

APPENDIX 2 Compilation of Recommendations

All references in the report are to the consolidated version of the Local Plan March 2005 (Inquiry document A2.1.28). This means that where my recommendation is "no change", I am endorsing any Pre-Inquiry Change in that particular policy or text. Changes put forward during the Inquiry ("Inquiry Changes") are not included in the consolidated plan and are therefore highlighted in my recommendations where they occur. The following is a sequential list of my recommendations drawn from the preceding sections of the report where I am recommending that the plan be modified. The recommendations stating "no change" are not listed here.

Recommendations from Section 1 (Plan Chapters A1 - A5):

R1.1 Modify the plan by deleting paragraph A1.1 and Quick Guide 1.

R1.2 The Council to consider whether there is any need to retain sections A1.5-A1.11. If paragraph A1.10 is retained, the cross-reference at the end of the final sentence should be replaced with "(see Section A2)".

R1.3 The Council to update population figures (such as in paragraph A1.20).

R1.4 Modify the plan by deleting Quick Guide 2 and, if reference to the National Sustainable Development Objectives is to be retained, incorporate in paragraph A2.2;

R1.5 Modify the plan by deleting paragraph A2.3.

R1.6 Modify the plan by deleting paragraphs A3.1-A3.4 and, if possible, by inserting a clear, succinct vision relevant to the task of the Local Plan.

R1.7 Modify the plan by deleting heading "Overall Strategy", paragraph A3.7 and the Key Objectives – Overall Strategy (OS.1-OS.3).

R1.8 Modify the plan by deleting Quick Guide 4.

R1.9 Modify objective E.6 by inserting "quantity and" after "improve the".

R1.10 Modify the plan by deleting the heading "Sustainable Development Policy", paragraph A3.15, and Policy 1.

R1.11 Modify the plan by deleting paragraphs A3.17 and A3.17A and substituting:

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

R1.12 Modify the Plan by deleting paragraphs A3.18 and A3.18A from the RDDLP and reinstating paragraph A3.18 from the DDLP.

R1.13 Modify the plan by deleting the text of paragraph A3.20 and substituting:

“To create a sustainable pattern of development within Norton-Radstock, new residential development will be limited to that required to ensure the plan is able to provide an adequate supply of housing land within the plan period. Development will be mainly on brownfield sites, and will include mixed use schemes wherever appropriate in order to contribute to the provision of modern employment facilities.”

R1.14 Modify paragraph A4.7 by adding at the beginning:

“Where the use of planning conditions would not be appropriate, planning obligations may be sought in order to make acceptable development proposals which would otherwise not be granted planning permission.”;

by deleting: “Another method of securing such improvements is by mean of Planning Obligations” inserting “Planning obligations are” and removing the brackets around the rest of the sentence.

R1.15 Modify Policy IMP.1 by deleting the text and substituting:

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

- i) where a particular form of development is required to comply with policy; or
- ii) to provide compensatory provision for what is lost or damaged as a result of the development; or
- iii) to mitigate an otherwise unacceptable impact of the development on local facilities and infrastructure; or
- iv) to overcome any other identified harm which would make the development otherwise unacceptable.”

R1.16 Modify paragraph A4.15 by deleting “thus possibly refusing the application” and inserting “resulting in the refusal of the application”.

R1.17 Modify the plan by deleting paragraph A4.23 and substituting:

“A new system of development plans has been introduced by the Planning and Compulsory Purchase Act 2004. As a result, this “old style” Local Plan will be saved for only three years from adoption. The Council’s Local Development Scheme sets out the timetable for the preparation of the documents forming the new Local Development Framework which will replace this Local Plan. The new system will provide greater flexibility for the review of policies and proposals as they become out of date.”

R1.18 Modify the Plan by deleting:

paragraph A4.26A;

paragraph A4.26B after the 2nd sentence;

paragraph A4.26C;

and by updating the remaining paragraphs as necessary.

R1.19 The Council to consider whether any of the points listed under Paragraph A4.26A should be incorporated into Chapter B9 under the heading “Bath” before Policy GDS.1/B1.

R1.20 Modify paragraph A4.27 by:

deleting first sentence and substituting:

“Planning permission has been granted for the major redevelopment of the Southgate area of Bath city centre, and a Compulsory Purchase Order has been confirmed by the Secretary of State to enable the scheme to proceed.” and

deleting final sentence.

R1.21 Council to clarify the headings/sub headings to paragraphs A4.29-A4.31 (and more generally all those under “Promoting Development Projects”) and update text in A4.29.

R1.22 Modify the plan by deleting paragraph A4.40 and the list of strategies.

R1.23 The Council reconsider the targets and indicators to ensure they are measurable; consistent with the objective of the policy the target is intended to measure; are based on indicators which will provide a clear indication of success or failure and measure what is important.

R1.24 Delete Targets 1 and 2 and Indicators 1 and 2.

R1.25 Target 3 and its associated indicator be reviewed so as to relate to the development/implementation of permitted employment sites and buildings.

R1.25 Indicator 4 be reviewed to identify a clear measure of success or failure or, alternatively, delete the target.

