for comment during consultation.

#### **Consultation Reference DM 18 Amendments to Policy H2**

**Option 1** seeks to:

- Increase scope of policy H2 to refer to new build HMOs
- Increase scope of policy H2 to refer to change of use from other uses; and
- Introduce supplementary policy H2A to refer to intensification of existing HMOs (C4 to SG)

The option 1 policy approach has been established through the review of the criteria set out in existing policy H2, in order to establish which criteria are relevant to the proposed policy amendments. Where necessary, additional criteria have also been added to the policy wording. (The draft suggested policy is set out below)

**Option 2** Retain Policy H2 with no amendments

2.71 The draft policy wording relating to the option 1 approach, comprising:

- A track-changed version of existing Policy H2, increasing its scope to allow for new-build HMOs and change of use from other uses, and
- New policy H2A, which allows for intensification of existing HMOs.

## **Consultation Reference DM 19**

### **Proposed changes to Policy H2 – Houses in Multiple Occupation**

District-wide a change of use from residential (C3) to a large HMO (Sui Generis use class) will require planning permission. In Bath, a change of use from residential to a small HMO (C4) will also require planning permission as there is a City-wide Article 4 Direction in place. Planning permission is also required for the provision of new build HMOs, and for the change of use of other uses to HMOs. The following criteria will be considered when determining these applications:

- i) If the site is within Bath, and within an area with a high concentration of existing HMO (as defined in the Houses in Multiple Occupation in Bath Supplementary Planning Document, or successor document), further changes of use to HMO use and proposals for new build HMO will not be supported as they will be contrary to supporting a balanced community;
- ii) The HMO use is incompatible with the character and amenity of established adjacent uses;
- iii) The HMO use significantly harms the amenity of adjoining residents through a loss of privacy, visual and noise intrusion;
- iv) The HMO use on its own or cumulatively results in a severe transport impact;

Applications for change of use only will also be assessed against the following criteria:

- v) The HMO use results in the unacceptable loss of accommodation in a locality, in terms of mix, size and type.
- vi) The development prejudices the continued commercial use of ground/ lower floors.
- vii) The HMO use results in the unacceptable loss of a commercial use, in conflict with other Local Plan policies.
- viii) The HMO property does not achieve an Energy Performance Certificate “C” rating

Where new build HMO are proposed, development should also be consistent with other relevant Local Plan policies and guidance relating to new build residential accommodation.

A condition restricting the number of occupants may be attached to permissions where deemed necessary to ensure that no further harmful intensification will occur.

## Intensification of Existing HMOs (new policy)

### Consultation Reference DM 20

#### New Policy H2A – Intensification of Existing Houses in Multiple Occupation

Applications for the intensification of an existing small HMO (C4) to provide a large HMO (Sui Generis) will be permitted, unless the intensification:

- i) Significantly harms the amenity of adjoining residents through a loss of privacy, visual or noise intrusion;
- ii) On its own or cumulatively results in a severe impact on the highway network;
- iii) Does not provide a good standard of accommodation for occupants;
- iv) Does not provide adequate storage for recycling/refuse and bicycles.
- v) Does not achieve an Energy Performance Certificate “C” rating

A condition restricting the number of occupants may be attached to permissions where deemed necessary to ensure that no further harmful intensification will occur.

## Purpose Built Student Accommodation (PBSA) (new policy)

- 2.72 Purpose Built Student Accommodation is accommodation built, or converted, with the specific intention of being occupied by students. Such accommodation is usually provided in the form of cluster flats with shared facilities, individual en-suite units, or studios, and relates to buildings which are not classified by planning use class, or licensing, as HMOs. In Bath, recently built private PBSAs are largely in the form of studios, many of which are built on former employment sites within the city.
- 2.73 The Council’s current policy framework seeks to address student accommodation needs arising from universities’ expansion, whilst not prejudicing other economic, environmental and social objectives from being achieved across the district.
- 2.74 Policy B1 in the Placemaking Plan sets out a spatial strategy for Bath, including enabling the provision of additional on-campus student bed spaces at the University of Bath and Bath Spa University, and new off-campus student accommodation (subject to policy B5), thereby facilitating growth in the overall number of students whilst avoiding growth of the student lettings market.
- 2.75 Policy B5 in the Core Strategy seeks to restrict off campus student accommodation in certain locations – the Central Area, the Enterprise Area and MoD land.

- 2.76 The Council's preferred approach to student housing is, in principle, that future student needs are met, where possible, in purpose-built and managed schemes preferably on-campus, rather than the further conversion of family homes to Houses in Multiple Occupation. Longer term, there may be scope to provide enough students with suitable purpose-built accommodation, that demand for HMOs across the district falls, allowing the conversion of some HMOs back into general housing use.
- 2.77 A recent increase in the number of off-campus PBSA developments across the city has raised concerns that current policies are not strategically directing such development to suitable locations, leading to a rise in issues, comprising:
- Provision of PBSA on sites that could be used for general housing / employment uses.
  - Over-provision of PBSA bed spaces.
  - Over-provision of certain types of PBSA (i.e. studios).
  - Provision of PBSA in locations where a high percentage of the local population is already made up of students, leading to the exacerbation of issues generally associated with these areas (i.e. noise disturbance).
- 2.78 Recent engagement with the Universities has specified that although there is currently uncertainty in the higher education sector due to Covid-19 and Brexit, there will likely be a continued demand for student bed-spaces in Bath over the next 10 years, especially in order to address the issues with HMOs. The University of Bath's growth strategy focuses on improving student experience by improving facilities, with broadly no net increase in student numbers. However, Bath Spa University's growth strategy includes for a net increase of 100 students per annum, up to 2029. This is also to recover from the lower student intakes resulting from the demographic changes and Covid-19.
- 2.79 Other educational establishments within Bath, such as Bath College, Norland College and various language schools, may also require access to student housing.
- 2.80 In order to minimise the issues associated with current PBSA provision, this options document explores ways in which policies could be amended or created to provide a more strategic approach to the provision of off-campus PBSA. This includes reviewing Policy B5 to make it clearer that the strategy is to direct PBSA to on-campus opportunities and for it to only be allowed on sites elsewhere if a need can be demonstrated. Options are then presented for further policies to address this approach in greater detail.

### **Consultation Reference DM 21**

Amend Policy B5 to clarify that as a first priority PBSA should be developed on-campus and that it will only be allowed on other sites where a need can be demonstrated (with further detail to be set out in either Policy H2B or an amended Policy H2). In the Central area and Enterprise Zone it will remain the case that PBSA will also not be permitted where it would adversely affect the realisation of the vision/strategy for the city in relation to delivery of housing and economic development.

Note: further amendment to Policy B5 is proposed in relation to the University of Bath (see section 4)

### **Consultation Reference DM 22**

#### **Proposed options for consultation**

Option 1 – Introduction of new policy H2B to restrict PBSA to allocated sites, or elsewhere in the district only where need is demonstrated. This seeks to direct the majority of PBSA development to allocated on-campus sites, except where an established need associated with an educational establishment can be demonstrated. Demonstration of need would be required in the form of a formal agreement between a developer and an education provider, confirming the number of bed-spaces and accommodation type required. This option provides flexibility to educational establishments during a time of growth uncertainty, whilst restricting the development of off-campus PBSA in general across the city.

Option 2 – Increase the scope of policy H2 to refer to PBSA, including assessment against the HMO threshold test. This option seeks to restrict the development of PBSA in areas where a high concentration of Houses in Multiple Occupation already exists (as defined in the HMO SPD). This option would require PBSA developments to be assessed against the same criteria as HMOs, as set out in policy H2 of the Placemaking Plan.

Option 3 – No policy change and retain policy in its current form, allowing development of PBSA across the city, except for the areas specified in policy B5 of the Core Strategy.

2.81 Suggested policy wording for Option 1

**Consultation Reference DM 23**

**Option 1: New Policy H2B – Purpose Built Student Accommodation**

Purpose built student accommodation of an appropriate scale and design will be permitted:

a) On allocated sites, where student accommodation use is specified in the allocation; or

b) Elsewhere in the district (except for areas restricted by policy B5), where it can be demonstrated that there is a need for additional student accommodation.

All proposals for new, extensions to, or conversions to, Purpose-Built Student Accommodation on sites not allocated for student accommodation, will be required to demonstrate that:

i. There is a need for additional student accommodation of the type proposed, evidenced by a formal agreement between the developer and a relevant education provider, for the supply of bed spaces created by the development;

ii. The proposal will not result in a significant negative impact on retail, employment, leisure, tourism, housing or the council's wider strategic objectives;

iii. The site is in a location accessible by sustainable transport methods, including to the educational establishment to which it is associated;

iv. The use of the site for student accommodation is appropriate in relation to neighbouring uses;

v. The development will not have an unacceptable impact on the amenity of surrounding residents. A management plan will be provided prior to occupation of the development, to ensure adequate management arrangements have been incorporated;

vi. The internal design, layout and size of accommodation and facilities are of an appropriate standard, and an adequate level of outdoor amenity space is provided for use by occupiers;

vii. The proposal provides an appropriate level of car parking having regard to relevant standards (to be defined in a SPD), and provides adequate provision for servicing, pick up;

viii. The proposal provides adequate storage for recycling/refuse and bicycles, in line with relevant standards;

ix. The development has been designed in such a way that it is capable of being re-configured through internal alterations to meet general housing needs in the future if necessary; and

x. The proposal accords with other relevant Local Plan policies relating to, but not limited to, impact on the historic environment, high quality design, landscape, transport and access, flood risk and drainage, nature conservation, pollution and contamination, and responding to climate change.

## **Consultation Reference DM 24**

### **Option 2: Track changed update to policy H2\***

District-wide a change of use from residential (C3) to a large HMO (Sui Generis use class) will require planning permission. In Bath, a change of use from residential to a small HMO (C4) will also require planning permission as there is a City-wide Article 4 Direction in place. Planning permission is also required for the provision of new, extensions to, or conversions to Purpose Built Student Accommodation. The following criteria will be considered when determining these applications:

- i If the site is within Bath, and within an area with a high concentration of existing HMO and PBSA (as defined in the Houses in Multiple Occupation in Bath Supplementary Planning Document, or successor document), further changes of use to HMO or provision of PBSA use—will not be supported as they will be contrary to supporting a balanced community;
- ii The HMO or PBSA use is incompatible with the character and amenity of established adjacent uses;
- iii The HMO or PBSA use significantly harms the amenity of adjoining residents through a loss of privacy, visual and noise intrusion;
- iv The HMO or PBSA use on its own or cumulatively results in a severe transport impact;
- v The HMO or PBSA use results in the unacceptable loss of accommodation in a locality, in terms of mix, size and type;
- vi The development prejudices the continued commercial use of ground/ lower floors.

Where new build PBSA is proposed, development should be consistent with other relevant Local Plan policies and guidance.

\* Additional proposed amendments to policy H2 are set out at consultation reference DM17, relating to HMOs.



## Housing Accessibility (amendment to Policy H7)

- 2.82 The B&NES Corporate Strategy 2020-2024 overriding purpose is to improve people's lives with principles focusing on prevention and preparing for the future. Accessible and adaptable housing enables people to live more independently. It is better to build accessible housing from the outset rather than to make adaptations at a later stage – both in terms of cost and with regard to people being able to remain safe and independent in their homes.
- 2.83 The NPPF sets out that planning policies should make use of the Government's optional technical standards for accessible and adaptable housing where there is a need for such properties through the Local Plan. Planning Practice Guidance (PPG) requires that proposed accessibility standards consider overall impact on the viability of the development and consider site specific factors such as vulnerability to flooding and site topography.
- 2.84 A recent consultation by the Ministry of Housing, Communities & Local Government (MHCLG) *Raising accessibility standards for new homes* sets out that Government proposes to address accessibility issues within new homes, highlighting within the consultation that *'bold options to ensure more new homes are built to higher accessibility standards and with the features needed to give people the dignity and security they deserve in their homes.'* The consultation is also considering the best route to raising accessibility standards of new homes to help create a society where people can live more independently and safely, with greater choice and control over their lives.
- 2.85 Within the partial update it is proposed to take forward accessibility standards in line with up to date evidence subject to viability testing in line with the NPPF 2019 and PPG requirements. The policy also proposes to include the approach to site specific factors. However, the Government may bring forward accessibility standard requirements in advance of updates to policy through the Local Plan Partial Update, and in such circumstances local policy will be updated in line with any changes to national accessibility standard requirements. For affordable housing for reasons of deliverability it is proposed that M4(2) 'accessible and adaptable dwellings' standard will be allied to houses, ground floor flats and to upper floor flats where a lift is installed, plus age restricted homes. Policy H7: Housing Accessibility within the adopted B&NES Placemaking Plan which sets out current accessibility policy as relates to affordable and market housing is proposed to be updated as set out below.

## Consultation reference DM 25

### Amendments to Policy H7

It is proposed to update Policy H7 to require that new housing meets accessibility standard requirements as relates to M4(2) *accessible and adaptable dwellings* and M4(3) *wheelchair user dwellings* in line with up to date evidence and subject to viability testing. It is proposed that the policy includes an approach to site specific factors such as flooding and topography, whereby subject to justification the standards are met on those elements of the site where practicable.

For affordable housing M4(2) *accessible and adaptable dwellings* standard will be applied to houses, ground floor flats and upper floor flats where a lift is installed, and age restricted homes.

### A prosperous economy - Protection of Industrial Land

- 2.86 The NPPF requires that Local Plans should give significant weight to supporting economic growth and productivity. The Placemaking Plan sets out two policies to facilitate new industrial development and protect and manage existing industrial sites.
- 2.87 Evidence shows that since the start of the Local Plan period in 2011 losses of the industrial sites across the District have exceeded the levels set out in the Plan, and the necessary new employment development has not been realised. Additionally, evidence shows that demand for industrial space has increased and is greater than was envisaged at the time of preparing the current Local Plan. There are also limited opportunities to provide new industrial land, especially in Bath. Therefore, it is necessary to review the policy approach.
- 2.88 In Bath since 2011 over 44,241 sqm net of industrial space has already been lost and a loss of a further 492 sqm of space has planning permission, plus an additional 15,648 sqm is expected to be lost through the Placemaking Plan allocations. The total loss of industrial floorspace is therefore more than 60,000 sqm. This is significantly in excess of the 40,000 sqm of managed reduction by 2029 set out in Policy B1.
- 2.89 In Keynsham Policy KE1 facilitates the supply of industrial/warehouse floorspace to change from about 52,000 sqm in 2011 to 60,300 sqm in 2029 resulting in a net increase of 8,300 sqm. The monitoring shows a net loss of 35,480 sqm of industrial space between 2011 and 2019 and a further 367 sqm of space is expected to be lost with extant planning permissions. Even though 30,000 sqm of new employment floorspace is sought at the East Keynsham strategic site allocation (Policy KE3a), overall delivery would still fall short of meeting the required increase in industrial space.

- 2.90 In the Somer Valley Policy SV1 facilitates a managed reduction of industrial floorspace from 126,400 sqm in 2011 to 112,000sqm in 2029, resulting in a net managed loss of 14,400sqm. Since 2011 over net 5,789 sqm of industrial space has been lost between 2011 and 2019 and a further 17,663 sqm of space is expected to be lost with extant planning permissions, totalling 23,452 sqm loss. This is significantly greater than the managed reduction planned for through Policy SV1. However, the Old Mills employment allocation (SV9) is currently expected to deliver 48,000 sqm and this is further facilitated through designation of the Somer Valley Enterprise Zone.
- 2.91 Therefore, it is proposed to amend Policies ED2A and ED2B to strengthen the protection of existing industrial land.

### **Strategic(\*) and other Primary Industrial Estate (amendment to Policy ED2A)**

- 2.92 Placemaking Plan Policy ED2A identifies strategic sites and includes a policy that facilitates the provision of new industrial space within them and a strong presumption in favour of retaining existing B1 (now use Class E)/B2/B8 floorspace.
- 2.93 The Employment Growth and Employment Land Review (March 2020) concludes ‘There is virtually no industrial and warehouse supply identified in Bath despite clear evidence of requirements. This is a critical issue and makes the protection of existing industrial sites essential. Identifying potential industrial sites to service the Bath market should also be a priority. Market opinion is that whilst Keynsham may be able to meet some of the unmet need from Bath there is a risk that economic activity will be lost to other locations including Avonmouth/Sevenside and Swindon/Chippenham/Wiltshire.’
- 2.94 Therefore, it is proposed that a review of the existing sites should be carried out and more sites added to ED2A as Primary Industrial Estates

#### **Consultation reference DM 26**

##### **Options for ED2A**

Based on the Employment Growth and Employment Land Review, it is proposed to identify the following additional sites as Primary Industrial sites to give a strong presumption in favour of retaining these industrial spaces.

- Polamco, Western Lock, Lower Bristol Road, Bath BA2 1EP 2.5 ha. Site comprises a 25,000 sq ft industrial unit built in 2000 and occupied by Polmaco.
- Wansdyke Business Centre, Oldfield Lane, Bath BA23LY. It comprises 22 self-contained commercial units providing a variety of flexible office, workshop and storage accommodation with individual units ranging from 400 sq ft up to 2,500

## **Non-Strategic Industrial Premises (amendments to Policy ED2B)**

- 2.95 Placemaking Plan Policy ED2B was adopted in the context of the National Planning Policy Framework 2012. The NPPF 2012 set out a presumption that employment land and premises should be redeveloped for housing, unless there are 'strong economic reasons' as to why this would be inappropriate. The revised NPPF published in 2018 continues to encourage the use of previously developed land for housing, and that using currently unallocated retail and employment land for homes should be supported but only where it does not undermine key economic sectors and would be compatible with other policies in the Framework (including those relating to supporting economic growth and productivity).
- 2.96 Reflecting the latest national policy (NPPF 2019) and the significant losses of industrial land that have occurred since 2011; and the increased demand for industrial accommodation it is proposed that stronger policy protection of non-strategic or other industrial sites should be introduced.
- 2.97 Current Policy ED2B includes the presumption that applications for residential development of a non-strategic industrial site will be approved, unless strong economic circumstances justifying its retention can be demonstrated. The proposed policy would take a different approach by seeking and presuming retention of non-strategic industrial land for industrial uses, unless it can be demonstrated by the applicant that it is not needed for such uses. This approach would apply to non-strategic industrial sites across the whole District, in order to protect space and jobs across all communities helping to provide local employment opportunities and a fully functioning local economy.
- 2.98 It is acknowledged that small industrial areas generally accommodate smaller-scale provision and local business needs with local importance for industrial and related functions. The Council will be undertaking research to explore the important role of industrial sites of strong neighbourhood importance. The research will look to analyse the role and importance of these sites to both the local community and the functioning of the local economy in terms of sustainability.
- 2.99 In applying such a policy approach the Local Plan would need to set out the factors or criteria against which the applicant would need to justify the proposed loss of industrial space and the Local Planning Authority assess whether the site should be redeveloped for other uses.