R1.26 Target 5 and the related Indicator be reviewed to more closely relate to policy or, alternatively, delete the target.

R1.27 Target 10 be modified by deleting the existing wording and substituting:

“Make provision which will deliver 6,855 additional dwellings within the plan period.”

R1.28 Target 11 be modified to reflect Policy HG.8 as recommended to be modified.

R1.29 The Council to reassess Target 14 to ensure that it is realistic in the light of experience to date and roll-forward the timescale.

R1.30 Roll forward Target 13 if revised national targets for the period are available.

R1.31 Modify the plan by deleting Target 19 and the corresponding indicator.

R1.32 Modify the plan by identifying an indicator for Target 18 which better measures success in achieving the provision of additional planting.

R1.33 Modify Target 20 by deleting "60%" and inserting "50%"

R1.34 Modify the plan by deleting Target 23 and the related indicator.

R1.35 Modify the plan by deleting Policy D.1.

R1.36 Modify Policy D.2 by:

deleting criteria d) and e);

Reviewing the need for criterion h) and, if retained, specify more clearly what aspects of the living conditions of existing residents and the future residents of the proposed development are to be given consideration.

R1.37 Delete paragraph A5.32.

R1.38 Modify the plan by deleting Policy D.3.

R1.39 Modify Policy D.2 by inserting the following additional criterion:

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

R1.40 Modify Policy D.4 by deleting the existing text and substituting:

"Development will be permitted only where:

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

R1.41 Modify the supporting text to provide a reasoned justification for the policy by:

highlighting that the quality of the townscape and landscape varies and new development should complement what is attractive, but improve on what is poor;

referring to SPG/SPD where the attractive qualities and local distinctiveness of settlements is identified, such as conservation area appraisals and village design statements (and where such existing documents are listed);

deleting the last sentence of paragraph A5.60;

deleting the heading "Morphology" and the word in paragraphs A5.61 and 5.62 and amend the text to explain more straightforwardly what is being highlighted (such as "the pattern of streets, buildings and spaces")

deleting in paragraph A5.66 "without complete rebuilding" to the end of the sentence;

deleting paragraph A5.70 and adding at the end of paragraph A5.69: "Extensions should respect and complement their host building."

R1.42 Modify the plan by:

deleting Quick Guide 4A, Quick Guide 4B and paragraphs A5.74A and B.

deleting the reference to Quick Guide 4A in paragraph A5.74.

R1.43 Modify the plan by deleting Policy D5.

R1.44 Modify the plan by deleting the first sentence of paragraph A5.73 and substituting "Design statements should accompany all planning applications for new buildings and extensions."

Recommendations from Section 2 (Plan Chapters B1 – B2)

R2.1 Modify Paragraph B1.3 by reinstating the final sentence deleted from the DDLP.

R2.2 Modify Paragraph B1.4 by deleting the final sentence after "services" and adding: "and could accommodate mixed use development on some of the outdated employment sites. This would contribute to the housing land supply during the plan period, whilst contributing towards the development of a more balanced settlement in terms of homes and jobs."

R2.3 Modify policies ET.1 to ET.3 and paragraphs B2.1 to B2.41 as follows:

paragraph B2.1 - modify the quotation from PPG1 to conform with paragraph 4 of PPS1;

paragraphs B2.2 to B2.4 - retain;

delete paragraph B2.5 and insert: "A long term vision for the District's future is described in the Local Agenda 21 Strategy for Bath & North East Somerset, Change 21. Key points particularly relevant to the District's economy are" and set out the bullet points in Quick Guide 5;

delete Quick Guide 5;

paragraph B2.6 - retain but replace the last sentence with "The strategy has four building blocks underpinned by the themes of sustainability, partnership and inclusion" and include the bullet points in Quick Guide 6;

delete Quick Guide 6;

paragraphs B2.7 to B2.17 - retain;

delete paragraphs B2.18 to B2.41 (including Policies ET.1A-D and ET.3 and Quick Guides 6A and 6B).

R2.4 Insert the following text and policies:

"The general approach to employment land

The JRSP does not set out a target requirement for employment land in the District and Policy 31 seeks to limit the release of new greenfield sites for employment development. Consequently the local plan's starting point is to concentrate employment-related development on land already used for such purposes, including development undertaken as part of mixed use schemes, with greenfield employment land released only where necessary.

The Local Plan aims to maintain and enhance the economic prosperity of the District by ensuring that sufficient employment land is always available to meet development needs so that a diverse and buoyant economy can be preserved. Employment generating development should take place in locations that best accord with sustainable development objectives such as reducing the need to travel (through proximity to public transport and potential walking/cycling routes) and moving towards 'balanced communities'.

Forecast changes in demand for employment floorspace 2001-11

The Business Location Requirements Study 2003 (BLRS) provides an analysis of local employment trends up to 2011, forecasting market demand for floorspace during the period 2001-11 within the District and its four sub-areas. The study forecasts the need for an increase in office floorspace (B1a&b), mainly in Bath, and a managed reduction of industrial-type floorspace (B1c/B2/B8). These forecasts are incorporated in policy ET.1 as indicative guidance on the scale of changes which would be appropriate in employment floorspace provision. The Council will carefully monitor progress being made towards these guidance figures as a means of informing future planning decisions.

Policy ET.1 Employment land: overview

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

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

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

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

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

However, as a means of increasing the self-sustainability of Keynsham, policy GDS.1/K1 makes provision for additional employment at the Somerdale site which will be considered as additional to the above.

Information will be compiled and published annually, cataloguing the net changes in the above types of floorspace resulting from new build developments, redevelopments and changes of use. This information will be used to provide an important input into a plan-monitor-manage approach to achieving the objectives of this policy, implemented through policies ET.2 and ET.3 below.

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

The Council will seek to work towards the indicative scales of change set out in policy ET.1 through a mix of new provision (see paragraphs below), safeguarding of sites defined as core employment sites (see paragraphs.....below) and the adoption of a criteria-based approach to

proposals for change on other existing employment sites (see paragraphs....below).

New employment floorspace provision

The city of Bath is relatively self-contained from the employment standpoint, with 75% of residents employed locally. Opportunities to identify new employment land in the city are limited by environmental constraints such as topography, landscape and townscape considerations and the Green Belt. Nonetheless, some major redevelopment sites can make a significant contribution to retaining and stimulating employment growth during the plan period. These are listed under policy GDS.1 as Western Riverside (site B1), Lower Bristol Road (site B12), and Rush Hill, Odd Down (site B3).

Bath is expected to be the main focus of office development. Policies ET.1, ET.2 and GDS.1 therefore make provision for significant new office development in the city. Western Riverside has the potential to provide large capacity extending well beyond the plan period, and there may also be long term potential at MOD Foxhill, but such schemes are unlikely to be achieved in the short to medium term. In the short term the supply of offices in Central Bath is likely to remain tight as there has been relatively little speculative office development in the past 10 years. It is therefore considered important to safeguard this supply against pressures for changes of use to other purposes until alternative developments become available. Policy ET.2 therefore defines a core office employment area in the city centre within which the loss of office floorspace will be resisted unless certain criteria are met.

Keynsham has a high level of out-commuting with more than 79% of its employed residents travelling elsewhere to work in 1991. Therefore a key objective during the plan period will be to make the town more self-sustaining in terms of employment. Although demand for new office floorspace outside Bath is generally expected to be on a much smaller scale, the locational advantages of the allocated site at Somerdale in Keynsham (policy GDS1/K1) present the opportunity for a campus of high profile and quality which could attract demand from a wider area, helping to increase local jobs and reduce the high level of commuting from the town. The plan therefore promotes this development as a specific addition to the floorspace forecasts in policy ET.1.

In Norton-Radstock the growth in employment opportunities has not kept pace with past rates of residential development, so that over 50% of the town's workforce commuted elsewhere to work in 1991. In addition, although numbers have fallen in recent years, around 5600 people (about 25% of the local workforce) are still employed in manufacturing sectors such as printing, packaging, engineering and electronics. In view of these factors, and in line with the JRSP, the employment strategy for this area focuses on regeneration, aiming to foster a range of new local employment opportunities. The Local Plan seeks to ensure that a variety of types and sizes of sites are available. Development at Westfield

Industrial Estate is nearing completion and there is scope for a mixed use redevelopment of St Peter's factory at Westfield. A small site is also allocated at the former sewage works at Welton Hollow and provision is made for rounding-off Midsomer Norton Enterprise Park. Otherwise there is potential for a mixed use redevelopment at the Welton Bag factory and in the Coombe End area of Radstock. There is also potential for new employment development at the printing factory site in Paulton, near Midsomer Norton.

In the rural areas there is planning permission for 11ha of employment land at Peasedown St John, part of which originated through a comprehensive development scheme. In addition there is a requirement for the provision of small scale employment premises as part of the former Radfords site at Chew Stoke, as described in paragraph C1.39. Office development in the rural areas is likely to be small scale, through conversions, rural diversification and redevelopment of existing sites.

The key employment development opportunities described above, both those with planning permission and those allocated under policy GDS1 are shown on diagram 6.

Safeguarding core employment areas

As part of the process of managing an orderly planned reduction in industrial floorspace the Council has identified a number of core employment areas based on factors such as their location and environment, the concentration, range and quality of their existing premises, and the scope for further consolidation by development or redevelopment within their boundaries. The Council wishes to safeguard business premises within these areas against any pressures for redevelopment or change of use to other, often higher value, purposes as an important part of ensuring that there is sufficient accommodation to meet the demands of small and medium scale local businesses and prevent the loss of local employment activities and a possible increase in out-commuting. Policies ET.2 and ET.3 give effect to this.

In Bath land is identified for this purpose at Locksbrook Road and Brassmill Lane. These areas are particularly important in providing accommodation for the types of businesses which, if forced out of Bath by higher land values and a shrinking supply of alternative premises, could find it difficult to find alternative affordable options in the city. It has been found that employment land allocations in Keynsham and Norton Radstock are unlikely to attract significant relocations from Bath and that closure of larger companies in Bath has seldom resulted in relocation to other parts of the District.