## Consultation Reference DM 27

### Option for ED2B

#### Policy ED2B to be amended as below

##### Non-strategic Industrial Premises

1 Proposals for the uses listed in ED2A will be acceptable in-principle at sites already occupied by smaller clusters and stand-alone industrial premises provided that this would not cause unacceptable environmental, residential amenity or highways problems. (no change)

2 Non-strategic sites are not afforded the same level of protection for industrial and warehousing (B4e, B2 & B8 and Egiii ) uses as those listed in ED2A.

~~Applications for residential development or others uses will normally be approved unless there is a strong economic reason why this would be inappropriate.~~

However, as the overall stock of industrial premises within Bath and other areas is at a critically low level there is a presumption that sites will be retained for industrial uses unless it can be demonstrated through applying all of the criteria below that the site should not be retained for industrial use and development to a new use permitted.

- Progress against the area specific managed changes in industrial floorspace stated in the Core Strategy
- Employment & Business Sectoral Growth – growth in business and employment sectors that do or could occupy the site in question.
- Present use - whether the site is presently occupied and the number of people employed on site
- Suitability/ viability – if the site is not currently occupied whether it is in a condition and location that it can viably continue as an industrial employment site
- Local significance or role of the site in its industrial use
- ~~Evidence of unsuccessful marketing on reasonable terms for 12 months prior to an application and during a sustained period of UK economic growth will be taken as evidence that there is not a strong economic reason for refusal.~~

2.100 Due to the chronic shortage of industrial space within the Bath City area, all existing industrial sites including small sites play an important role to Bath remaining a fully functioning economy. It is also important in ensuring that climate emergency goals are fulfilled - both in terms of employment and last mile delivery. Furthermore, industrial space is required to help facilitate green recovery with evidence of demand for such space shown by enquiries registered with the Council. The ongoing presence of industrial space within the city is essential to a functional employment ecosystem.

## **Bath Spa University Locksbrook Campus (new policy)**

- 2.101 Bath Spa University has grown in recent years and currently occupies multiple sites across Bath (also satellite sites in Corsham and Bristol), however many are not purpose built and the University consider that they are therefore inefficient and geographically dispersed. This gives rise to some inefficiencies in timetabling, travelling, staffing and maintenance. The major outstanding issue for the University in moving to net Carbon Zero is the issue of transport.
- 2.102 Bath Spa University is currently preparing its Estate Strategy. The University's strategy is to focus development into two campuses; Newton Park and a new campus area around Locksbrook Road with sustainable travel link between the two and promoting 'walkable' campuses. The schools/facilities with high space per student requirements would be accommodated at Locksbrook campus which is close to much purpose built student accommodation, with other academic, administrative and management space and student accommodation being retained and expanded at Newton Park. The University consider that this approach will enable them to release currently occupied sites within the city for alternative uses such as the Sion Hill site for residential (see section 3)
- 2.103 The key issue in terms of the Locksbrook campus is its location within the Strategic Industrial Land and all industrial sites nearby are protected for industrial use through Policy ED2A. This development may contradict the aims of this policy and the objective of retaining industrial land supply within the city and should be reviewed accordingly.
- 2.104 However, the University proposes that new space would not only be used for teaching spaces, but also used for creative studio spaces for start-up business, shared study space for use with other students, academics and researchers and shared community space with local residence. This would contribute to creative industries/sectors and bring wider economic benefits to the District. This reflects the aim set out in the West of England Industrial Strategy and the West of England Combined Authority's Business Plan 2018/19. The Business Plan includes:
- To plan a better education, employment and skills system building on regional partnerships including with universities and
  - To encourage research and development and innovation to industrialise through greater partnership with the universities.
  - To develop proposals to increase graduate retention, working with universities and businesses.

2.105 Given the alignment with the West of England Local Industrial Strategy and potential benefits for the wider economy it is proposed that an expansion of the Locksbrook campus for Bath Spa University should be considered as an option.

### **Consultation Reference DM 28**

#### **Bath Spa University Locksbrook Campus**

Identify and allocate a site for mixed uses including teaching, community uses, creative innovation art studio space in a walking distance to the Locksbrook campus.

### **Sustainable Transport**

2.106 The approach of the Core Strategy and Placemaking Plan transport policies is focussed on making travel more sustainable by reducing car dependency and working towards making walking, cycling and use of public transport, the more attractive options for travel. This approach is embodied in the strategic objectives of the Core Strategy; the place-based strategy and policies of the Placemaking Plan; as well as the District-wide transport policies. This approach is also in line with national policy and has a number of benefits, including reducing carbon emissions, helping to improve air quality, helping to improve health and wellbeing, and creating more attractive, healthy and successful places to live, work and visit.

2.107 Since the adoption of the Placemaking Plan there have been some significant changed circumstances that need to be reflected in the transport policy framework. Primary amongst these is the Council's Climate and Ecological Emergencies and the ambition to achieve carbon neutrality by 2030. This means that the current focus of policies on promoting sustainable travel must be further strengthened. Policies also need to be refocussed to ensure they support other transport initiatives of the Council and the wider sub-region. In summary changes to the transport policies will focus on:

- Increased recognition of the importance of location and design in the transport sustainability of development.
- Ensuring that development transport choices e.g. access strategy and mitigation, are required to place sustainable modes first.
- Increased emphasis on linkages between transport, health and well-being, equality and inclusivity, creating better places, climate and air quality.
- Embedding 'Liveable Neighbourhoods' measures and principles.
- Updating the current status of transport schemes and issues e.g. Park and Ride, Transport Interchanges, Mass Transit, Saltford bypass and Saltford Station.

2.108 Set out below are proposed changes in policy approach for each of the sustainable transport policies. Following consultation on these approach changes amendments to policy wording will be set out in the pre-submission Draft Plan.

### Promoting Sustainable Travel (amendments to Policy ST1)

#### Consultation reference DM29

#### ST1: Promoting Sustainable Travel

It is proposed to strengthen this policy by adding the elements outlined below:

Requirement for development to be **located** where there are opportunities to travel by alternatives to private car usage, and with opportunities to reduce travel distance

Requirement for development **design** to support sustainable travel. This aims to enable schemes to be refused on the basis of poor transport design creating car dependency, rather than just not meeting highways design standards.

Sustainable transport opportunities to be available for first occupiers – **early delivery**.

**Mitigation** must maximise opportunities for mode shift before increasing traffic capacity.

Opportunities for low-carbon, last mile goods **deliveries** – dependent on scale/location of development



## **Sustainable Transport Route (amendment to Policy ST2)**

### **Consultation reference DM30**

#### **ST2: Sustainable Transport Routes**

The policy currently refers to former railway land being safeguarded for sustainable travel routes. It is proposed that the wording is amended to widen the scope to include other land to be safeguarded for this purpose and for the relevant land/routes to be shown on the Policies Map. E.g. North Keynsham multi-modal corridor. In addition the policy is proposed to be strengthened to require development schemes along the safeguarded route to contribute towards its delivery.

## **Recreational Routes (amendment to Policy ST2A)**

### **Consultation reference DM 31**

#### **ST2A: Recreational Routes**

It is proposed to amend the policy so that developments are expected to enhance recreational routes, rather than just maintaining them or avoiding harm. There will be an expectation that the developer/applicant will provide additional linkages where appropriate.

## **Transport Infrastructure (amendment to ST3)**

### **Consultation reference DM 32**

#### **ST3: Transport Infrastructure**

It is proposed to strengthen this policy by adding the elements outlined below:

Infrastructure to be planned and designed promoting mode shift to sustainable transport as a priority over traffic capacity.

Schemes which increase traffic capacity must demonstrate that opportunities to achieve mode shift as an alternative solution have been exhausted. Such schemes must incorporate commensurate sustainable transport improvements.

Add LTN1/20 into the list of design guidance with which proposals should comply

2.109 Transport infrastructure schemes that would facilitate greater use of sustainable modes of travel include the potential re-opening of Salford railway station. The Placemaking Plan makes reference to the opportunity for re-opening a station at Salford and discusses the 2013 consultation and 2014

Cabinet decisions. It is proposed that these references be updated to reflect the current position, which includes the October '19 Full Cabinet resolution of support, inclusion within JLTP4 as a potential new station, and the feasibility analysis in the Greater Bristol Area Rail Feasibility Study (GBARFS). A key challenge to delivery of a station at Saltford is network capacity, which was examined through GBARFS and found that it was feasible to provide additional capacity to enable train stops at Saltford. Reference to MetroWest in the Placemaking Plan will also need to be updated to reflect the current status of the project.

2.110 Liveable Neighbourhoods are also an important aspect of proposals to tackle the climate emergency and to improve health and wellbeing across the area. The ambition is for Liveable Neighbourhoods to breathe new life into residential areas by reducing the dominance of motor vehicles. The Council is striving to reconsider how road space is utilised to reduce carbon emissions, improve air quality, enhance road safety and promote healthy lifestyles. The idea is to provide fairer access for those travelling on foot and by bicycle, creating healthier outdoor spaces for everyone to enjoy. This includes better walking and cycling routes, and vibrant local high streets where people can relax outside and connect with others. The creation of Liveable Neighbourhoods should be facilitated through planning policy.

### **Traffic Management Proposals (amendment to Policy ST5)**

#### **Consultation reference DM 33**

#### **ST5: Traffic Management Proposals**

It is proposed that this policy should be amended by adding requirements that reflect the Council's Liveable Neighbourhoods Strategy. These additional requirements will:

Create attractive places to enhance sense of community, health and wellbeing through re-balancing space towards people and away from vehicles.

Achieve mode shift through discouraging short car journeys and prioritising walking and cycling;

Support people with restricted mobility;

Reduce on-street non-residential parking and provide opportunities for EV charging, car clubs, social spaces and improved walking and cycling routes;

Retain vehicular access for residents and businesses; and

Be implemented on a trial basis to enable changes to be made in consultation with the council and community

- 2.111 The Placemaking Plan identifies that the Council is proposing to expand Park & Ride provision serving Bath as part of a wider strategy promoting sustainable means of transport and reducing the impact of vehicles in the city. It should be noted that since then the Joint Local Transport Plan (JLTP4) has been approved which states that *“In Bath the Council will explore and support options for increasing travel choices and reducing single occupancy vehicle use into our urban areas. The Council will investigate further expansion and improvement of the existing Park & Ride sites at Newbridge, Lansdown and Odd Down.”* Policy ST6 sets out the criteria for determining planning applications for enhanced Park & Ride provision. These criteria should require that the most suitable and sustainable site has been selected and ensure transport benefits are assessed.
- 2.112 Park & Ride sites traditionally have solely provided parking on the edge of the city for bus services into the city centre. There is an opportunity for Park & Ride sites to act as a transport interchange providing opportunities to connect to wider areas through a variety of transport modes. In addition, there may be an opportunity for the Park & Ride sites to play other beneficial roles e.g. solar energy generation. These wider roles may require their removal from the Green Belt, subject to the demonstration of exceptional circumstances (see section 4 below).

### **Park & Ride (amendment to Policy ST6)**

#### **Consultation reference DM34**

#### **ST6: Park & Ride**

It is proposed to amend the policy to:

Change the emphasis from ‘traditional’ park and ride to develop a new model of “interchange” a multi modal connection with opportunities for e-car hire, e-bike hire, access to the countryside, community gain such as solar canopy, alternative uses for social gain outside of peak usage e.g. farmers markets, cafés, pop up venues and festivals all to be explored. A multi modal site, not just car to bus.

Add the requirement to demonstrate that the most suitable and sustainable available site(s) has been selected.

To expand the requirement to assess traffic impact in order that it also includes assessment of transport benefits

2.113 In addition to ensuring opportunities for sustainable travel are maximised through new development it is proposed that the parking standards currently defined in the Placemaking Plan will be removed from Policy ST7 and will be defined in a separate SPD. The parking standards will be reviewed in the context of the Climate Emergency declaration and subject to separate consultation, anticipated to take place alongside the pre-submission Draft Plan. Defining the parking standards in a SPD also provides greater flexibility to review them again in the future in response to changing circumstances.

### **Transport requirements for Management Development (amendment to Policy ST7)**

#### **Consultation reference DM 35**

#### **ST7: Transport Requirements for Managing Development**

It is proposed to change the policy by:

Strengthening the requirement for development to offer genuine travel choice through opportunities to travel sustainably

Requiring that transport improvements and/or mitigation maximise sustainable travel opportunities

Removing Parking standards from the Policy and defining them in a new Parking SPD (which will be referred to in the Policy).

### **Green Belt (amendments to Policy GB2)**

2.114 Within villages washed over by the Green Belt Placemaking Plan Policy GB2 (Development in Green Belt Villages) allows residential development if it is limited to infill within the defined Housing Development Boundary (HDB). This approach broadly reflects the NPPF. However, the NPPF simply references infill development as not being inappropriate development in the Green Belt and also refers to the redevelopment of previously developed land (as long as there is no greater impact on openness) or replacement of dwellings (as long as they are not materially larger than the existing dwelling) as not being inappropriate. Court judgements have concluded that whether a residential proposal is infill and as such lies within the extent of the village is to be judged and determined on an individual scheme basis. A village boundary defined in a Local Plan can be useful in informing this assessment and judgement, but it is not determinative.

2.115 As a result Policy GB2 needs to be revised. Firstly, so that it references the replacement of dwellings or redevelopment of previously developed land in villages within the Green Belt as being acceptable subject to the caveats noted in para 2.104 above (in order to accord with the NPPF) and secondly, to align

with Court judgements in respect of the reference to Housing Development Boundaries.

2.116 Whilst HDBs are not the same as a village boundary, in the case of villages within the Green Belt they are primarily defined in a way so as to be infill boundaries i.e. they exclude those parts or edges of the village where development could not be regarded as infill. This is within the context of the Core Strategy definition of infill which in relation to housing is *“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 generally being surrounded on at least three sides by developed sites or roads”*.

2.117 In amending the policy two options exist. The first option is to amend the reference to HDBs so that it is clear they are infill boundaries and that they are not determinative as to whether development is to be regarded as infill, but that they do provide a strong indication or starting point. Or the second option would be to remove HDBs for the Green Belt villages from the Policies Map and reference to them in the policy and for limited infill to be considered solely on an individual scheme basis, with no indication in the Local Plan. Under the first option further work would be needed to ensure HDBs fully reflect the role of an infill boundary and that such boundaries are defined for all ‘villages’ within the Green Belt.

## **Consultation reference DM 36**

### **Policy GB2: Development in Green Belt Villages**

Amend Policy GB2 by adding reference to residential development being permitted where it is limited to infill or a replacement dwelling (subject to it not being materially larger than the dwelling to replaced) or redevelopment of previously developed land (subject to no greater impact on openness).

In relation to infill development and reference to HDBs:

#### **Option 1**

Amend the policy to make it clear that infill development is acceptable and that infill boundaries are defined on the Policies Map to provide a strong indication as to those parts of the village where development is capable of being considered to be infill in nature (and that outside the infill boundaries a scheme is unlikely to be regarded as infill). Housing Development Boundaries need to be assessed and redefined as 'infill boundaries' and 'infill boundaries' need to be defined for all villages within the Green Belt.

#### **Option 2**

Remove Housing Development Boundaries defined for the Green Belt villages from the Policies Map and reference to them in the Policy so that it just refers to residential development being acceptable where is it limited to infill (or the redevelopment of previously developed land or replacement of dwellings)

### 3. Addressing Housing Supply

#### Introduction

- 3.1 The housing requirement of around 13,000 homes for the plan period from 2011 to 2029 is established in the Core Strategy (adopted July 2014). Of this 7,320 had been built by 31st March 2020. The remaining requirement is therefore 5,680. In relation to housing supply the Council publishes an updated housing delivery trajectory each year which sets out the anticipated realistic delivery of homes on ‘committed’ sites i.e. those with an extant planning permission or allocated in the Placemaking Plan. Reviewing the current housing sites, it is estimated that around 5,300 dwellings can realistically come forward. This would leave a shortfall of around 400 dwellings. The Council confirmed at the Placemaking Plan Examination that there was a marginal shortfall (then of an estimated 350 dwellings against the Core Strategy requirement) towards the end of the Plan period and that this would be addressed through the five yearly review of the Plan. This review is being undertaken now through this partial update.
- 3.2 In recent years housing delivery rates have exceeded the annual requirement set by the Core Strategy partly making up for initial under delivery. However, this ‘over delivery’ can no longer be counted since the government has also now introduced the Housing Delivery Test meaning that at least 722 new homes (the Core Strategy annualised Housing Requirement) have to be delivered each year (looking backwards to the preceding three years).
- 3.3 Therefore, the outstanding requirement for the remainder of the Core Strategy period to 2029 is 6,498 homes (722 x 9). Given the current supply of 5,300 and in order to meet the outstanding requirement to 2029 and to accord with the Housing Delivery Test the supply shortfall is around 1,200 homes.

<b>Core Strategy requirement 2011 to 2029</b>	<b>Built by March 2020</b>	<b>The rest of plan period (722 x 9 years)</b>	<b>Current supply</b>
13,000 dwellings (722 per annum)	7,320 dwellings	6,498 dwellings	5,300 dwellings

Shortfall to 2029 is 6,498 – 5,300 = 1,198 dwellings
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3.4 As this is only a Partial Update to an existing Plan, and not a new Plan, the housing land supply issue must be considered in the context of the existing Core Strategy, and not the standard methodology. If the Council was preparing a new Local Plan the standard methodology figure would be used as the starting point in setting a new housing requirement figure for B&NES. For comparison, the housing supply shortfall under the current standard methodology (2014 based projections) is as follows;

- Annualised requirement is 648 dwellings p/a
- 9 years x 648 = 5,832 dwellings
- Current supply = 5,461 dwellings (this includes 161 dwellings equivalent from purpose built student accommodation as this forms part of the standard methodology figure)
- Shortfall is 5,832 – 5,461 dwellings = 371 dwellings

3.5 For the reasons stated in the above paragraph, using the standard method to identify the housing land supply shortfall is not considered by the Council to be a reasonable option, but views on this as an alternative approach are welcomed.

3.6 The Local Plan Partial Update therefore needs to identify and allocate sites to deliver around 1,200 homes. In doing so this will enable further flexibility in delivering the Core Strategy overall requirement of around 13,000. The sections below outline the spatial strategy approach that has been followed in identifying sites and the proposed site allocations to meet the shortfall.

### **Spatial Strategy Approach**

3.7 As set out above the Partial Update cannot amend the spatial strategy of the Core Strategy. Therefore, the existing spatial strategy must be the basis for identifying and allocating sites for delivering additional housing. The existing spatial strategy directs development to the most sustainable locations in the District, minimising the need to travel especially by car and restrains growth in less sustainable locations likely to generate increased travel by private car, including villages. In line with the climate emergency the strategy helps to also ensure carbon emissions from transport are minimised. The Core Strategy also seeks to ensure that housing provision is aligned with infrastructure.

3.8 The Core Strategy prioritises the redevelopment of brownfield sites for housing within the urban areas, and especially within Bath as the main centre in the District offering employment opportunities, an excellent range of services and



facilities and relatively high levels of sustainable transport use. Keynsham is the next most sustainable location for accommodating housing within the District, given it is well linked to Bath through sustainable means of transport, including by train and a good bus service, and it has good services and facilities and an improving employment base. Opportunities for housing are then focussed towards the other towns within the District i.e. Midsomer Norton, Radstock and Westfield Parish.

- 3.9 The adopted Core Strategy also directed some housing development of around 50 dwellings, primarily aimed at meeting local needs, towards the larger and more sustainable villages (i.e. those with a greater range of services and facilities and better public transport accessibility to the main centres in B&NES). Within the Core Strategy a more limited scale of development of around 10 to 15 dwellings is provided for at the smaller villages outside the Green Belt. The Core Strategy also directed a more strategic level of growth to Whitchurch given its comparative sustainability in terms of links to job opportunities and services & facilities in Bristol. It is not considered appropriate to focus further strategic growth at Whitchurch in this partial update for the reasons outlined below and because its close relationship with Bristol means it is better considered through the WECA Spatial Development Strategy.
- 3.10 In distributing housing growth the role of the Green Belt must also be taken into account. Some of the most sustainable settlements within B&NES, most notably Bath and Keynsham, are tightly surrounded by the Green Belt. Therefore, the amount of development provided on sites adjoining these settlements is more limited than otherwise would be the case. Land can only be removed from the Green Belt for development where this can be justified by exceptional circumstances. Some land was removed from the Green Belt in the Core Strategy and allocated for housing development adjoining Bath, Keynsham and Whitchurch (the latter being more sustainably linked to Bristol rather than centres within B&NES).
- 3.11 At a strategic level, opportunities on the edge of Bath were assessed and allocated where appropriate through preparing the Core Strategy. The impact of development on the edge of the City not only in Green Belt terms, but on the World Heritage Site and its setting, the Cotswolds AONB and other environmental assets, was shown to limit development potential. Circumstances are not considered to have changed since adoption of these Development Plan Documents.
- 3.12 At Keynsham land well related to the Bristol-Bath public transport corridor has already been removed from the Green Belt on the eastern side of the town. Some of this land was allocated for housing and employment development in the Core Strategy and is currently being developed. The remainder of the land

was safeguarded for future development pending review of the Core Strategy and its deliverability. This review is now being undertaken through this partial update of the Local Plan. Therefore, as set out below and subject to evidence on its deliverability there is the opportunity to allocate this land for development now (see section 3 below).

- 3.13 The supply shortfall of around 1,200 dwellings therefore, needs to be addressed in accordance with the spatial strategy outlined above. Since the adoption of the Core Strategy and the Placemaking Plan the NPPF has been amended. These amendments change the emphasis regarding and indicate a greater level of protection for the Green Belt and this needs to be reflected in identifying the solutions to the supply shortfall. As set out below brownfield sites have been identified capable of delivering around 1,000 dwellings during the plan period. Greenfield sites, not in the Green Belt, in sustainable locations then need to be considered. No greenfield opportunities outside the Green Belt on the edge of Bath have been identified. The safeguarded land on the edge of Keynsham is no longer within the Green Belt and is in the next most sustainable location in the District. Subject to evidence the safeguarded land can deliver around 300 dwellings during the plan period. As such the brownfield sites and safeguarded land east of Keynsham are capable of meeting the overall supply shortfall with a degree of flexibility.
- 3.14 However, if the safeguarded land at Keynsham is not deliverable the Council will need to consider what measures would be required to facilitate its delivery. As set out in more detail below transport infrastructure measures might be needed that require removal of additional land from the Green Belt to the north of the A4. In the circumstances where the safeguarded land is not deliverable without such intervention the Council will need to carefully consider alternative solutions, including greenfield sites to the south of the District and outside the Green Belt, if these are demonstrated to be sufficiently sustainable, as well as smaller, non-strategic greenfield sites on the edge of Bath within the Green Belt.
- 3.15 As required by the NPPF, para 138, the Council will need to consider the sustainability implications of the different options and of channelling development towards locations beyond the Green Belt outer boundary. As such a balanced judgement will need to be made regarding the comparative sustainability and benefits of these different solutions against the harm caused to the Green Belt, as well as other harm. This balanced judgement will determine whether exceptional circumstances exist to remove further land from the Green Belt.

## Potential Site Allocations: Options and Key Issues to address

- 3.16 Based on the spatial strategy outlined above, the sites identified in table 1 below are proposed in order to provide housing to meet the supply shortfall. This includes both reviewing sites already allocated within the Placemaking Plan and identifying new opportunities.
- 3.17 The sites proposed are primarily focussed within Bath and at Keynsham. These opportunities are sufficient to meet the supply shortfall of around 1,200 homes with a degree of flexibility necessary through the plan-making process. The housing figures referenced in Policies B1 (Bath Spatial Strategy) and KE1 (Keynsham Spatial Strategy) would need to be amended accordingly.
- 3.18 In selecting these sites regard has been had to the need to retain or accommodate other uses, including employment opportunities, in accordance with the existing spatial strategy for both Bath and Keynsham.
- 3.19 For each of the sites listed in table 1 further information is set out on dwelling capacity and key constraints and opportunities to be addressed. In the pre-submission Draft Plan site allocations will be proposed, with a clear policy setting out the key requirements of development and a concept diagram illustrating how these requirements should be met. The proposed site allocations will be subject to viability testing to help demonstrate their deliverability.

### Other Housing Site Opportunities

- 3.20 Whilst the Council consider the sites listed below in Bath, Keynsham and Westfield are sufficient to meet the supply shortfall should it become evident that this capacity cannot be delivered other opportunities would need to be considered in accordance with the spatial strategy outlined above. These opportunities would draw from those identified in and assessed through the Housing and Employment Land Availability Assessment.

Table 1: Summary of housing sites proposed to meet supply shortfall

Location/Site	Housing capacity
Bath	
<b>Policy SB7 Green Park West and Sydenham Park</b>	300
<b>Policy SB8 Western Riverside</b>	340
<b>Policy SB14 Twerton Park</b>	90
<b>Policy SB18 RUH</b>	100*
<b>Roseberry Place</b>	80
<b>Station Road</b>	10
<b>Bath sub-total</b>	<b>920</b>
Keynsham	

<b>Fire Station</b>	15
<b>Treetops Nursing Home</b>	10-15**
<b>Safeguarded land (Policy KE3b)</b>	300
<b>Keynsham sub-total</b>	<b>325</b>
Westfield	
<b>Radco site</b>	50
<b>Westfield sub-total</b>	<b>50</b>
<b>Total</b>	<b>1,295</b>

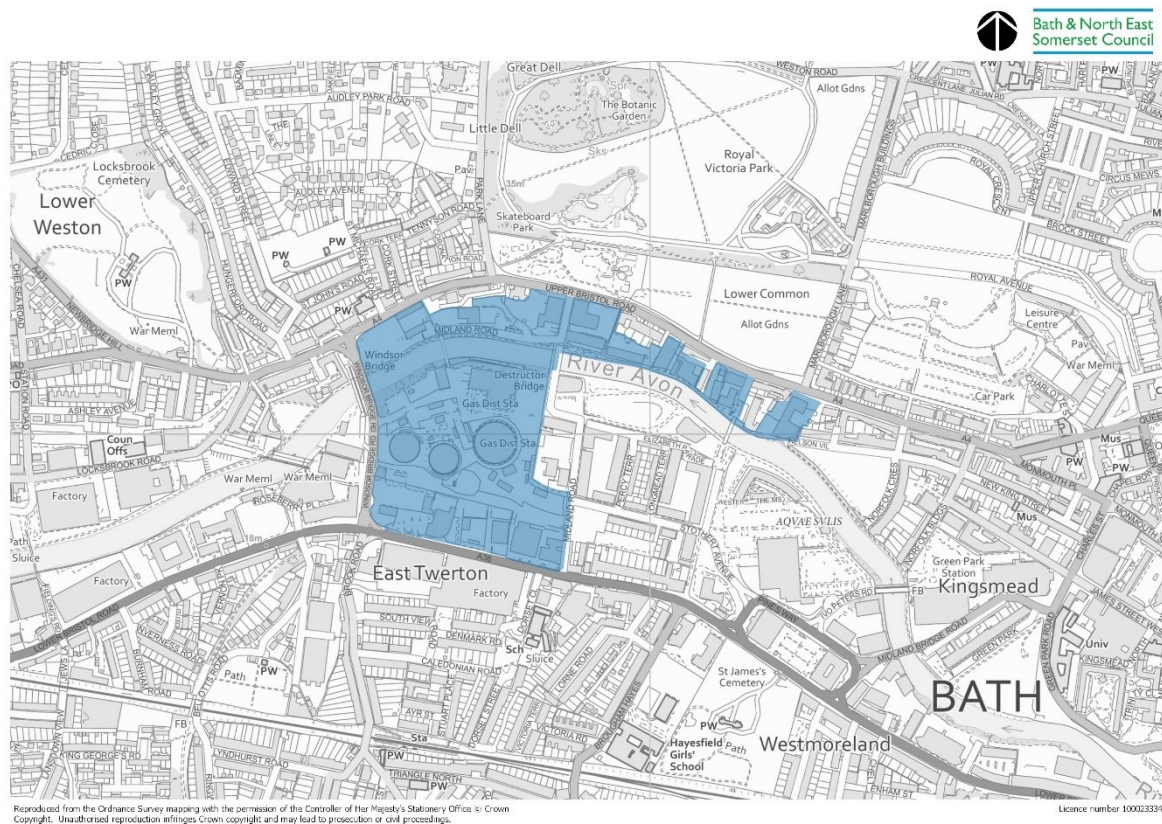
\*Note: 50 units are already included in the housing trajectory. The 100 figure above is additional capacity. Therefore, the total capacity is 150 dwellings

\*\*Note: 10-15 dwellings figure above is a net increase. The site currently provides 40 bed spaces. Through redevelopment this could increase to 55-60 C2 extra care homes

3.21 In addition to housing on the sites identified above there may be potential for residential development to be delivered on the Bath Spa University Campus at Sion Hill (estimated capacity of around 60 homes). This housing would only come forward under the option set out in Section 2, whereby Bath Spa University consolidates its presence in the Locksbrook Road area, thereby meaning that it would release Sion Hill for residential development. As this is an option at this stage the housing is not included in the supply outlined above.

## Policy SB8: Bath Riverside

Map:



### Context

Bath Riverside, on land formally occupied by Stothert & Pitt – ‘Cranemakers to the World’ and various railway lines and associated infrastructure, has been transformed over the past ten years. The first phase of development on the main site has delivered over 800 new dwellings, provided new and refurbished bridges and enhanced public realm and open spaces.

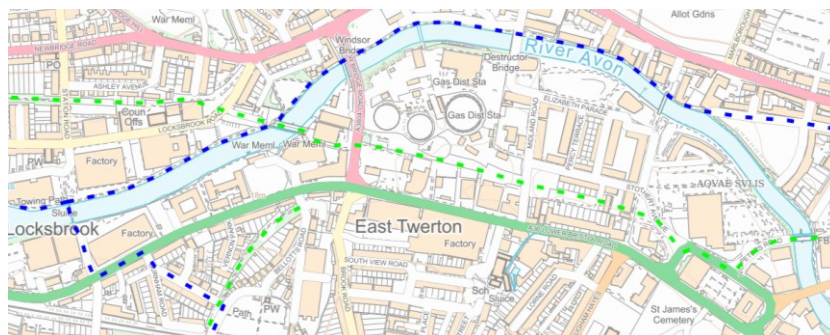
The second phase of development on the main site is due to be delivered over the next ten year period. To facilitate and enable this development and to ensure that it better reflects the Council’s priorities with regards to the climate and ecological emergency, it is proposed to replace the adopted Site Allocation Policy SB8 with an up to date planning policy framework that will help to facilitate the appropriate development of this site, providing clarity and certainly on the development requirements and design expectations to help shape this next major phase of regeneration.

There is also a potential opportunity to update the supporting policy framework such as the current Bath Western Riverside Supplementary Planning Document (SPD) and Masterplan (2008) that applies to this area. How this could be taken forward is

to be resolved but given the limited resources available to the Council, one option is that the lead developer team for the next phase could commission the update of the supporting policy framework, informed by a detailed site and contextual analysis. Such work would need to be undertaken in close collaboration with the LPA and the community and any update to the SPD would need to be adopted by the LPA after going through all statutory public consultation requirements.

### **Key opportunities and constraints**

1. A key priority and opportunity for this site is the delivery of a mix of high quality homes that contribute to vibrant and healthy communities, and which support and are aligned with the economic growth aspirations of the city. The number of homes that are required as part of the development will be informed by the site and contextual analysis that needs to be undertaken.
2. This next phase of Bath Riverside must continue to evolve the innovations introduced in the first phase, such as district heating, and deliver an exemplary development with regards to reductions in embodied energy and in carbon emissions, as well as delivering on renewable energy.
3. That the recently declared ecological emergency must be a core consideration in the formulation of development proposals. As an example, this is likely to require a biodiversity led approach towards the treatment of the riverside edge. The arrangement of streets and open spaces could enable the planting of large species trees
4. To transform opportunities for walking and cycling, this phase of the development must be designed around the delivery of the existing safeguarded sustainable transport route that runs through the site. This safeguarded route will connect to the Two Tunnels route (through Roseberry Place) and align with the reopening of the dis-used railway bridge over the river, see green hatched line below:



5. Delivery of social infrastructure as appropriate such as the new one form entry primary school, early years provision and community infrastructure.

6. Development proposals will need to be informed by a comprehensive understanding and full appreciation of the sensitive context in which this area sits. Height, scale and massing, roofscape design and treatment, materials, the relationships between buildings, streets and open spaces are all critically important issues within the context of the World Heritage Site.

### **Policy Options (capacity)**

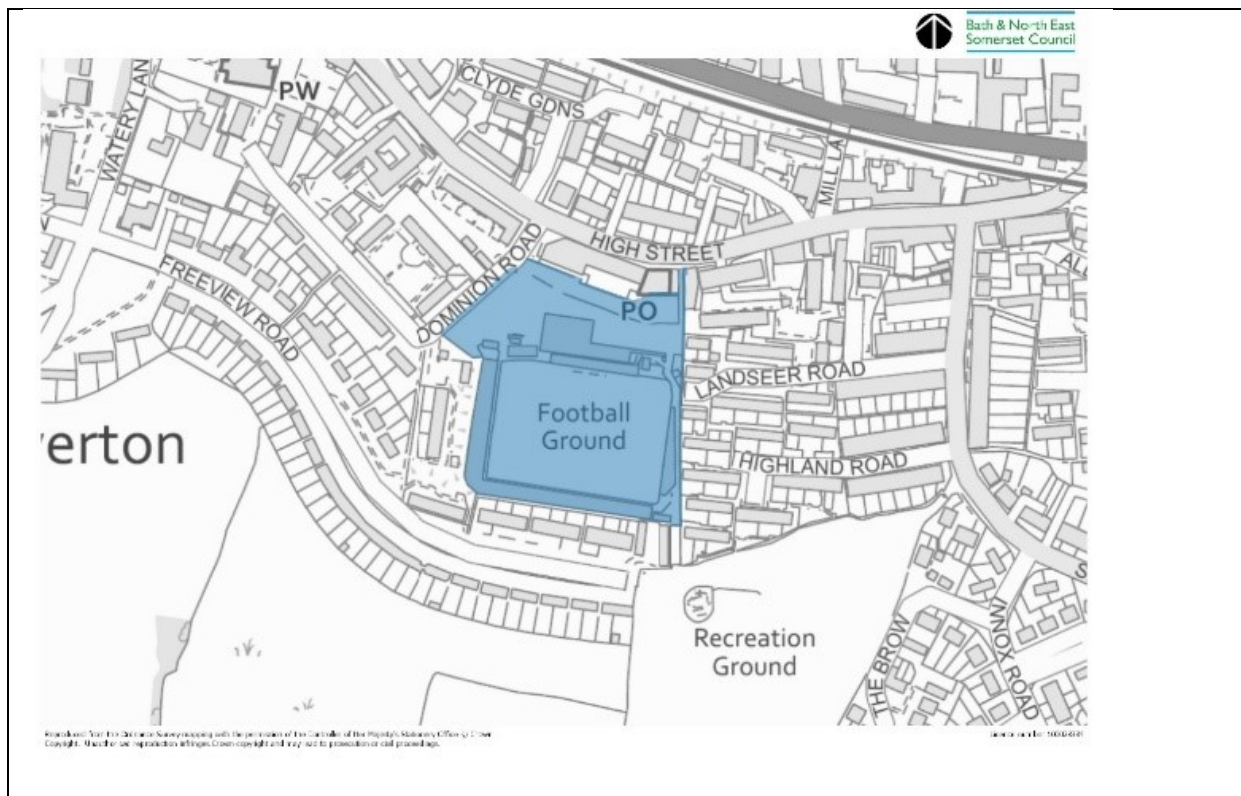
1. In line with the scope of the existing Site Allocation and SPD, any updates to the policy framework will need to ensure that the delivery of the site is comprehensive. This will require collaboration with adjacent landowners to agree key principles, and for an overall masterplan to be approved as part of an outline planning application which covers the entirety of the site.
2. The provision of open spaces for recreational purposes needs to be responsive to the existing provision within the wider area. The existing requirements in Policy SB8 from the Placemaking Plan requires 'public access to and alongside the riverside'. It is recognised that there is a potential conflict here between providing public access and providing ecological mitigation and enhancement along the river edge. In recognition of the Council's recent ecological emergency declaration, it is proposed that the policy should require development to be set-back from the riverside edge to enable habitat creation and dark corridors and only allowing public access, where this doesn't compromise the biodiversity habitats.
3. Development in this location will need to deliver affordable housing in accordance with the adopted policy. In relation to market housing there are a number of options in relation to requiring a mix and range of residential sizes and typologies. Options include:
  - i) Specifying the numbers or percentage of 1, 2 or 3 bed properties
  - ii) Defining the split between flats and houses on the site
  - iii) Being clear that Purpose Built Student Accommodation (PBSA) is not appropriate on this site given the strategy of prioritising general housing delivery.
  - iv) Subject to supporting evidence specifying a limit on the proportion of Build to Rent (BTR) that may be proposed.
4. The overall dwelling capacity of the site will be increased to around 1,750. (Currently 928 homes are assumed to be delivered during the plan period, this will increase by 340 to around 1,270 homes. Around a further 480 homes are anticipated to be delivered beyond the plan period)
5. Given its highly sustainable location and as long as any potential adverse impacts on adjacent/nearby areas are addressed, there is an option of significantly reducing the level of car parking that is required to be provided on the site. To do so, access by sustainable modes of transport will need to be

significantly improved and prioritised.