Also in Bath, the Lower Bristol Road area has been considered for designation as a core employment area. However, this area has become run down over a long period of time and there is a need to regenerate derelict areas and older buildings through the provision of mixed use developments including the provision of offices, housing, spaces for non

business activities and transport infrastructure. The area also presents an opportunity to enhance both the important A36 gateway route into the city and the riverside area. It has therefore been allocated for mixed use purposes under policy GDS.1/B12.

In Keynsham, the Ashmead Park Industrial Estate provides the bulk of the town's floorspace in the industrial sector. The retention of this site is essential in the interests of preventing growth in the large scale of outward commuting from the town.

At Norton-Radstock there remains a number of thriving and relatively modern trading estates, notably in the Westfield and Radstock Road areas. A number of larger industrial sites at Welton and Norton Hill retain significant employment at established companies. In order for the town to retain its employment base these areas need to be safeguarded.

There is also significant employment in the industrial sector in the rural areas varying from large sites within or adjoining villages such as the printing works at Paulton, to freestanding industrial estates in the countryside such as Hallatrow and Burnett Business Parks and Clutton Hill Farm. Some result from conversions of buildings formerly in other uses while others are long-established industrial sites. They often provide relatively low-cost premises and make an important contribution to providing employment in rural areas.

Changes within employment sites outside core employment areas

There is a wide range of premises used for employment purposes outside the core employment areas. Many offer important opportunities for local employment. In particular, Bath is characterised by a pattern of mixed uses with residential uses intermingled with commercial and community uses. This juxtaposition of uses makes a significant contribution to the City's townscape character and economic and social vitality as well as facilitating shorter journeys to work. A number of employment sites have been lost to other uses in recent years and it is important that pressure to find land for housing does not prejudice the objective of balanced communities since, once lost, such local sites are rarely replaced.

The Council will therefore strive to ensure that the managed reduction in industrial floorspace does not unduly erode the number of local employment premises which are still capable (or potentially capable) of offering viable accommodation to business occupiers in terms of location, condition, layout, vehicular access, accessibility to employees, environmental and "bad neighbour" issues, etc. Consideration will be given to the availability or otherwise of adequate alternative premises in the locality and, in Bath, particular consideration will be given to the need to retain an adequate supply of small units of 500sq.m or less. In appropriate circumstances the Council will consider whether it would be right to support mixed use redevelopments providing opportunities for continuing employment, subject to the criteria set out in policies ET.3 (3) and HG.4.

Policy ET.2 Office development (class B1a & b):

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

- (1) Development for new office floorspace will be focused primarily on the sites identified for mixed use development in policy GDS.1. Subject to site-specific considerations new office floorspace will also be acceptable elsewhere in the defined core area as an element of mixed use developments.
- (2) Planning permission will not be granted for developments involving the loss of established office floorspace unless:
 - (i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in Bath will be met without retention of the premises in question; or
 - (ii) the site is no longer capable of offering office accommodation of adequate standard; or
 - (iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the city centre; or
 - (iv) the proposal brings benefits to the city centre which assist the overall objectives of the plan and outweigh the loss of the office floorspace.

Elsewhere in the District:

- (1) Proposals for net gains of office floorspace will be supported in principle provided that the site is (a) within a site identified for the purpose in policy GDS.1 or elsewhere in the plan, (b) part of a protected core business area identified in policy ET.3 below, (c) within or very closely associated with the central areas of Bath, Keynsham, Midsomer Norton and Radstock or (d) in villages in accordance with policy ET.4. In all cases sites must be accessible to a range of transport modes.
- (2) Proposals for net losses in stand-alone office floorspace will not be granted in the protected core business areas or within or very close to the central areas of Keynsham, Midsomer Norton and Radstock unless:
 - (i) it can be demonstrated that the aims of policy ET.1(A) for an increase in office floorspace in the relevant sub-area will be met without retention of the premises in question; or
 - (ii) the site is no longer capable of offering office accommodation of adequate standard; or

- (iii) the proposal will secure suitable alternative employment opportunities of at least equivalent economic benefit to the sub-area.

Policy ET.3 Non-office business development (class B1c, B2 and B8)

- (1) Proposals for non-office development in the business use classes will be supported in principle within:
 - (a) the following core employment areas identified on the Proposals Map:

Brassmill Lane, Bath [NB: to be subdivided into two parts on the Proposals Map]

Locksbrook Road, Bath

[.....add others to be identified elsewhere in the District]
 - (b) sites identified for the purpose in GDS.1 or elsewhere in the plan, and
 - (c) other appropriate sites currently or last used for such purposes, and
 - (d) in villages in accordance with policy ET.4.
- (2) Planning permission will not be granted for proposals which would
 - (a) result in the loss of land or floorspace for non-office business use within the core employment areas identified on the Proposals Map or (b) run counter to the objectives of policy GDS1 in cases where such uses are proposed.
- (3) In all other locations proposals for the loss of land and floorspace for the above uses will be judged against the extent of positive or negative progress being made in achieving a managed reduction in floorspace on the scale sought by policy ET.1(B) and against the following additional criteria;
 - (i) whether the site is capable of continuing to offer adequate accommodation for potential business or other similar employment uses; or
 - (ii) whether continued use of the site for business or other similar employment uses would perpetuate unacceptable environmental or traffic problems; or
 - (iii) whether an alternative use or mix of uses offers community benefit outweighing the economic or employment advantages

of retaining the site in business or other similar employment uses.