6. The site on the junction of Windsor Bridge Road and the Upper Bristol Road has been unused for a considerable period of time. There have been attempts by the landowner to secure planning permission for the redevelopment of the site, particularly for student housing, but these have not proved successful. Whilst the Council is supportive of the principle of development coming forward on this site, it will only be acceptable where it complies with the adopted policy framework and delivers a high quality development that responds to the site and its wider context.
7. It is proposed that the update to Policy SB8 will include the following:
  - i) a specific policy reference to the delivery of the site in accordance with the Council's climate and ecological emergency declarations.
  - ii) a clear route network and the connections to the surrounding context, including into the proposed redevelopment of the waste site.
  - iii) specification of the appropriate land use mix for the development and how particular uses need to relate to surrounding streets such as to Windsor Bridge Road and the Upper Bristol Road. This will align with the Council's policy approach of not allowing student housing on this site.
  - iv) clarification on the parameters of development in terms of building heights, scale and massing.



## Policy SB14 Twerton Park



### Context

The need to update the current facilities of Bath City Football Club and to optimise the comprehensive regeneration of the area to the north has long been recognised, and recently there has been a concerted effort on the part of the club, working in partnership with the owners of the development fronting onto Twerton High Street, to address this potential. Development proposals have been formulated and a planning application (Ref: 19/02276/FUL) was submitted in 2019. This was refused at planning committee on the grounds of poor design, harm to the conservation area, harm to residential amenity and lack of parking.

Despite this, there continues to be potential for development to take place which supports the long term future of the club and its important role within the both the local and wider community. Undertaken in a creative and sensitive manner, the regeneration of this area offers the potential to not only meet the operational needs of Bath City Football Club, but to also act as the catalyst to secure an economically vibrant, healthy and long term future for Twerton High Street.

The Local Plan Partial Update provides the opportunity to update the existing Site Allocation SB14, providing a more robust planning policy framework that can enable an appropriate development response.

### Key opportunities and constraints

1. Providing a specific policy framework that encourages and enables the

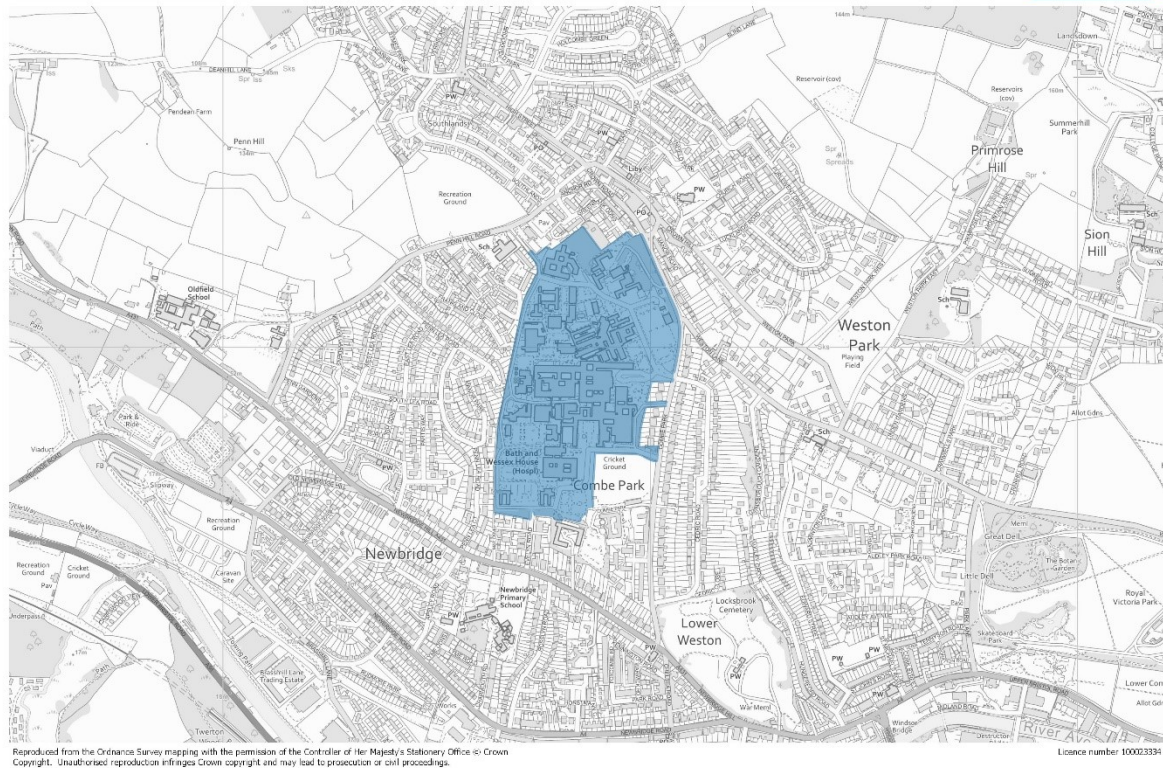
delivery of the site in accordance with the Council's climate and ecological emergency declarations.

2. Create the conditions for appropriate regeneration that delivers wide benefits – meeting the commercial requirements of the club, the community benefits to Twerton, economic vibrancy and conservation benefits to Twerton High Street.
3. Opportunity to address local needs such as a neighbourhood employment hub that provides workspaces, meeting rooms, and communal facilities. These could be combined with club facilities.
4. Provide clarity and be more specific on land use/design requirements, including residential development

### **Policy Options (capacity)**

1. It is anticipated that there is capacity for at around 90 dwellings on this site, subject to an appropriate response to the issues of acknowledged importance (see above).
2. In relation to mix of housing types there are two main options:
  - i) The policy require a mix of housing types to be provided, but then leave that mix to be determined by the developer to ensure a deliverable scheme.
  - ii) Subject to evidence the policy provide minimum thresholds of different housing typologies/size.
3. The policy approach could seek to be specific on the range of additional uses required on site (subject to viability).

## SB18 Bath Royal United Hospital



### Context

The Placemaking Plan SB18 sets out the planning policy for the Royal United Hospital (RUH) and refers to the RUH Trust's Estate Strategy 2014. The Trust is now updating its Strategy considering the future clinical and operational needs as well as increasing staff, patient numbers, forecast population growth and associated healthcare services demands. The Strategy would also respond to two NHS targets:

- For the emissions they control directly; reach net zero by 2040, with an ambition to reach an 80% reduction by 2028 to 2032;
- For the emissions they can influence; reach net zero by 2045, with an ambition to reach an 80% reduction by 2036 to 2039.

The Trust has been selected for HIP2 funding under the Government's new Hospital Infrastructure Plan. Potentially up to £450m of investment could be available subject to approval of their business case and obtaining the necessary planning approvals. The Trust has been awarded seed funding to kick-start the process to proceed to the next state of developing their hospital plans.

Since Policy SB18 was first drafted the Trust has delivered, implemented and built the key elements of their Estate Strategy (2014) including the RUH North

Redevelopment. The immediate current Trust priorities are to deliver new and refurbished staff accommodation on-site as part of the wider estate renewal programme which is essential to the recruitment and retention of staff.

Policy support and recognition of this significant healthcare investment opportunity should therefore be reflected within an updated SB18 Policy

### **Key opportunities and constraints**

- Providing a specific policy framework that encourages and enables the delivery of the site in accordance with the Council's climate and ecological emergency declarations and the RUH Estate Strategy.
- Provide the parameters of development in terms of building heights, scale and massing particularly in relationship with Grade II listed Manor House.
- A full and detailed specification of repair works and the authentic reinstatement of missing architectural features to the Manor House should be submitted as part of the listed building application.
- Appropriate bat surveys are required to clarify the use of all buildings to be refurbished or demolished.
- A Transport Statement is required, and the scope of the assessment needs to be agreed in advance of a planning application. The Statement will need to include the potential impact of the accommodation on the local highway network, and the car parking levels proposed for the site as part of the wider RUH Parking Strategy.
- An Arboricultural Impact Assessment, an Arboricultural method Statement and Tree Protection Plan are required.
- Provide clarity on use of staff accommodation (with key worker rental agreement), potentially allowing some flexibility for open market rental accommodation. Further dialogue with the Council's Housing Team is necessary.

### **Policy Options (capacity)**

The Trust with their advisors are seeking to procure a funding and development partner to refurbish and rebuild on-site staff accommodation with flexibility for open market rental accommodation. There are 152 existing staff accommodation beds on site and initial design work has identified the potential redevelopment capacity for between 150-350 net additional residential units.

No detailed schemes are submitted at this stage. Therefore, it is proposed to amend Policy SB18 to include overall capacity of 150 units based on an estimate at this stage (The housing trajectory already include 50 units therefore a net 100 units are accounted towards the shortfall identified above).

## SB 10 Roseberry Place (phase 2)



### Context

This site was granted planning permission in 2015 for a mixed use scheme comprising Build to Rent housing, retailing on the ground floor and an office development of up to 4,500 sqm. The residential element of the development has been completed and is operating successfully, whilst the office element is yet to progress despite being promoted in accordance with an agreed marketing strategy set out in the s106 agreement. The developers for the site are keen to bring forward a second phase of their Build to Rent housing model and there is an opportunity with the Local Plan Partial Update to review the existing site allocation policy to reflect this.

One of the key issues for the city has always been the lack of modern office

floorspace, and a key part of the existing strategy has been to secure the provision of new office floorspace to meet this need. This is now being realised with a number of significant projects including the retention, remodelling and successful re-let of 20 Manvers Street, the current development of Bath Quays South and Newark Works, and the planned flagship development at Bath Quays North. In short, office floorspace is being delivered in central locations in the city.

It is within this context and the fact that the office element at Roseberry Place has been marketed for a reasonable period of time, that a change to the site allocation may well be justified, and this approach will be explored in this document.

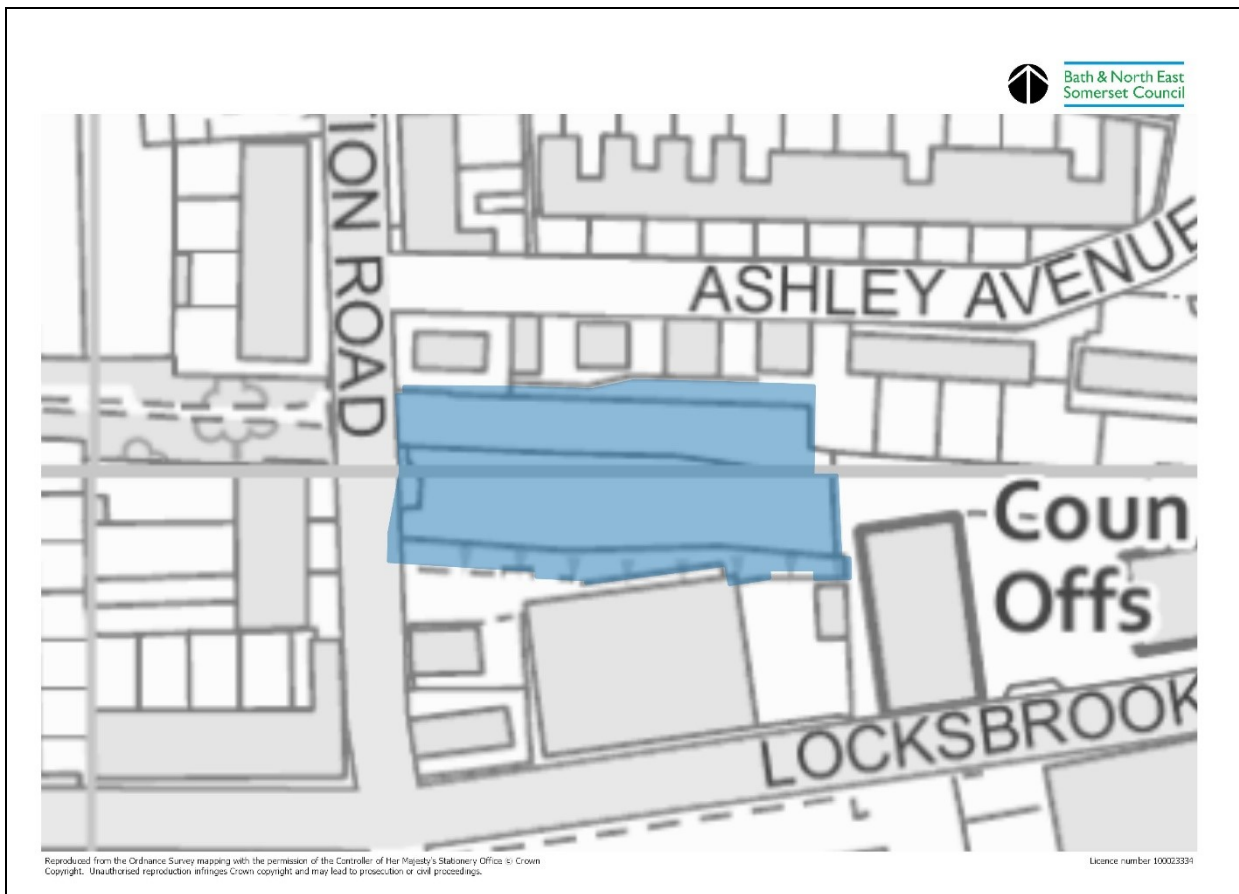
### **Key opportunities and constraints**

1. There is an opportunity to explore a range of land use options from full residential to a mixed use scheme.
2. This next phase of the Roseberry Place development must better reflect the climate emergency declared by the Council. It is anticipated to be an exemplary development with regards to reductions in embodied energy and in carbon emissions, as well as delivering on renewable energy.
3. That the recently declared ecological emergency must be a core consideration in the formulation of development proposals.

### **Policy Options (capacity)**

1. In terms of land use there are a number of options, as follows:
  - i) Retain the existing policy position of retaining the site for office development
  - ii) Allow a mixed use development with employment uses provided on part of the site, preferably on the ground floor.
  - iii) Allow residential development throughout.
2. If residential uses on this site are supported, then it is anticipated that this could yield at least 80 dwellings.

## Depot site (Station Road, Newbridge) (new allocation)



### Context

This relatively small site has been the subject of a recent planning application for the development of 15 flats (ref: 19/03943/FUL). Although the application was withdrawn in September 2020, it is anticipated that revised development proposals will emerge during the plan period and it is in this context that a specific site allocation is proposed.

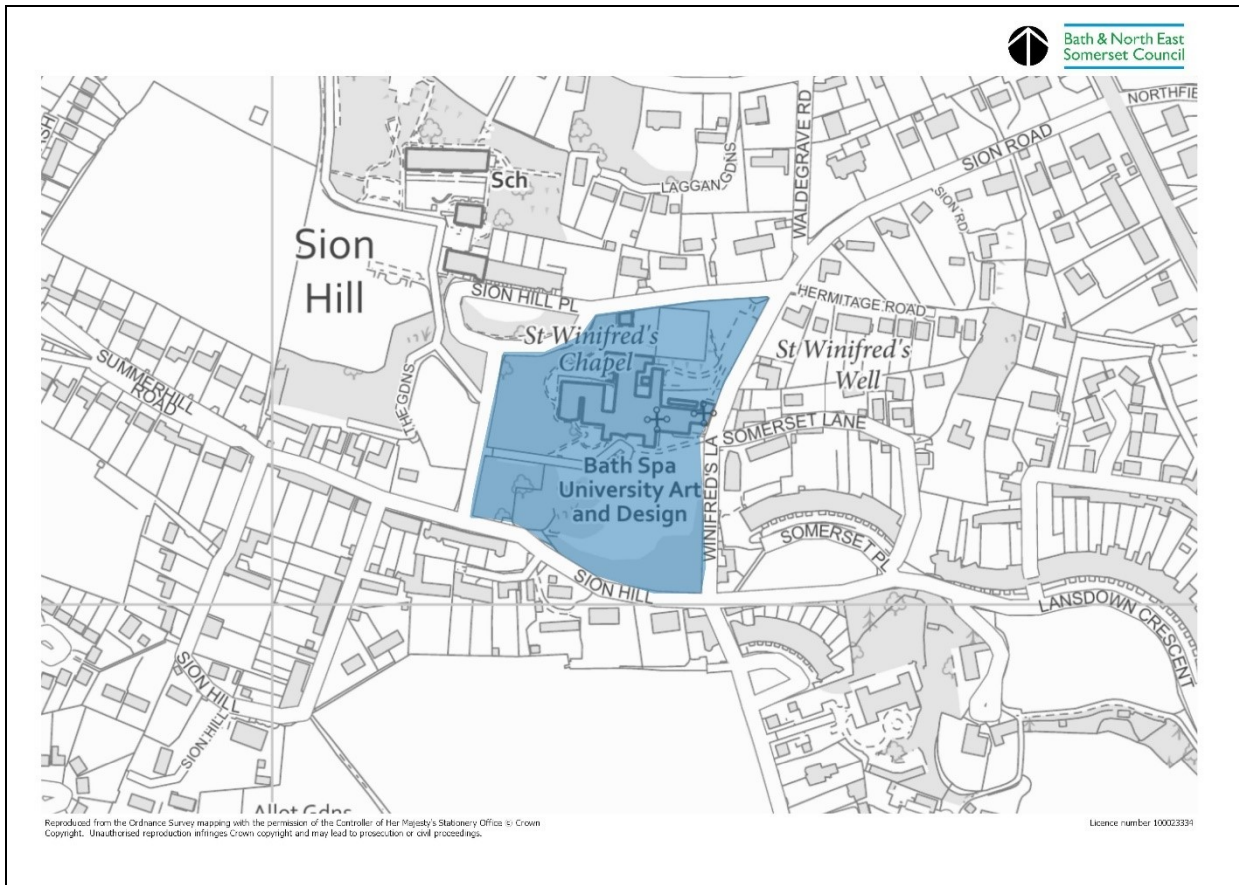
### Key opportunities and constraints

1. Providing a specific policy framework that encourages and enables the delivery of the site in accordance with the Council's climate and ecological emergency declarations.
2. The site lies along the route of the safeguarded sustainable transport route and there is the opportunity to specify the dimensions of the route to be provided, as well as articulate the future aspirations to extend the route to the east, subject to the future redevelopment of adjacent development sites.
3. Identify housing numbers

## Policy Options (capacity 10 units)

The recent planning application was for 15 dwellings, but as this has not been determined it is difficult to be certain as to whether this quantity of development would be acceptable or not. Given the circumstances it is proposed that an estimated capacity of around 10 dwellings is realistic.