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

R2.5 Modify the plan by deleting Policy ET.3A and paragraph B2.41A.

R2.6 Modify Policy ET.4 by:

inserting after "and B8)" "and small scale purpose built visitor accommodation"; and

reinstating criterion a) from the DDLP.

R2.7 Modify Policy ET.6 by deleting all of the policy from (and including) "will only be permitted where" and substituting:

"will have regard to the following:

- i) any adverse environmental impact (including any conflict with other policies in the plan); and
- ii) the adequacy of provision for the storage and disposal of animal waste; and
- iii) where there is harm or conflict with other policies in the plan, the need for, or the benefits to, the enterprise or the rural economy."

R2.8 Modify Policy ET.7 by:

deleting part iii);

deleting part iv).

R2.9 Modify the plan by moving paragraph B2.54 to after paragraph B2.62 (but delete the last sentence).

R2.10 Modify the plan by clarifying what constitutes farm diversification proposals for the purposes of Policy ET.9 (as opposed to other business proposals in the countryside).

R2.11 Modify Policy ET.8 as follows:

delete criterion (i)

delete criterion ii) and substitute "Existing buildings are used or replaced in accordance with the criteria in Policy ET.9"; and

add: "iii) the development would not result in a dispersal of activity which prejudices town or village viability";

Delete the last sentence and substitute “Where existing buildings cannot be reused in accordance with Policy ET.9, or replaced in accordance with Policy ET.5, new buildings will be permitted only where required for uses directly related to the use of, or products of, the associated landholding, are small in scale, well designed and grouped with existing buildings.”

R2.12 Modify Policy ET.9 by:

deleting in criterion 1 the words “local building styles and materials” and substituting “respect the style and materials of the existing building.”

deleting the first part of criterion 5a;

inserting the following new criterion before the existing 6):

“The development would result, or be likely to result, in replacement agricultural buildings or the outside storage of plant and machinery which would be harmful to visual amenity”.

R2.13 Modify the plan by inserting after paragraph B2.62 current paragraph B2.54 (deleting the last sentence). Update the text to reflect the advice in PPS7.

R2.14 Modify the plan by deleting the sub-heading “Farm Shops”, paragraphs B2.63 and 2.64 and Policy ET.10.

R2.15 Modify the plan by deleting the heading “Tourism/Visitor Attractions”, paragraphs B2.65-B2.73, QG7 and Policy ET.11.

R2.16 Modify the plan by deleting Policy ET.12. (See also my recommendations under Policy ET.4.)

R2.17 Modify the plan by deleting paragraphs B2.74-B2.77. (Consider editing and moving paragraphs B2.76-2.77 to supplement the reasoned justification to Policy ET.4.)

R2.18 Modify the plan by deleting paragraphs B2.78-B2.84 and Policy ET.13.

Recommendations from Section 3 (Plan Chapters B3 and B4)

R3.1 Modify the plan by deleting the heading “Community Facilities in Bath and North East Somerset” and paragraphs B3.5-B3.10.

R3.2 Modify the plan by deleting the wording of paragraph B3.12 and substituting:

“The Local Plan and its application in development control decisions can play only a limited role in ensuring the retention of needed community facilities and the services they provide. Whilst the plan can seek to prevent the loss of existing sites and premises from community use, it cannot ensure that any particular facility continues to be made available

to the public or any particular service continues to be provided. The proposed loss of community facilities used for public services may be part of wider proposals to improve the provision of services. Health and Education Authorities have their own procedures for planning changes in the provision of facilities and consulting the public, often on a wider basis than any one local community. In the public interest, it is important to take into account changes that might have an overall, wider benefit. The policy thus sets out a variety of circumstances where the loss of a community facility would be acceptable."

R3.4 Modify the plan by inserting after paragraph 3.13 a list of community facilities to which the policy applies.

R3.5 Modify Policy CF.1 by deleting the existing wording and substituting:

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

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

R3.6 Modify Policy CF.3 by deleting the existing wording and substituting:

"Where existing community facilities are inadequate to meet the needs of future residents of new development, planning permission will be refused unless additional provision, related in scale and in kind to the proposed development, to meet those needs is, or will be, made."

R3.7 Modify the plan by deleting paragraphs B3.20-B3.46, including PIC/B/22.

R3.8 Modify paragraphs B3.54 and B3.54A in accordance with the recommendation in Section 9 concerning paragraphs C1.10F-C1.10K.

R3.9 Modify Policy CF.5 by:

deleting "2 St Johns RC Primary" and details of the allocations in accordance with IC6;

deleting "14 Pensford Primary" and details of the allocation.

R3.10 Modify the Proposals Map to reflect the above.

R3.11 Modify the plan by deleting the heading "Health Facilities" and paragraphs B3.63 - B3.71.