## Sion Hill (new allocation)



## Context

The University's strategy is to focus development into two campuses; Newton Park and a new campus area around Locksbrook Road with sustainable travel links between the two and promoting 'walkable' campuses (see option in section 2 above). This approach would enable the University to release currently occupied sites within the city for alternative uses such as the Sion Hill site for residential.

## Key opportunities and constraints

- Providing a specific policy framework that encourages and enables the delivery of the site in accordance with the Council's climate and ecological emergency declarations.



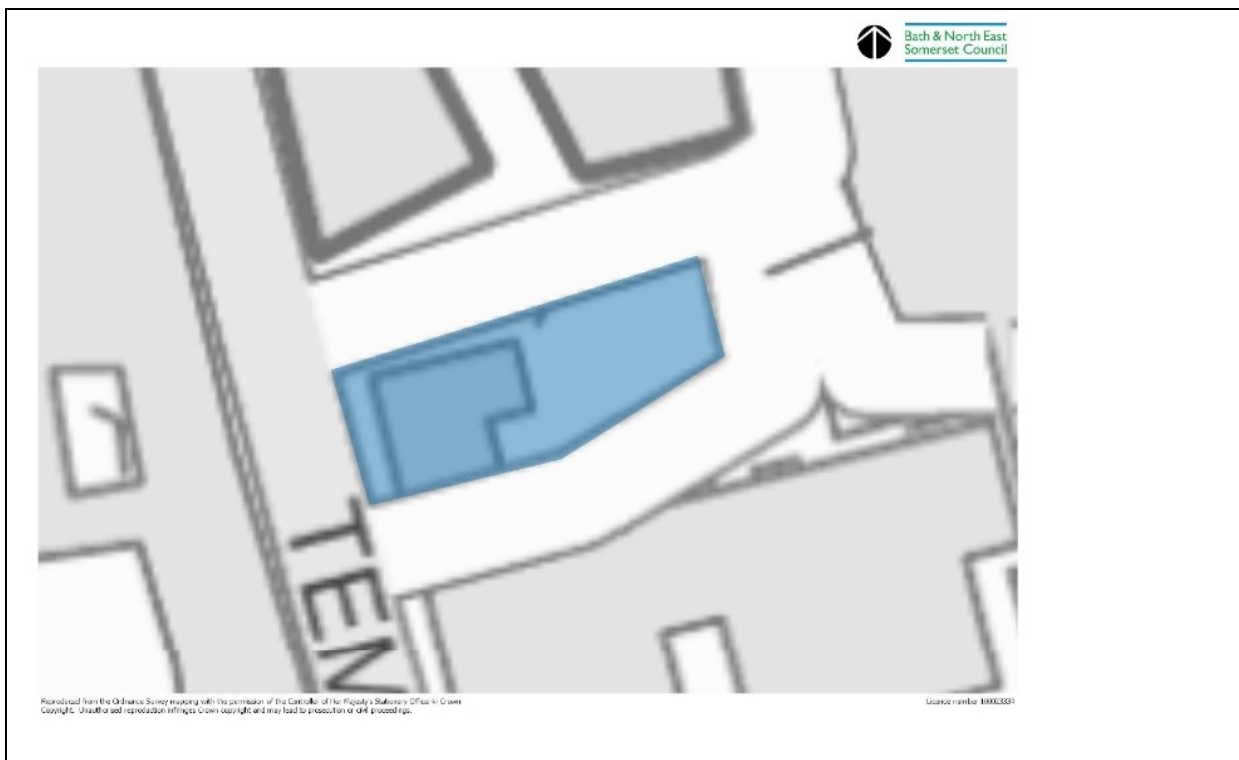
- The site has many layers of history prior to its development by Bath Spa University. The site has known archaeological deposits in the area including Romano-British burials, an Iron Age site and St Winifred's Chapel and Well. The exact location of the chapel and well are not known. The site is the former ornamental landscaped garden of 19th century house (St Winifred's) built in 1803.
- There may be below ground remains of the property remaining on site. The historic walls and railings survive in places around the perimeter of the site. Sion Place Lodge is located in the north west corner. In the immediate area there are several heritage assets including grade I Somerset Place and Sion Hill Place. The site is also prominent in the world heritage site landscape
- This site is in a sensitive hillside location within the World Heritage Site, Conservation Area and also within the green setting of Bath. Redevelopment should be contained within the existing built footprint of the university and needs to be designed sensitive to the landscaped setting and contours of the site. The surrounding gardens and mature trees must be protected.
- A Transport Statement is required, and the scope of the assessment needs to be agreed in advance of a planning application.
- An Arboricultural Impact Assessment, an Arboricultural Method Statement and Tree Protection Plan are required.

#### Policy Options (capacity 60 units)

The emerging Estate Strategy indicates around 60 apartments. Dependent on the acceptability of their development to expand the Locksbrook campus, the Sion Hill campus could be allocated for residential development subject to further site assessments.

## Keynsham

### Policy KE2a Fire Station



#### Context

The former Fire Station site is part of the existing allocation of the wider Riverside area within Policy KE2a. Whilst the former Council offices are in the process of being converted to flats, the former Fire Station remains disused (currently the site office for the Riverside development). Policy KE2a allocated the wider area for a mix of uses, including residential, but the Fire Station does not currently form part of the housing delivery trajectory or have a clear housing capacity attributed to it within the Policy. A planning application for the site, comprising mixed use development (including a hotel, residential flats, retail, office and a restaurant) was withdrawn last year as it conflicted with many of the design requirements within Policy KE2a.

#### Key opportunities and constraints

- Whilst the site hasn't come forward for development Policy KE2a establishes the principle of development
- Opportunity to facilitate delivery of development of an appropriate design given its location and context;
- Current car parking standards would need to be reconsidered in this town centre location to allow for redevelopment on what is a relatively small and constrained footprint.

- Subject to the above residential use would be appropriate, thereby contributing to the housing supply

### **Policy Options**

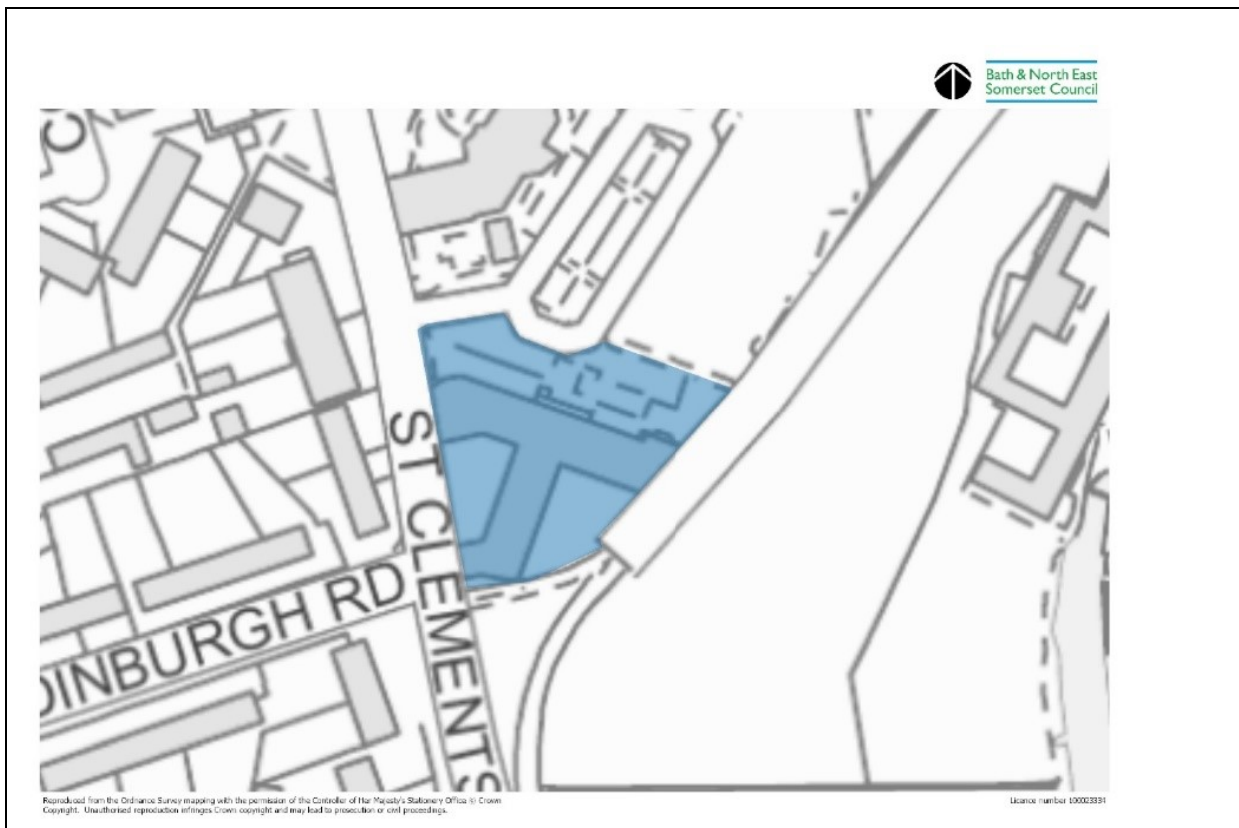
- Revise Policy KE2a to give clarity on design requirements and site capacity (dwelling numbers and any other floorspace requirements)
- It is anticipated that the site could accommodate around 15 dwellings (subject to further design work).

### **Key relevant evidence**

Planning Application 19/04405/FUL (withdrawn):

<https://www.bathnes.gov.uk/webforms/planning/details.html?refval=19%2F04405%2FFUL>

## Treetops Nursing Home (new site)



### Context

Treetops Nursing Home, St Clement's Road, was subject to a recent planning application to redevelop the existing 27 bed care home to provide a new and enhanced care home facility with an increase in C2 bed spaces. Whilst the principle of development was accepted, the application was refused, mainly due to the scale of development proposed, its poor design, and the negative impact it would have on the wider landscape and Conservation Area. It is considered that these reasons for refusal could be overcome by a more appropriately designed scheme.

### Key opportunities and constraints

- Opportunity to achieve an appropriate design given location and context (in order to ensure harm to the Conservation Area and wider landscape is minimised and mitigated);
- Achieving a viable redevelopment.
- Potential for the site to contribute towards housing supply (as a C2 use providing extra care units).

### Policy Options

- Allocate the site to give clarity over design requirements and site capacity

(dwelling numbers and any other requirements)

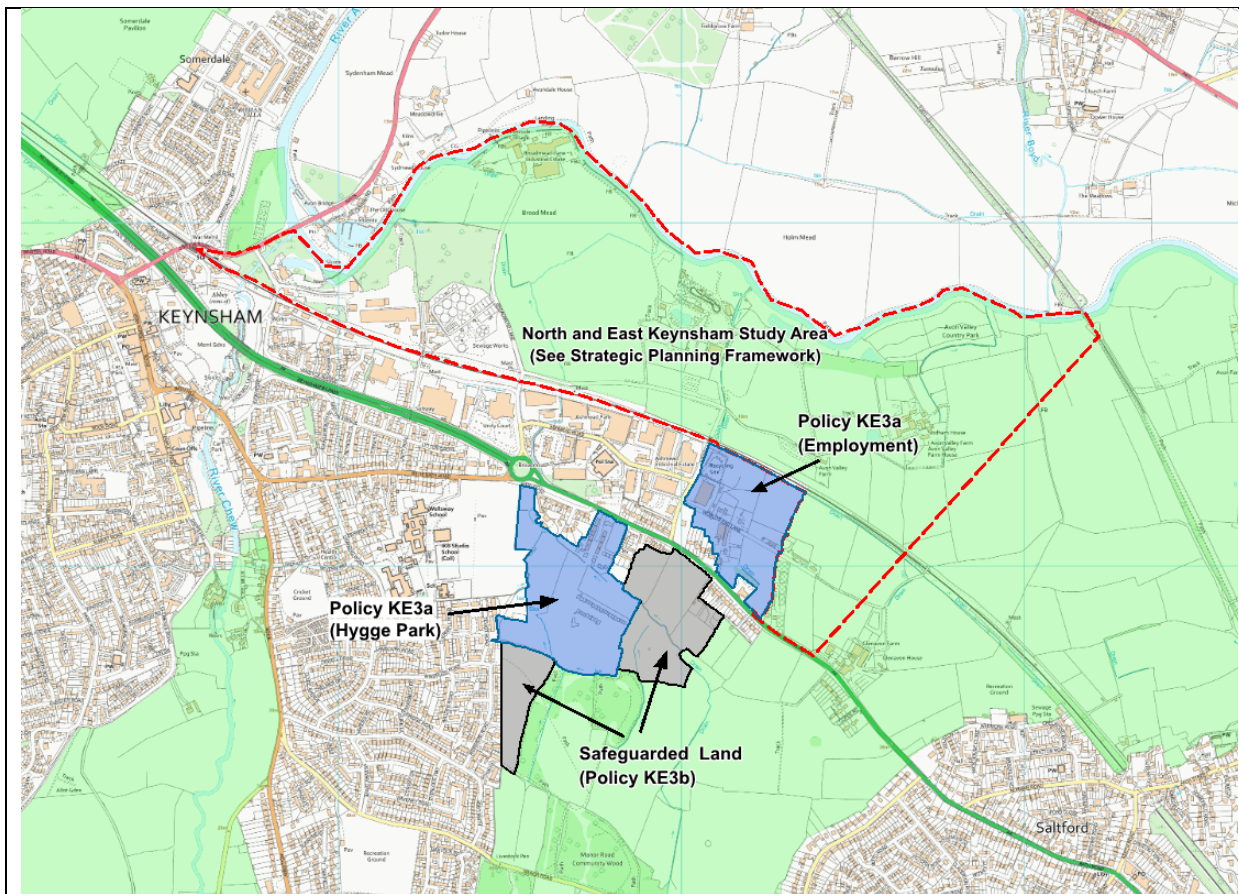
- It is anticipated that the site could accommodate a net increase of around 10 to 15 C2 units/bed spaces, which would take the total number of C2 units/bed spaces up to around 40 (subject to further design work).

**Key relevant evidence**

Planning Application 20/01277/OUT (refused 21/08/2020):

<https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F01277%2FOUT#details> **Section**

## Land at north and east Keynsham (including Policy KE3b)



### Key opportunities and constraints

- Most of the wider North Keynsham area is located within the Green Belt.
- When land at East Keynsham was being considered for development in the Core Strategy, the Council concluded that whilst Keynsham is a relatively sustainable location, the scope for development was constrained by the impact on the A4 and that more significant development would require major transport infrastructure. It was concluded that there were exceptional circumstances to remove land from the Green Belt for a moderate level of development before substantial infrastructure requirements are triggered. The outcome was that two parcels of land at East Keynsham was allocated for around 250 homes plus employment as set out in Policy KE3a, the southern part now being developed as Hygge Park.
- In addition, Policy KE3b of the Core Strategy removed two areas of land adjacent to the Policy KE3a southern allocation (Hygge Park) from the Green Belt and safeguarded them for possible development in the future. Whilst being suitable for development in principle, these two areas of land are not currently allocated for development primarily because of the transport impacts that may trigger substantial infrastructure requirements. In line with national policy, Policy KE3b states that planning permission for development of the safeguarded land will only be granted once it is proposed for development

following a review of the Local Plan, as is now being undertaken through the partial update of the Local Plan.

- The outline permission for Hygge Park (16/00850/OUT) included a high-level masterplan which showed how the site could in the future link to the safeguarded land.
- A planning application (18/01509/OUT) for the eastern parcel of safeguarded land was refused permission, in part due to highway impact. A current application for the eastern parcel of safeguarded land (20/02673/OUT) is pending consideration.
- Further assessment of the suitability and deliverability of land at north and east Keynsham has continued since the adoption of the Core Strategy, via the SHLAA (Strategic Housing Land Assessment). This further work entailed preparation of a Strategic Planning Framework which informed the Joint Spatial Plan (now withdrawn) and the new Local Plan consultations in 2017 and 2018. At this stage, the safeguarded land was considered as part of the wider North Keynsham Strategic Development Location (SDL) to deliver a comprehensive mixed-use development including around 1,500 homes.
- The current evidence available to the Council (including the Keynsham Core Strategy Options Highways Impact Assessment, CH2M, Feb 2014; and Transport Evidence Explanatory Note for the Placemaking Plan, CH2M, April 2016) supports the view that any development above and beyond that proposed in the current Development Plan would be likely to have severe implications on the highway network, and which need to be adequately addressed and mitigated. National Policy states that development should be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Consequently, based on this conclusion little or no additional housing can currently be expected to be delivered until substantial infrastructure improvements are made to the existing transport infrastructure in the town.
- The Council is currently updating the transport evidence for this location and this will identify if and what local transport improvements are required to mitigate the impacts of any development beyond that proposed in the current Development Plan. These measures will include the assessment of walking and cycling schemes and will take into account the future transport schemes identified in JLPT4 including the A4-A4175 multi-modal corridor, A4 corridor mass transit (including Metrobus), improvements at Keynsham rail station, and an expanded or relocated A4 Bristol Park and Ride. These transport schemes are now included in the Joint Local Transport Plan 4 as Early Investment Schemes.

### **Policy Options**

- Pending the outcome of the further transport evidence, the Council has

identified two primary options for land at North & East Keynsham for consideration prior to a preferred option being identified. These options are shown in the map above and outlined below.

#### Option 1: Allocation of the Safeguarded Land

- If updated transport evidence concludes that there are deliverable measures to enable the allocation and delivery of the safeguarded land without prejudicing JLTP4 outcomes, then this could enable the allocation of the two areas of land currently safeguarded for development under Policy KE3b. This option would not entail a change to the Green Belt and would deliver around 300 dwellings during the plan period. The suitability and appropriateness of the wider area of north and east Keynsham for development would continue to be assessed through the West of England Spatial Development Strategy

#### Option 2: Allocation of the Safeguarded Land and the wider site

- The updated transport evidence may however conclude that more extensive transport infrastructure improvements, such as those illustrated in the Strategic Planning Framework, are required to enable the development of the safeguarded land. This may require consideration of the need to remove a larger area of land from the Green Belt, potentially all of the land north of Keynsham identified in the SHLAA as a potential development site.
- Option 2 therefore proposes to allocate the whole of the North Keynsham site, including the safeguarded land. This would deliver at least 1,500 dwellings as evidenced by the 2017 Strategic Planning Framework, although due to its size and complexity much of this would be delivered after the end of the plan period (post 2029). The main benefit of this option is that it facilitates substantial infrastructure improvement through a comprehensive approach to development for the wider North Keynsham area. It would require the demonstration of the exceptional circumstances to remove land from the Green Belt.

#### Other approaches

- It may be that in light of the responses to this consultation, and following the new transport evidence, the approach taken in the Draft Plan will need to be a hybrid of options 1 and 2. Key factors will include:
  - the need to demonstrate delivery of comprehensive development in a way which helps to address the Council's climate emergency priorities
  - the form of transport infrastructure improvements required to enable the safeguarded land to be developed and the extent and location of land needed to facilitate transport infrastructure delivery (particularly that identified in JLTP4)
  - the need to ensure comprehensive planning for the whole North Keynsham site, rather than incremental releases.



- Whether exceptional circumstances exist to change the Green Belt, including the need to take account of national policy that requires that when land is removed from the Green Belt, where necessary, plans should identify areas of safeguarded land between the urban area and the Green Belt, in order to ensure that the Green Belt boundary is changed only once, has permanence in the long term, and can endure beyond the plan period.

### **Key relevant evidence**

#### **North Keynsham Strategic Planning Framework (B&NES, 2017):**

[https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/LP20162036/lp\\_201636\\_io\\_north\\_keynsham\\_strategic\\_planning\\_framework.pdf](https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/LP20162036/lp_201636_io_north_keynsham_strategic_planning_framework.pdf)

**Concept masterplan for approved 16/00850/OUT scheme for Hygge Park showing indicative links to safeguarded land (Clifton Emery for Mactaggart and Mickel Homes):**

<https://www.bathnes.gov.uk/publisher/docs/42F0F693118E316E078FEC419EC1B6F6/Document-42F0F693118E316E078FEC419EC1B6F6.pdf>

**Annex 1 of Full Council Report (4<sup>th</sup> March 2013):**

<https://democracy.bathnes.gov.uk/documents/s24562/Core%20Strategy%20Annex%201.pdf>

**Keynsham Core Strategy Options Highways Impact Assessment (CH2M, 13<sup>th</sup> Feb 2014):**

[http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Core-Strategy/CoreDocumentsnotsavedelsewhere/cd12-18\\_keynsham\\_cs\\_options\\_hia.pdf](http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Core-Strategy/CoreDocumentsnotsavedelsewhere/cd12-18_keynsham_cs_options_hia.pdf)

**Transport Evidence Explanatory Note for the Placemaking Plan (CH2M, April 2016):**

[http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Evidence-Base/Transport/cdpmpk15\\_transport\\_evidence\\_explanatory\\_note\\_-\\_keynsham\\_transport\\_strategy.pdf](http://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Evidence-Base/Transport/cdpmpk15_transport_evidence_explanatory_note_-_keynsham_transport_strategy.pdf)

**Joint Local Transport Plan 4:** <https://travelwest.info/app/uploads/2020/05/JLTP4-Adopted-Joint-Local-Transport-Plan-4.pdf>

## 4. Other opportunity sites

- 4.1 This section deals with other site issues on a place basis. It comprises proposed amendments to existing site allocations, as well as options for potential new site opportunities. The amendments proposed to existing site allocations follow their review and reflect changed circumstances, policies for other existing site allocations not described below do not need to be amended. Both these existing site allocation changes and new sites fall within the scope of the existing spatial strategy.

### Bath

#### Bath Recreation Ground Site Allocation SB2

- 4.2 Core Strategy Policy B1 refers to provision of a sports, cultural and leisure stadium on the Recreation Ground site, subject to the resolution of legal issues. The Placemaking Plan, through Policy SB2, allocates the site for a stadium and sets out a series of development requirements. Recently a Court judgement has been issued confirming that the restrictive covenant in the 1922 Conveyance, affecting the land, remains capable of enforcement by the beneficiaries of it. This may have implications for the wording of Core Strategy Policy B1 and site allocation Policy SB2. Therefore, a number of options are proposed for consultation.

### Proposed options

#### Consultation Reference Bath 1

Options for Policy B1 as it relates to the Recreation Ground;

- |           |   |
|-----------|---|
| Option 1. | No change to the existing policy wording but review it in the Full Local Plan                 |
| Option 2. | Review the policy wording through the Local Plan Partial Update                               |
| Option 3. | Delete the policy through the Local Plan Partial Update and revisit it in the Full Local Plan |

## Consultation Reference Bath 2

SB2 Development Requirements and Design Principles Central Riverside & Recreation Ground

Options for Policy SB2 as it relates to the Recreation Ground;

Option 1. No change to the existing policy wording but review it in the Full Local Plan

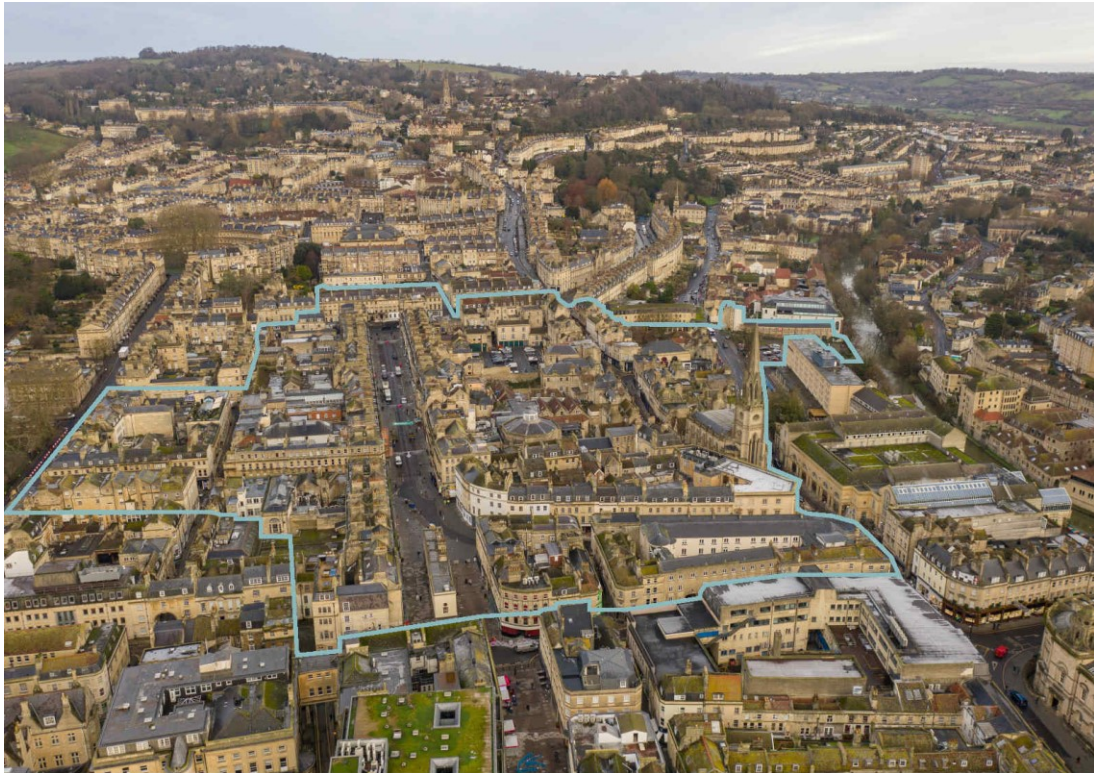
Option 2. Review the policy wording through the Local Plan Partial Update

Option 3. Delete the policy/allocation through the Local Plan Partial Update and revisit it in the Full Local Plan

### Milsom Quarter (new area)

- 4.3 The Milsom Quarter (the area shown on the map/aerial photograph below) is an area that is in decline, shown by falling footfall and increasing vacancy rates. The Council is seeking to create a more vibrant & diverse part of the city with a greater balance in the mix of uses, activity and increased residential development, all combining to redefine the sense of community and increased local purpose.





- 4.4 In the short-term the Council is focussing on a range of interventions which aim to stop the decline of Milsom Street, protect businesses and local jobs and give residents and visitors reasons to visit Milsom Street. Over the medium-term repurposing of retail space, increasing the mix and diversity of uses to include redevelopment of upper floors and meanwhile uses is planned. In the longer term there is a significant opportunity to transform Milsom Quarter with the Council already commencing a Commercial Estates Review.
- 4.5 The Local Plan Partial Update provides an opportunity to look at establishing a planning policy framework for this area that helps to facilitate the change and greater diversity of uses outlined above. This local policy approach will work alongside and complement the recent change to the use classes order (creation of the new E use class) which enables greater flexibility in planning for town centre uses.
- 4.6 Currently the Placemaking Plan defines primary retail frontages for the city centre, within which the policy seeks to maintain active ground floor uses and protects retail uses so that shopping frontages are not fragmented and the shopping function of the centre is not harmed. These include frontages within Milsom Quarter, such as Milsom Street, Green Street, New Bond Street, Old Bond Street, Burton Street, Broad Street and northern side of Quiet Street. Outside the primary frontages current Placemaking Plan Policy is more flexible in allowing a greater diversity of town centre uses that attract pedestrian activity and footfall. Whilst NPPF 2019 no longer requires Local Plans to define primary or secondary frontages the Council does not intend to re-consider this city

centre wide approach until the full Local Plan review. Therefore, options for a bespoke policy approach for Milsom Quarter will be considered. Further evidence work is needed in support of the Draft Plan.

- 4.7 In addition to more diverse town centre uses increased residential development will help to create a more vibrant community and assist in making the area more financially viable. Issues to be assessed will include the implications of introducing greater residential use in this area and whether residential dwellings should be limited to upper floors, in order to help maintain ground floor activity, attractiveness and footfall. Even where residential dwellings are limited to upper floors this will require the creation of a separate access/entrance or residential foyer on the ground floor. This would need to be implemented in a manner that maintains or minimises harm to activity levels on the ground floor and may give rise to listed buildings issues. The policy framework to be established would need to ensure these impacts are appropriately addressed.
- 4.8 It should be noted that the local policy approach to be introduced may also be influenced by further potential changes to permitted development rights which the government has recently published for consultation. The government is consulting on a proposal that a change of use from any use or mix of uses within the new E use class to residential (use class C3) would become permitted development. This permitted development right would apply in conservation areas, albeit subject to prior approval of the impact of the loss of ground floor use to residential. However, the permitted development right may not apply in World Heritage Sites and if this is the case would not be relevant in respect of Milsom Quarter. The progress of these changes to permitted development rights will be kept under review.
- 4.9 In addition to the Local Plan Partial Update policy approach the Council will also be seeking to prepare an evidence-based Vision and Masterplan for Milsom Quarter to underpin the future redevelopment and regeneration of this area, working alongside the Top of the City Access and Movement Strategy.

### **Consultation Reference Bath 3**

Proposed identification of Milsom Quarter and inclusion of a specific policy enabling greater flexibility and diversity of uses within the defined area, focussing on a mix of town centre uses and residential development. Within the policy there would be two options:

Option 1: Allowing a mix of town centre uses on the ground floor, with residential dwellings on upper floors only. The creation of residential entrance foyers on the ground floor would be allowed in order that residential dwellings above can be delivered.

Option 2: Enabling a mix of town centre and residential dwellings on all floors (including the ground floor). In order to ensure footfall and activity this option may be subject to retaining a specified proportion of ground floor premises in town centre uses.

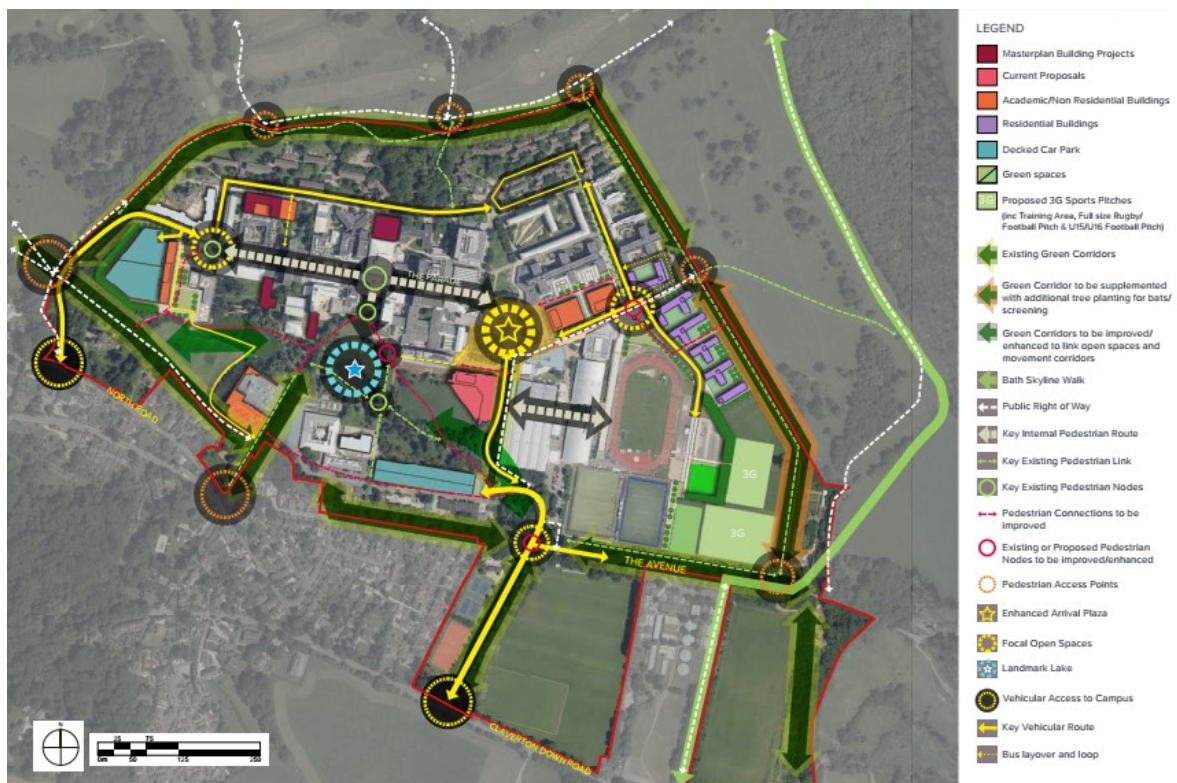
- 4.10 Milsom Quarter also includes the Cattlemarket site, which is allocated in the Placemaking Plan (Policy SB1) for comprehensive redevelopment delivering a fine grain mix of uses reflecting the diverse nature of Walcot Street. The use mix to include retail uses, food & drink, B1 (now E use class) workspace and a residential element, including affordable housing. In order to help make redevelopment financially viable and deliverable it may be necessary to allow an increased proportion of residential dwellings in the mix of uses, including on the ground floor. However, it is important that a mix of uses and diverse character is provided. Therefore, as an option it is proposed to amend Policy SB1 to refer to a more significant residential element.

### **Consultation Reference Bath 4**

Amend Policy SB1 (Cattlemarket site) so that it refers to a more significant residential element, including on the ground floor, as part of a mixed-use scheme to deliver comprehensive redevelopment of the site. Other elements of the policy are not proposed to be changed.

## Strategic Policy for Bath's Universities Policy B5 and University of Bath Policy SB19

- 4.11 The Council's current policy framework seeks to enable the universities to fulfil their ambitions, as far as possible, without those ambitions having a negative impact on the realisation of the Council's wider strategic planning objectives for the City, nor an unacceptable impact on the university campuses or their environs. It prioritises general housing and jobs in the city.
- 4.12 The issues raised in relation to student accommodation are discussed and various options are proposed in section 2. The Council's preferred approach is to facilitate necessary student accommodation on campuses.
- 4.13 The University of Bath has been developing its masterplan for the Claverton Campus. The draft emerging masterplan is broadly in line with the Placemaking Plan Policy SB19 in terms of locations of new development. It proposes around 38,000sqm of academic space (including some renovation) and 760 PBSA bed-spaces.
- 4.14 The emerging indicative masterplan below shows the areas for new building projects including academic space and student accommodation as well as other important areas such as the green infrastructure, footpaths and transport circulation.



- 4.15 The masterplan proposes new 3rd Generation Artificial Pitches. There are some concerns raised in terms of potential risk to health and soil/water contamination associated with old tyres which are often used as rubber crumbs in the pitch. Technology in this area is improving and now there are hybrid pitches and 100% recyclable with natural filling crumbs.
- 4.16 The development capacities at the Claverton Campus set out in Policy B5 (2,000 bedrooms and 45,000 sqm academic floorspace) are based on the previous masterplan prepared by the University and largely out of date. Therefore, it is proposed that Policy SB19 is updated reflecting the emerging masterplan

### **Consultation Reference Bath 5**

#### **Policies B5 and SB19 University of Bath**

Remove the study bedrooms and academic space capacity figures from Policy B5 and amend Policy SB19 reflecting the masterplan work; add the development capacities for PBSA (around 760 bed-spaces) and academic floorspace (around 38,000 sqm); and set out the policy requirements such as green infrastructure, Biodiversity Net Gain and avoidance of harmful materials in playing pitches.

#### **Park and Ride Sites**

- 4.17 The Park & Ride sites on the edge of the Bath play an important role in reducing car traffic entering the city. As set out above Park & Ride provision is proposed to be expanded in the Placemaking Plan, with opportunities to now be explored for the Park & Ride sites to act as a transport interchange where people can connect to wider areas through a variety of transport modes. In addition, the Park & Ride sites may also be able to play other beneficial roles by accommodating solar energy infrastructure and potentially household waste recycling facilities. Such uses are not regarded as appropriate development in the Green Belt in national policy. Therefore, in order to facilitate the Council's objectives, it is considering whether it is appropriate to remove the Park & Ride sites from the Green Belt, and whether there are any exceptional circumstances to do so.
- 4.18 As part of the existing adopted policy, the waste transfer station at Midland Road in Bath is currently proposed to close and the site be redeveloped for housing. This site represents a sustainable location for new homes. As part of the relocation of the various waste services functions currently provided by the Midland Road site there is a need to consider options for the re-provision of household waste recycling facilities serving the city. A range of options in terms of both size/scale of facilities and potential sites (outside and within the Green Belt) for accommodating these facilities is being assessed. One option includes considering whether the current household waste recycling facility could be



replaced by smaller facilities located on each of the Park & Ride sites serving the city.