R3.12 Modify the plan by deleting in paragraph B3.75 all the text after "is not lost to another use(s)" and insert:

"The following factors will be taken into account to assess whether a public house provides a valuable community facility: its size, layout, and facilities and thus its actual or potential for providing a useful and attractive place for local people to meet; its location and accessibility to the local community; the availability of other community facilities in the village or locality, including any other public houses and their suitability for serving the community. There is no benefit in a public house being protected from redevelopment if there is no realistic prospect of a public house being successfully and attractively operated from the premises. The policy thus allows for viability to be taken into account. Unsuccessful marketing will be one consideration in assessing viability. When this criterion applies, applicants will be expected to demonstrate that the marketing was undertaken in accordance with expert advice and effectively targeted at potential operators."

R3.13 Modify Policy CF.7 by deleting the existing text and inserting:

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

- i) the operation of a public house serving the local community is not viable and the premises have been effectively marketed as a public house without success; or
- ii) the development or change of use would result in the provision of alternative facilities of equivalent or greater benefit to the local community."

R3.14 Modify paragraphs B3.76-B3.79 by editing and updating the text to reflect the assessment of allotment provision in the Council's Green Space Strategy.

R3.15 Modify the plan by deleting all of Policy CF.8 and substituting the following:

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

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

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

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

R3.16 The Council to consider whether there is likely to be a need for additional burial space at St. Mary's Church, Claverton and whether an allocation to meet this need is required.

R3.17 Modify the plan by deleting paragraphs B4.1, B4.2, B4.4, B4.6, B4.8 and QG 8.

R3.18 Modify the plan by deleting paragraphs B4.12, B4.12A and B4.12B and Diagram 6A and inserting a summary of the conclusions of the Green Space Strategy.

R3.19 Modify paragraph B4.13 by deleting "formal" and "land" from the first sentence, inserting "open space" after "recreational" in the second line and by deleting the last sentence.

R3.20 Modify Policy SR.1A by:

deleting "formal" and "land" and inserting "open space" after "recreational";

deleting "prospect of demand" and inserting "evidence of future need"

deleting "community" in criterion iv) and inserting after "benefit" "to the development of sport".

R3.21 Council to reconsider the SR.1A designation on the Proposals Map: either the notation should be deleted entirely, or the sites which have been identified should be given a different notation such as "Sites used as playing fields subject to Policy SR.1A".

R3.22 Modify the plan by deleting the heading "Protection of Land Used for Informal Recreation and Play" and move paragraph B4.13A to before new policy SR.1A.

R3.23 Modify the plan by deleting Policy SR.1B.

R3.24 Modify the plan by deleting Quick Guide 9.

R3.25 Modify paragraphs B4.15 - B4.38 by:

deleting paragraphs B4.15, B4.23, B4.24, B4.26, B4.29, B4.33 and B4.34 and editing the remaining text in the light of the conclusions of the Green Space Strategy;

deleting the first sentence of paragraph B4.30; and start the next sentence "In Keynsham";

deleting the first sentence of paragraph B4.31 and move the second sentence to end of paragraph B4.32.

R3.26 Modify the plan by deleting Quick Guide 10.

R3.27 Replace the heading "Children's Playing Space and New Residential Development" with the heading "Provision of recreational facilities to meet the needs of new development" and move paragraphs B4.51 to B4.53 to immediately after paragraph B4.45.

R3.28 Modify by editing and updating paragraphs B4.42 – B4.45 and B4.51 to B4.53 to reflect the provision of a single policy; to take account of the conclusions of the Council's Green Space Strategy, to define all the types of recreational open space encompassed by the policy (to include allotments), to refer to further detail in forthcoming SPD (*if it remains the Council's intention to produce such a document soon after the adoption of the plan*) and consider what explanatory detail (such as buffer zones) should be incorporated in the SPD.

R3.29 Delete Policies SR.3 and SR.6 and replace with the following new Policy:

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

Where the need is for children's play space, provision should be made on the basis of 0.8ha per 1,000 population in accordance with the standards set out in the accompanying schedule.

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

The requirement for any other form of recreational open space or facilities will be assessed on a case by case basis (*or based on the evidence/ conclusions of the Green Space Strategy*).

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

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

R3.30 Modify Policy SR.4 by reinstating criterion ii) from the DDLP.

R3.31 Modify paragraph B4.56A by deleting “to meet this scope” in accordance with Inquiry Change 14;

R3.32 Modify the plan by deleting the heading Major Sports Stadium, paragraphs B4.57-B4.59 and Policy SR.8.

R3.33 Modify Policy SR.9 by deleting all of the text and substituting:

“Development which adversely affects the recreational value and amenity of, or access to, public rights of way and other publicly accessible routes for walking, cycling and riding will not be permitted.”

R3.34 Consider the need for a new policy on the provision of new infrastructure for recreational routes and the safeguarding of sites/routes for such infrastructure in the light of the conclusions of studies being undertaken by the Council.

R3.35 Modify the Proposals Map by deleting all the recreational routes.

Recommendations from Section 4 (Plan Chapters B5 and B6)

R4.1 Modify Policy S.2 by deleting the existing wording and substituting:

“Retail development within the shopping centres listed in policy S.1 and defined on the Proposals Map will be permitted where it is (i) of a scale and type consistent with the existing retail function of the centre and (ii) well integrated into the existing pattern of the centre.”