- 4.19 Park & Ride sites may also be able to play a beneficial role in delivering solar energy. In the context of the Council's Climate Emergency declaration and as set out in the Climate Emergency Study: Synthesis of Evidence (available at: <https://democracy.bathnes.gov.uk/documents/s58689/Appendix%20-%20Synthesis%20of%20Evidence.pdf>) the generation of solar energy can play an important part in achieving carbon neutrality by 2030. The opportunities for solar energy are also being assessed through the Renewable Energy Resource Assessment Study (jointly commissioned with Bristol City and South Gloucestershire Councils). Potentially solar cell canopies could be provided over the existing parking spaces in order to also ensure the current park & ride capacity is not reduced. The NPPF makes it clear that renewable energy infrastructure is not normally appropriate development in the Green Belt, but that the benefits of providing energy from renewable sources can contribute to an exceptional circumstances case for removing land from the Green Belt.
- 4.20 In addition, the Park & Ride sites may also be able to play a beneficial role in supporting Nature Recovery. The Odd Down Park and Ride site already supports species-rich grassland habitat of high value, and so is important for many pollinators including a rare colony of small blue butterflies. There is scope to increase and extend a "pollinator Park" approach to the management of the Park & Ride sites and so help to address the Ecological Emergency. This role would not be incompatible with their current Green Belt status.
- 4.21 As such the Council is considering whether the function of the Park & Ride sites should change, so that they act as a transport interchange rather than a traditional park & ride plus meeting objectives of providing waste recycling facilities, solar energy generation and nature recovery. If the non-transport uses related to waste recycling and solar energy become a critical part of the strategy the Council will need to ascertain whether, in the context of national policy, the benefits of such uses will contribute to the exceptional circumstances necessary to remove the park & ride sites from the Green Belt.
- 4.22 In addition to considering Green Belt issues assessment is also needed of other potential harm arising from such development e.g. to ecology or landscape, including the World Heritage Site and its setting and the Cotswolds AONB.
- 4.23 The Council is therefore considering the option of removing the Park & Ride sites from the Green Belt (subject to demonstrating exceptional circumstances) and allocating land for the provision of household waste recycling facilities and solar energy infrastructure, as well as retaining their existing park and ride function.

## **Consultation Reference Bath 6**

### **Park and Ride**

The Council is proposing revised functions for the Park and Ride sites so that they act as a transport interchange; accommodate solar energy infrastructure and potentially accommodate household waste recycling facilities. The implications for the Green Belt and whether the benefits of these uses contribute to exceptional circumstances to remove the sites from the Green Belt will be explored.

### **Bath Community Academy (former Culverhay School)**

- 4.24 The Council is currently considering options for the future redevelopment and use of the Bath Community Academy (BCA) site on the south western edge of the city. The site lies wholly within the Green Belt and is also a highly sensitive site in terms of its landscape and visual impact on the edge of the World Heritage Site. Given its Green Belt location national policy makes it clear that redevelopment or limited infill is appropriate development so long as it does not have a greater impact on openness. Any greater level of development of the site would be inappropriate in Green Belt terms and would therefore necessitate removal from the Green Belt, subject to the demonstration of exceptional circumstances.
- 4.25 The BCA site currently accommodates a range of education and leisure uses. It is proposed that redevelopment of the site should continue to focus on education provision (various roles are currently being considered) and community uses. There is the opportunity through redevelopment to improve access arrangements, site layout and potentially reduce the landscape and visual impact of development. Work needs to continue on assessing the development capacity and configuration of the site. Whilst the future of the site will focus on education and community uses there may be a need to consider a minor element of residential development to help facilitate and fund delivery of new educational facilities (subject to capacity to appropriately accommodate it on site).
- 4.26 It is proposed that the site should be identified in the Local Plan partial update, with a policy focussing on protecting and maintaining it for educational use and setting out some of the key redevelopment requirements relating to landscape and visual impact and access arrangements by all modes of transport.
- 4.27 An option may also be to consider a minor element of residential development on the site to help enable education and community uses to be delivered.

## Consultation Reference Bath 7

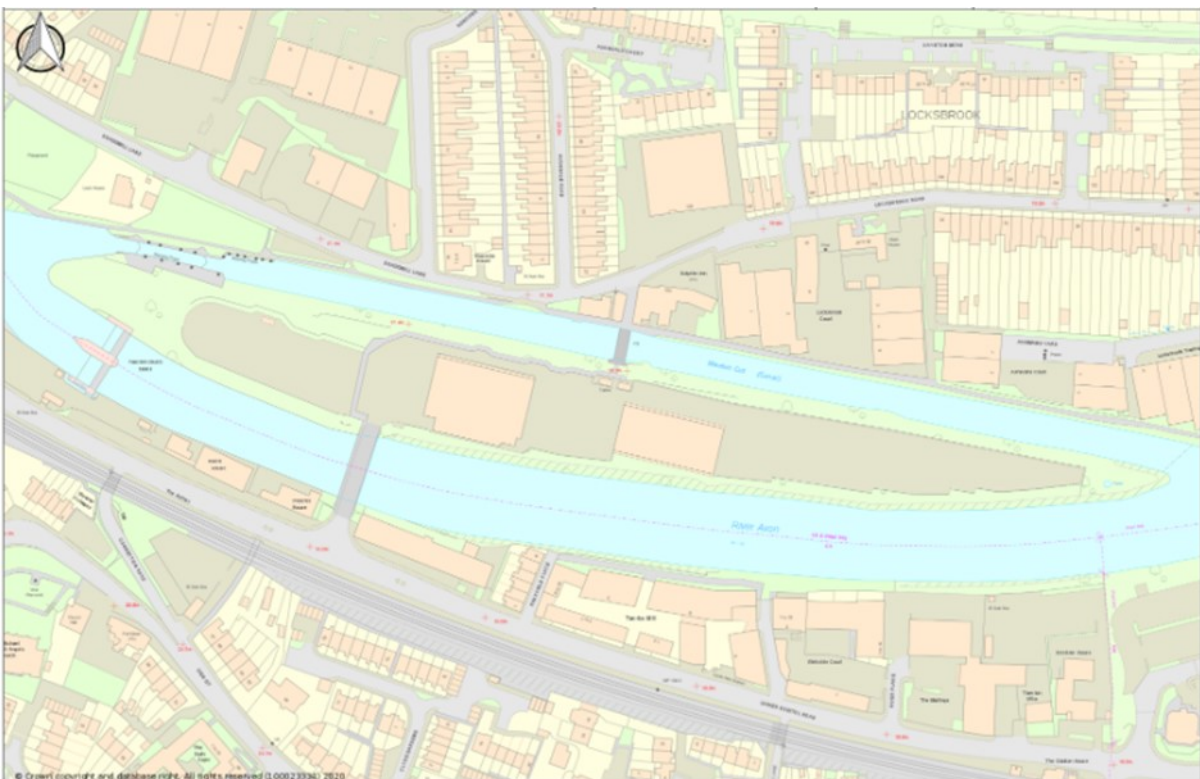
### Bath Community Academy

Proposed to allocate the site for educational and community uses and setting out the key redevelopment requirements including providing good access by all modes of transport and ensuring landscape and visual impact is minimised and if possible improved.

Option 1: allocate solely for educational and community uses

Option 2: allocate primarily for educational and community uses, with a minor residential element (to help ensure deliverability)

### Weston Island



### Context

- 4.28 Located in the western part of the city, the island was created in the 1720s following the construction of the 'Weston Cut' canal that enabled this section of the river to be navigable. With an area of approx. 2.3 Ha, Weston Island has been used throughout its history as open gardens, and for a variety of industrial uses including Mills (woollen, timber, brass), as storage by Stothert and Pitt, and latterly as a bus depot.
- 4.29 The Island does not have any allocations in the adopted Local Plan as at the time and due to its current use as a bus depot, it was not considered that development would come forward within the plan period.

## **Key Constraints and Opportunities**

4.30 Weston Island is subject to a number of planning designations. With regard to ecology the river is designated as a 'Site of Nature Conservation Interest' (Policy NE3), and the edges of the island form an important associated habitat. Development proposals that seeks a frontage with or to increase access to the river's edge may be challenging as there is a need to maintain and improve this habitat. Given the importance of this habitat, a use that doesn't require a relationship with the water, such as the current use or other employment use, would be more appropriate, and would better enable biodiversity enhancements to be achieved. Given the site's location within a bat corridor lighting will need to be sensitively designed.

4.31 Flooding – the entire site is within Flood Zone 3 and the NPPF sets out clear requirements regarding development in flood risk areas entailing the sequential and exceptions tests.

### **Policy Options (capacity)**

4.32 If the site becomes available there are opportunities:

- to relocate existing employment uses to enable the redevelopment of allocated sites elsewhere in the city, including Manvers Street (site SB6) and South Bank on the Lower Bristol Road (site SB6). This will help to unlock the delivery of difficult sites, and achieve planning policy objectives such as the delivery of homes and jobs;
- to enhance the ecological value of the river edge; and
- to improve the safety and attractiveness of pedestrian and cycle connections across the island. This would enhance connectivity between the communities and employment opportunities on either side of the river.

4.33 Within the context outlined above it is considered most appropriate to allocate the site for employment uses. However, there might be other uses that would also be appropriate mindful of the flooding and ecological constraints. The site is not considered suitable for residential development and therefore, no housing capacity is assumed on this site.

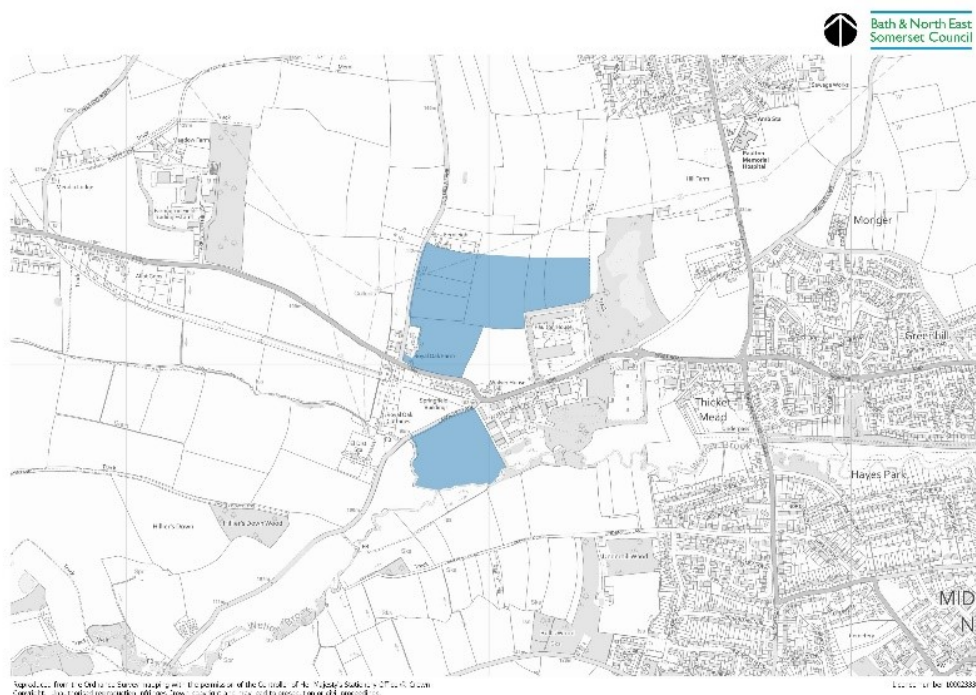
## Consultation Reference Bath 8

### Weston Island

Proposed to allocate Weston Island for industrial uses and builders merchants (as per sites in Policy ED2A) and to include development requirements relating to enhancing the ecological value of the river edge, ensuring lighting avoids harming ecological interests (especially bats), and improving pedestrian/cycle connectivity to and across the site.

### Somer Valley

### Policy SSV9 Somer Valley Enterprise Zone



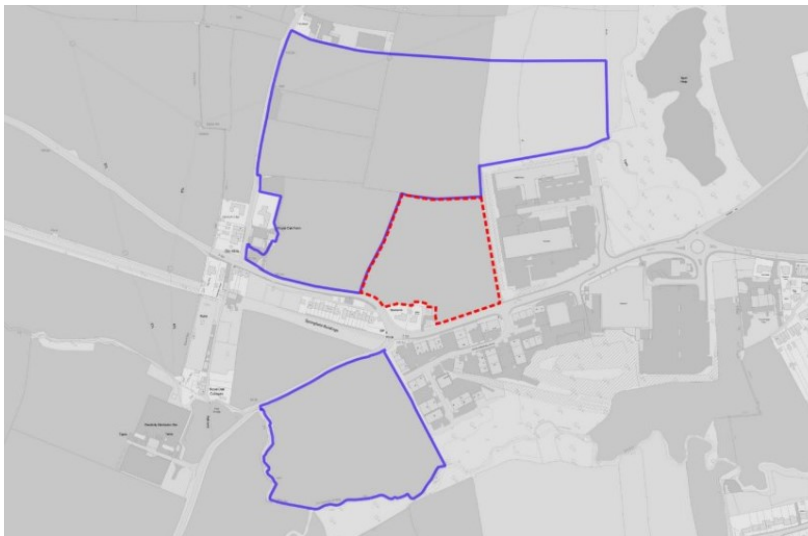
- 4.34 An integral part of the spatial strategy is the provision of additional job opportunities and employment uses in the Somer Valley area. The Old Mills employment allocation was designated as an Enterprise Zone in 2018. The Somer Valley Enterprise Zone (SVEZ) comprises land to the west of Midsomer Norton, adjoining the A362, in the Old Mills area in Paulton parish. In the Placemaking Plan land is allocated for business uses (primarily industrial & warehousing) at Old Mills (Policy SSV9). This site allocation covers most the SVEZ.
- 4.35 A Local Development Order (LDO) is being progressed for the SVEZ. The LDO once prepared and approved by the Planning Committee is effectively a grant of full planning permission for development on the SVEZ that accords with the uses specified and parameters set in the LDO. The LDO is being prepared in order to encourage investment in the SVEZ and to facilitate delivery of

employment development by reducing uncertainty and planning risks for investors and developers.

- 4.36 In order to help enable preparation of the LDO and to facilitate delivery of development and supporting infrastructure it is necessary for the Old Mills site allocation to be reviewed and amended.
- 4.37 Two main issues, the site boundary and the mix of uses, need to be addressed. These are outlined below along with the associated proposed policy approach changes.

### **Site Boundary**

- 4.38 Land in the south eastern corner of the SVEZ (shown in red on the map below) is not included within the current site allocation in the Placemaking Plan. Whilst this land was included in the historic allocation in the B&NES Local Plan (2007) it was excluded from the site allocated in the Placemaking Plan (2017) because at the time of preparing and adopting the Placemaking Plan there was uncertainty regarding the availability and deliverability of the land. Discussions with the owners have continued and it is now confirmed that the land is available. Therefore, it is proposed through the partial update that it be included within a revised site allocation. This will help to facilitate delivery of the wider site, notably through enabling necessary improvements to transport infrastructure through provision of walking/cycling links to other parts of the town as well as improvements to the A362.



### **Mix of Uses**

- 4.39 The allocation in the Placemaking Plan of the site solely for industrial and warehousing uses needs to be updated to make it more commercially viable. As such including a limited amount of higher value uses within the allocation would help to enable delivery and investment in the site. There would also be

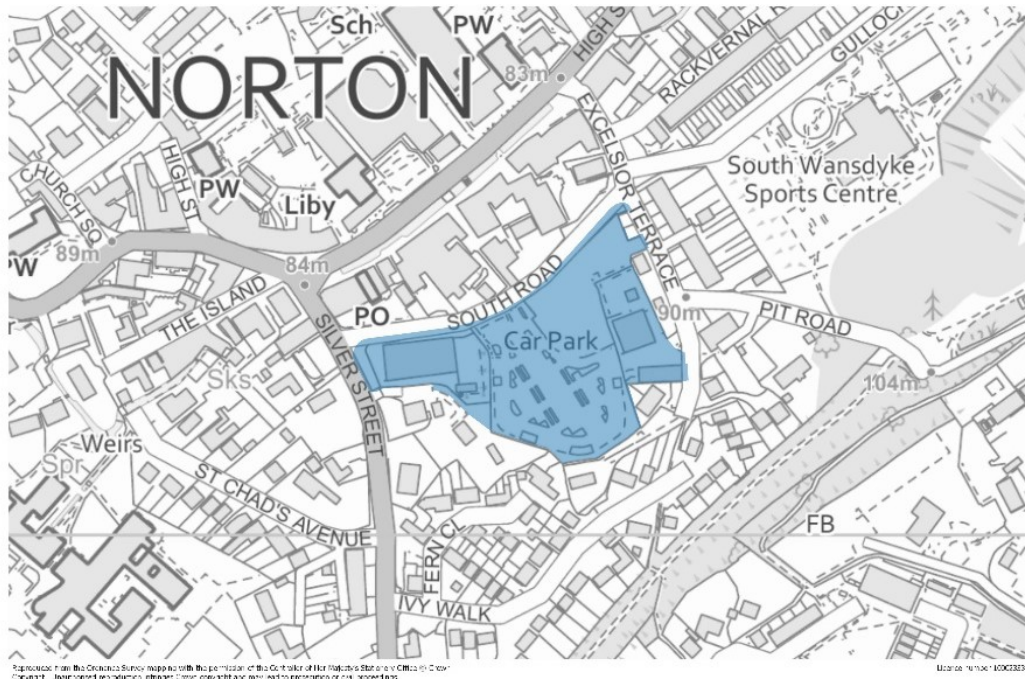
benefits in enabling a greater mix of uses to help facilitate a more diverse range of employment opportunities and to provide amenity facilities on site for workers. Uses that could be enabled by an amended allocation could include offices, eating/drinking establishments, hotel and retail uses.

- 4.40 It is vital that the uses proposed do not harm Midsomer Norton town centre which, as the main focus of retail and other activity, must be maintained and enhanced. This is particularly the case for retail uses. The town centre is underpinned by food stores and further provision was proposed in the town centre in the Placemaking Plan in order to further improve the town centre shopping offer (see South Road Car Park section below). Therefore, inclusion of a food store in the retail uses in the SVEZ would need to be subject to robust evidence demonstrating its appropriateness. In order to avoid harming the town centre further assessment work is being undertaken e.g. relating to retailer demand, consumer trends and trading overlap, to determine the amount and type of retail development that should be provided. This work will inform the approach to be proposed in both the pre-submission Draft Plan and the LDO. It is proposed that the SVEZ should provide a complementary offer to local town centres, helping to stimulate economic growth and boost the local economy.
- 4.41 It should also be noted that through the LDO, work is being undertaken to ensure other critical objectives of the Council that are reflected in the Local Plan partial update policies are addressed. These include targeting net zero carbon development and delivering biodiversity net gain e.g. through retention and enhancement of the network of existing hedgerows.

#### **Consultation Reference SV 1**

Proposed to amend Policy SSV9 (Old Mills) by including additional land that forms part of the SVEZ within the allocated site boundary (land to the south-east) and broadening the mix of uses appropriate to be developed on site to include offices, eating/drinking establishments, hotel and retail uses subject to not harming the town centre.

## Policy SSV2 Midsomer Norton Town Centre: South Road Car Park



- 4.42 South Road Car Park (SRCP) at the southern end of Midsomer Norton High Street is allocated in the Placemaking Plan, through Policy SSV2, for mixed use retail led redevelopment (intended to be for a food store). It was acknowledged in the Placemaking Plan that the site plays an important role as one of the main town centre car parks and through more intensive use including a food store, that sufficient public parking to serve both the store and the wider town centre would need to continue to be provided (both on-site and off-site elsewhere in the town centre should opportunities be identified).
- 4.43 The proposed provision of a further food store in the town centre was in part to meet projected expenditure growth but was principally being facilitated to address qualitative issues and to help underpin and support improvements to the town centre offer. Midsomer Norton is a linear town centre, elements of which were and continue to be less attractive to customers. The strategy set out in the Placemaking Plan is to focus improvements and investment (public realm improvements, as well as shops and other town centre uses) on the south western end of the High Street as the town centre core.
- 4.44 Despite some interest in the site from operators it has not come forward for retail/food store re-development.
- 4.45 The requirements relating to retaining public car parking in the allocation were informed by parking surveys. These surveys undertaken in 2015/16 showed that SRCP was well used most of the day and that there was limited spare capacity. Those surveys did not consider duration of stay or car park use. Anecdotal evidence at that time suggested use of SRCP for long stay parking



including by commuters. Therefore, updated parking surveys were undertaken in 2019 which also assessed duration of stay. This survey continues to show that SRCP is well used and there is limited or no spare capacity. It also shows that the car park is primarily used for short-stay town centre trips and there is no evidence of long stay commuter use. Initial analysis also suggests there is no spare car parking capacity elsewhere in the town centre. Within the current strategy and the modes of transport used to visit the town centre this demonstrates a current need to retain SRCP for car parking in order to help maintain its attractiveness as a shopping destination.

- 4.46 Moving forward there are two options presented for consultation. The first would be to retain the existing allocation for retail led mixed-use development with significant public car parking (albeit this has proven difficult to deliver). The second option would be to retain the site primarily for public car parking and not retail development, but with some potential for other compatible or secondary uses. Under this option there may be scope to explore the possibility of also utilising parts of the car park for other beneficial uses including solar energy generation e.g. through solar cell canopies over the car parking spaces. There may also be the scope to consider an element of the site being used for residential development, whilst retaining the majority for public car parking. Further feasibility work needs to be undertaken on this approach.
- 4.47 Like many town centres Midsomer Norton has suffered due to the restrictions resulting from Covid-19. There remains considerable uncertainty surrounding the recovery and therefore the future nature of the town centre. However, if it remains the case that an additional food store can and should be the catalyst for town centre improvement, available or potentially available opportunities will need to be assessed on a sequential basis, starting with sites within the town centre and then sites close to and well linked to the town centre.
- 4.48 In preparing the pre-submission Draft Plan assessment of consumer and retailer trends will be undertaken to consider whether an additional medium sized food store should be provided and potential sites will also be considered. Following assessment of sites in the town centre, edge of town centre opportunities to be considered would include the Former Welton Bibby Baron site just to the north of the High Street, which is currently allocated in the Placemaking Plan and has outline planning permission for mixed use development comprising housing, employment uses and 'small scale local' retail.

## **Consultation Reference SV 2**

### Option 1

Retain South Road Car Park site allocation for retail, mixed use development, whilst also providing significant public car parking serving the new store and the town centre.

### Option 2

No longer allocate South Road Car Park site for retail development, but retain it primarily as a public car park, providing additional benefits potentially including solar energy generation or a minor element of residential development.

## 5. Minor amendments

<b>Volume 1 - District-wide Strategy and Policies</b>	<b>Revision / Proposed amendments</b>	<b>Reasons</b>
<b>SPATIAL STRATEGY FOR BATH &amp; NORTH EAST SOMERSET</b>		
<b>DW1</b> District-wide spatial Strategy	No change to the overall spatial strategy but replenishing housing supply via new site allocations may necessitate minor changes to the policy and the associated key diagram. The strategic district-wide dwelling and jobs requirements will remain unchanged although the housing supply will moderately increase.	To provide clarity
<b>RESPONDING TO CLIMATE CHANGE</b>		
<b>CP4</b> District Heating	The policy includes a district heating network at Keynsham Town Centre. The majority of land allocated for development in Keynsham Town Centre such as the Civic Centre has been built out. Therefore, it is proposed that Keynsham High Street is included as an opportunity area rather than a district heating priority area.	To reflect the latest evidence
<b>CP5</b> Flood Risk Management	Minor amendment to cross refer to and ensure Green Infrastructure benefits delivered through flood risk management approach.	To provide clarity
<b>SU1</b> Sustainable Drainage	Amendment to require provision of multi-functional SUDS also acting as Green Infrastructure (multiple benefits)	To provide clarity
<b>ENVIRONMENTAL QUALITY</b>		
<b>CP6</b> Environmental Quality	Amend section 4. Nature Conservation: Update to policy to reference measurable biodiversity net gain requirements and nature recovery networks.	To provide clarity

D4 Street and Space	Development proposals must be well connected, in particular:  h) Street trees and green spaces should contribute to a network of Green Infrastructure and should be adequately sited to promote connectivity for people and wildlife. <u>All new streets should be lined with trees wherever possible.</u>	To provide clarity
Policy D8: Lighting	Amend criterion 2 as follows: 2 Development will be expected to <del>reduce or at best maintain existing light levels to protect</del> <u>retain or</u> improve the darkness of rivers, watercourse or other ecological corridors in particular to protect or provide a functional dark route for European protected species. <del>New lighting facilities with light spill to these features must be dimmable.</del> <u>Lighting must be designed in relation to protection of wildlife habitats, including B&amp;NES 2018 Waterspace Design Guidance and Bats and Lighting in the UK (ILP, 2018).</u>	To be HRA compliant and provide clarity.
PMP:NE2 Conserving And Enhancing The Landscape And Landscape Character	Add new criterion: <u>4 Great weight will be afforded to conserving and enhancing landscape and scenic beauty within nationally designated Areas of Outstanding Natural Beauty (AONBs) and their setting, and with particular reference to their special qualities.</u>	To reflect NPPF para 172
<b>NE6</b> Trees and woodland conservation	Amend criterion 3 as follows: Development proposals directly or indirectly affecting ancient woodland or and ancient trees or <u>veteran trees</u> will not be permitted.	To reflect the NPPF 2019
<b>Green Infrastructure</b>		
CP7 Green Infrastructure	It is proposed to amend the policy to provide clarity on policy implementation to support green infrastructure delivery.	To provide clarity.
<b>Green Belt</b>		
<b>GB3</b> Extensions and alterations to buildings in the Green Belt	Proposals to extend <u>or alter</u> a building in the Green Belt will only be permitted provided they would not represent a disproportionate addition over and above the size of the original building.	Minor amendment to conform with the NPPF.

<b>A PROSPEROUS ECONOMY</b>		
<b>Economic Development</b>		
<p><b>ED.1B</b> Change of use &amp; redevelopment of B1 (A) office to residential use</p>	<p>POLICY ED1B: Change of Use &amp; Redevelopment of B1(a)-Office to Residential Use</p> <p>1. Change of use (i.e. conversion)</p> <p>The conversion of office space (B1a) to residential C3 is normally permitted development, subject to the exceptions set out in the GDPO (which includes listed buildings). The principle of change of use through conversion of listed buildings in B1a use to C3 residential use is also accepted.</p> <p>2 <u>1. Change of Use and</u> Redevelopment (i.e. demolition and construction of a new building)</p> <p><u>Planning applications for the change of use and</u> redevelopment of office space (B1a) (Class E (g)(i)) to non-student C2, C3 or C4 residential will be permitted unless there are strong economic reasons for refusal, as set out below.</p> <p>3 <u>2. Strong economic reasons</u></p> <p>Strong economic reasons will exist if:</p> <p>a) the site is within the Bath Central Area, the Bath City Riverside Enterprise Zone, Somerdale, or a town centre listed in Policy CP12, or on a site that has been granted permission since 2011; and</p> <p>b) the loss of the space would be a significant loss to strategically important office accommodation in B&amp;NES and significantly harm the Council’s ability to plan positively for economic development.</p> <p>In assessing whether strong economic reasons exist, consideration will be given to:</p> <ul style="list-style-type: none"> <li>• the quality of the office space (existing or permitted) to be lost or not implemented compared to alternative, available premises in the locality, and whether these are suitable for any displaced existing occupiers;</li> <li>• the need to retain the space in the context of the achievement of strategic Core Strategy targets</li> </ul>	<p>Minor amendments to ensure it reflects new use classes order (September 2020) and current permitted development rights.</p>

	<p>set out in B1, KE1 and SV1;</p> <ul style="list-style-type: none"> <li>• current market signals and forecasts (to ensure the long-term targets of Core Strategy policies B1, KE1 and SV1 remain justified throughout the plan period);</li> <li>• in the case of a mixed-use residential-led site granted permission since 2011, whether the premises are critical to the sustainability of the permission and whether implementation remains viable, and realistic in light of market signals.</li> </ul> <p>1. In the event that permitted development rules referred to in this policy no longer apply (whether due to the introduction of a direction under Article 4 of the Town and Country Planning Acts or through changes to national legislation or policy):</p> <p style="padding-left: 40px;">a) If the permitted development rules relating to change of use (conversion) from office to residential are removed, all such applications, including for listed buildings, will be assessed using the criteria set out in paragraphs 2-3, above. For the avoidance of doubt, in these circumstances the principle of change of use through the conversion of listed buildings in B1a use to C3 use will no longer be automatically considered acceptable.</p> <p style="padding-left: 40px;">b) If the permitted development rules relating to change of use (conversion) from office to residential are widened to include redevelopment, consideration of strong economic reasons, as set out in paragraphs 2-3 above, will no longer be required. This would not apply to listed buildings.</p>	
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<p><b>ED.1C</b> Change of use and redevelopment of B1 (A) office use to other town centre uses</p>	<p>POLICY ED1C: Change of Use and Redevelopment of B1(a) Office Use to Other Town Centre Use  <del>1 The change of use of office space to A1, A2 and A3 uses will be permitted unless clauses 3a and 3b of Policy ED1B apply</del>  Policy ED1B apply  The change of use or redevelopment of office space to other town centre uses <u>(not within Class E use)</u> will not normally be permitted, unless the space is of particularly poor quality in relation to the total stock of the city, or, if this is not common ground between the applicant and LPA, the space has been marketed for 12 months, on reasonable terms, at a time when the UK economy is growing and no serious occupier interest has been forthcoming.</p> <p>Even where these criteria are not met the economic and social benefits of the alternative proposed town centre use (in terms of employment, GVA and contribution to the centre and any townscape improvements resulting from change) will be material considerations, that could, in exceptional cases, outweigh ED1C (2)</p>	<p>Minor amendments to ensure it reflects new classes order (September 2020) and would relate to a change of use from an office to a non E-use class town centre use.</p>
<p><b>RE1</b> Employment uses in the countryside</p>	<p>Proposals for employment uses in the countryside outside the scope of Core Strategy Policies RA1 and RA2 will be permitted providing they are consistent with all other relevant policies, and involves:  i) replacement of existing buildings <u>or development of previously developed land</u>;  ii) the limited expansion, intensification or redevelopment of existing <u>employment</u> premises; and  iii) they would not lead to dispersal of activity that prejudices town and village vitality and viability.</p> <p>In the case of development in the Green Belt proposals should be consistent with national Green Belt policy.</p>	<p>Minor amendment for clarification and to ensure consistency with the NPPF</p>

<p><b>CR1</b> Sequential Test</p>	<p>Retail and other main town centre uses (including commercial leisure) should be located within the centres identified on the Policies Map and in Core Strategy Policy CP12. Where there are no suitable and viable sites available (<u>or expected to become available within a reasonable period</u>) to meet the needs for such uses within centres, edge of centre locations may be appropriate. Sites should be in a location readily accessible on foot, by cycle and by public transport, with preference given to sites that are well connected to the town centre.</p> <p>Out of centre development of main town centre uses will only be acceptable where: i No suitable or viable centre or edge of centre sites are available (<u>or expected to become available within a reasonable period</u>) and the proposal would be in a location readily accessible on foot, by cycle and by public transport, with preference given to sites that are well connected to the town centre; or</p>	<p>Minor amendments to ensure it reflects the new Use Classes Order (September 2020)</p>
<p><b>CR2</b> Impact Assessment</p>	<p>ii It would have a significant adverse impact on existing, committed or planned investment in a centre or centres in the catchment area of the proposal.</p> <p>Within Bath, an Impact Assessment will be required for Use Class <del>A1-5 E (a-c)</del>, <u>together with public houses / drinking establishments and hot food takeaways</u>, and retail proposals over 500sqm (gross) that are located outside of the designated town centres and not in accordance with the Local Plan. For the rest of the District, an Impact Assessment will be required for - Use Class <del>A1-5 E (a-c)</del>, <u>together with public houses / drinking establishments and hot food takeaways</u>- retail proposals over 280sqm (gross) that are located outside of the designated town centres and not in accordance with the Local Plan.</p>	<p>Minor amendments to ensure it reflects the new Use Classes Order (September 2020)</p>



<p><b>CR3 Primary Shopping Areas and Primary Shopping Frontages</b></p>	<p><b>Development within Primary Shopping Frontages</b>          Within Primary Shopping Frontages identified on the Policies Map development will be expected to maintain or provide active ground floor uses. Within Primary Shopping Frontages change of use of shops (<del>Use Class A1</del>) to another use will not be permitted (subject to permitted development rights) unless the proposed use would:</p> <ul style="list-style-type: none"> <li>i Make a positive contribution to the vitality, viability and diversity of the centre; and</li> <li>ii Not fragment any part of the Primary Shopping Frontage by creating a significant break in the shopping frontage; and</li> <li>iii Not result in a loss of retail floorspace of a scale harmful to the shopping function of the centre; and</li> <li>iv Be compatible with a retail area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street.</li> </ul> <p><b>Development outside Primary Shopping Frontages</b></p> <p>Outside the Primary Shopping Frontage but within Primary Shopping Areas and Town Centres, the loss of <del>Use Class A1</del> retail floorspace will be permitted provided that a healthy balance and diversity of uses is retained and concentrations of uses other than <del>Use Class A1</del> <u>retail use</u> are avoided. The proposed use should still attract pedestrian activity and footfall to the centre and should not significantly harm the amenity of the area. The proposed use should not have an unacceptable impact on the vitality, viability and diversity of the centre.</p>	<p>Minor amendments to ensure it reflects the new Use Classes Order (September 2020)</p> <p>Note: the government is currently consulting on further proposed changes to permitted development rights. These would mean a change from any use/mix of uses within the new E use class to residential dwelling (C3) use would be permitted development. The implications of this potential change will be kept under review and may require further changes to Policy CR3.</p>
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## 6. Policies to be retained and with no amendments proposed

Sections	Policies
Spatial Strategy	RA1 Development in the villages meeting the listed criteria RA2 Development in villages outside the Green Belt not meeting Policy RA1 criteria
Sustainable Development	SD1 Presumption in favour of Sustainable Development
Climate Change	SCR3 Ground Mounted Solar Arrays SCR4 Community Renewable Energy, PMP:SCR5 Water Efficiency,
ENVIRONMENTAL QUALITY	D.1 General Urban Design Principles D.2 Local Character & Distinctiveness D.3 Urban Fabric D.5 Building Design D.6 Amenity D.7 Infill & Backland Development D.9 Advertisements & Outdoor Street Furniture H2 Somersetshire Coal Canal and the Wansdyke
Landscape	NE2A Landscapes setting settlements NE2B Extension of residential curtilages in the countryside
Nature Conservation	NE4 Ecosystem Services
Green Belt	CP8 Green Belt
Pollution, contamination and safety	PCS2 Noise and vibration PCS3 Air quality PCS4 Hazardous substances PCS6 Unstable land PCS7 Water Source Protection Zones PCS7A Foul sewage infrastructure PCS8 Bath Hot Springs
Meeting Housing Needs	CS:CP9 Affordable Housing CS:RA4 Rural Exceptions Sites PMP:H1 Housing and Facilities for the Elderly, people with other Supported Housing or Care Needs CP10 Housing Mix PMP:H6 Moorings H8 Affordable Housing Regeneration Schemes CP11 Gypsies, Travellers and Travelling Showpeople
Meeting local community and recreational needs	LCR1 Safeguarding local community facilities RA3 Community Facilities and Shops LCR1A Public houses LCR2 New or replacement community facilities LCR3 Sites safeguarded for primary school use LCR3A Primary school capacity LCR4 Allocation of land for cemeteries LCR6A Local Green Spaces LCR7 Recreational development proposals affecting waterways LCR7A Telecommunications development

	LCR7BBroadband LCR7C Commercial riding establishments LCR8 Protecting allotments LCR9 Increasing the Provision of Local Food Growing
Economic Development	ED.1A Office Development
Sustaining a buoyant rural economy	RE2 Agricultural development RE3 Farm diversification RE4 Essential dwellings for rural workers RE5 Agricultural land RE6 Re-use of Rural Buildings RE7 Visitor accommodation
Centres and Retail	CP12 Centres and Retail CR4 Dispersed Local Shops
Transport	ST4 Rail freight facility ST8 Airport and Aerodrome Safeguarding Areas
MINERALS	CP8a Minerals M1 Mineral Safeguarding Areas M2 Minerals Allocations M3 Aggregate Recycling Facilities M4 Winning and working of minerals M5 Conventional & Unconventional Hydrocarbons
Infrastructure	CP13 Infrastructure Provision
Bath	B4 The World Heritage Site and its Setting, BD1 Bath Design Policy, B2 Central Area, SB1 Walcot Street /Cattlemarket, SB3 Manvers Street, SB4 Bath Quays North & Bath College, SB5 South Quays & Riverside Court, SB6 South Bank, SB7 Green Park Station West & Sydenham Park, SB9 The Bath Press, SB11 Former MoD Foxhill, SB12 MoD Warminster Road, SB13 MoD Ensleigh and Royal High Playing Field, SB15 Hartwells Garage, SB16 Burlington Street, SB17 Englishcombe Lane, B3a Land adjoining Odd Down
Keynsham	KE3a Land adjoining East Keynsham, KE4 Land adjoining South West Keynsham
Somer Valley	SSV1 Central High Street, SSV4 Former Welton Manufacturing site, SSV3 Midsomer Norton Town Park, SSV14 Carlton Timber Yard, SSV17 Former Radstock County Infants, SSV20 Former St Nicholas School, SSV18 Bath College Somer Valley Campus, SSV11 St Peter's Factory/Cobblers Way,

Rural	SR24 Land adjacent to Temple Inn Lane, SR17 the Former Orchard, SR5 Pinkers Farm, SR6 Water Street, SR14 Wheelers Manufacturing Block Works, SR15 Land to the East of the St Mary's School, SR2 Leadfield and RA5 Whitchurch
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