R4.2 Modify Policy S.3 by deleting the existing wording and substituting:

“Land is allocated for retail development (use class A1) at the following sites:

In Bath: Southgate

The Podium/Cattlemarket

For convenience shopping only:

Hayesfield School *Subject to detailed assessment by the Council, especially of local recreational needs.*

In Keynsham: Land between St Johns Court & Charlton Rd”.

R4.3 Modify Policy S.4 by deleting the existing wording and substituting:

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

- i) there is a demonstrable quantitative and qualitative need for the development;
- ii) the scale of the development relates to and complements the role and function of the centre;
- iii) the proposal is located in accordance with the sequential approach such that:
 - an appropriate site cannot be made available within the city or town centre under policy S.2; or
 - as a first preference alternative, the site is within an edge-of centre location forming a natural, well-connected extension to the town centre; or
 - as a second preference alternative, the site is within an out-of-centre location, is well-connected with it and provides for a high likelihood of linked shopping trips;
- iv) in the case of proposed developments within edge-of-centre and out-of-centre locations, there would be no unacceptable impact on the vitality and viability of other centres; and
- v) in all cases, the site is or will be accessible by a choice of means of transport (especially public transport, walking and cycling) and will not unacceptably rely on private transport or add unacceptably to traffic and congestion."

R4.4 Modify paragraphs B5.23 to B5.32X by deleting the existing text and substituting:

"NEW RETAIL DEVELOPMENT

The C&TCS, as reviewed in 2004, identified a significant projected quantitative capacity for additional retail floorspace to 2011. That growth could accommodate the levels of additional retail floorspace shown in tables 1 and 1B below, in addition to the floorspace gains arising from the redevelopment of Southgate in Bath, the proposed foodstore at Charlton Road, Keynsham and the proposed extension to Tesco at Old Mills, Paulton. However, the projections were made at the end of a long period of steady growth and optimism in retail markets and expenditure on retailing is subject to significant fluctuations as evidenced by the well-publicised downturn in retail performance and confidence after the spring of 2005. Moreover, the projections represent maximum capacity figures rather than a "needs" target which the plan should necessarily aim to meet because the impact of any scheme outside the city centre shopping area will need to be carefully assessed.

The projections also separately identify "large format/retail warehouse" stores. This division of the comparison shopping element is based on the assumption made in the C&TCS that spending on DIY, hardware,

furniture, floor coverings, carpets and electrical goods accounts for 35-40% of total national comparison goods expenditure. The report further assumes that as about half of the national spending in these categories takes place in retail warehouses up to 20% of total surplus comparison goods expenditure in B&NES could be accommodated in large format stores. However, it is not clear that this is necessarily an appropriate assumption as PPS6 requires consideration of whether there are constituent units on any proposed retail park on an edge-of-centre or out-of-centre site which could be accommodated on a sequentially preferable site. This is a matter that needs to be further explored in the course of the retail strategy discussed at paragraph.....below.

[Insert tables 1 and 1B as in the corrected consolidated version of the plan but alter the title of 1B so that it uses the same terms as table 1 and replace "bulky goods" with "large format/retail warehouse" stores.]

Comparison shopping: Bath

The majority of the forecast growth is focussed on Bath. However, in considering the extent to which new shopping floorspace should be allocated to meet this potential growth in expenditure to 2011 it is important to have regard to the unique characteristics of the core shopping centre, the contribution which will be made to the city centre by the Southgate redevelopment and its effect, and the timescale for the implementation of Southgate.

Located as it is within the World Heritage Site, the city centre relies to a large extent on the success of its retail function to provide economic support to its historic buildings. Many of the shops in the historic centre are far from ideal to support modern retailing and therefore to ensure that its attraction to retailers is maintained, new development outside the core which could divert shoppers and therefore reduce the attraction of the core area should be avoided. The redevelopment of Southgate will provide modern shopping units within the core shopping area and therefore support the retail function of the city centre. It will be a development of high quality and its success will depend upon the attraction of retailers confident of a secure economic return. The forecast levels of retail expenditure will help to attract retailers to the new scheme but any competing scheme which is outside the main shopping centre could dilute the attraction of Southgate to retailers and put the implementation of the scheme at risk.

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

The plan therefore takes a precautionary approach to the firm allocation of additional retail floorspace in the city centre during the period to 2011. Other than Southgate only the potential redevelopment of the city centre

site at The Podium/Cattlemarket is identified for retail development during the plan period. This is likely to be a mixed use scheme providing for an increase in the quantity of comparison and convenience goods floorspace and a mix of other city centre uses including a replacement library and hotel as described in more detail in policy GDS1/B16. No other sites are firmly identified at this time but any further proposals for retail consolidation within the defined city centre shopping area will be supported in principle and determined on their site-specific merits.

The precautionary approach will also apply to the development of retail warehouses/large format stores in Bath. There may be some potential outside the city centre shopping area for retail warehouse developments of certain kinds but it is not expected that planning permission will be granted for large format stores selling clothing, fashion or sports goods, or variety goods of the kind typically found in the city centre. It is difficult to identify suitable edge-of-centre or out-of-centre sites for retail warehouses as this form of development is generally incompatible with the image, character and appearance of the WHS. While BWR represents a major brownfield opportunity, retail warehouse development surrounded by open car parking would not be appropriate for a site which should form an exemplary high-density, high-quality development area enhancing the character and status of the WHS. There is already some retail warehouse development along Lower Bristol Road and if further development of this kind is justified in terms of the sequential approach and the impact test it may be more appropriate to consolidate provision there. Suitable sites for this purpose will be examined in the course of future master-planning for the Lower Bristol Road area.

After the adoption of the local plan the Council will commence work on a retail strategy for Bath to show how it will be developed to provide new shopping floorspace for the city following the completion of Southgate and a period of consolidation for the centre as a whole. This will be in the form of a Development Plan Document (DPD). The DPD will be firmly based on the sequential approach set out in PPS6 and will thoroughly explore opportunities for securing the best use of under-used central sites with the most to contribute to the city's retail offer and to the image, repair and conservation of the urban fabric at the heart of the World Heritage Site. At an appropriate date it may also aim to make the most of the retail potential of any suitable edge-of-centre sites such as Avon Street Car Park, provided that such sites form a natural extension of the city centre shopping area, can be truly integrated into it and do not have an adverse impact on its vitality and viability. The DPD will provide for commitments to be made in a series of well-defined steps, subject to (and preceded by) regular monitoring and review. It will also be backed by concerted and clearly identified measures to drive through and secure implementation, including the use of compulsory purchase powers to assemble sites if necessary.

Comparison shopping: Keynsham, Midsomer Norton and Radstock

Table 1B, taken from the C&TCS study, assesses that it is appropriate to distribute only a limited part of the projected quantitative capacity to these second tier town centres within the District's retail hierarchy. There are several opportunities within the defined town centres where this provision could be made and such development would contribute to the self sufficiency of these towns. However, it is not considered appropriate to allocate these sites. Proposals that come forward would be determined within the context of policies S2 which is supportive of development in such locations.

Convenience shopping

The C&TCS assessments found substantial scope for the development of new convenience floorspace in Bath and this is supported by the pressure commonly agreed to be experienced by the Sainsbury's store at Green Park. Some of this pressure and scope will be absorbed by the replacement convenience store at Southgate and by extension of the Waitrose store at The Podium. It would also be assisted by take-up of the allocation at Keynsham which would help to reduce the existing high level of convenience expenditure outflow from Keynsham to Bristol and increase the attractiveness of the town.

Despite reservations about using the C&TCS projections as a basis for firm comparison retail allocations the above developments are unlikely to absorb even the minimum figure for the potential capacity for convenience shopping development to 2011. No other suitable sites have been identified within Bath city centre or at edge-of-centre sites *subject to Council's detailed assessment*: "and although PPS6 advises against out-of-centre shopping the particular circumstances of Bath justify the provision of a food store in the southern part of the densely-developed southern sector of the city where there is very little alternative provision at present. A site is therefore allocated for that purpose at Hayesfield School. This will take pressure off Sainsbury's and the congested road network around the city centre and provide good opportunities for travel to the store by bus, by cycle or on foot as well as by car."

No firm allocations are made for further convenience floorspace in Midsomer Norton and Radstock but the projections suggest that there is scope for a small level of additional development of this kind during the plan period. Any proposals that come forward will be determined against policies S.2 and S.4 as appropriate."

R4.5 Develop retail policy beyond the plan as follows:

1. Work up a shopping strategy for Bath City Centre in the form of an Area Action Plan, including clear measures for phased implementation. Based firmly on the sequential test, this would aim to (i) make the most of any under-used central sites with potential for adding to the city's retail offer and the image and conservation of the fabric of the WHS and (ii) to the extent justified, integrate into the city any edge-of-centre sites which can be closely incorporated into the pedestrian networks of the city.

2. Consider work on DPDs for Keynsham, Midsomer Norton and Radstock town centres with the aim of securing, consolidating and strengthening their roles in retailing and other matters.

R4.6 Modify paragraph B5.43 by inserting "too many" before "non-shop uses".

R4.7 Modify Policy S.5 by inserting at the start "Subject to policy S.6....."

R4.8 Modify Policy S.6 by deleting the existing text and substituting:

"Proposals for A3 uses within and adjoining the city centre shopping area defined on the Proposals Map will be permitted, provided that (either singly or in cumulatively with other similar existing uses) they preserve or enhance the character or appearance of the relevant part of the Conservation Area and do not have an unacceptable impact on the retail viability and vitality of the centre or the amenity of local residents. This policy also covers proposals to vary existing consents."

R4.9 Modify the plan by deleting paragraphs B5.62 and B5.63 and inserting:

"Outside the centres identified in policy S1 and on the Proposals Map there are many small shops spread throughout the District both within the urban areas and in villages. These can often serve day to day needs and offer valuable social and community benefits but a wide range of factors has contributed to a gradual reduction in the number of such units. While most of these factors are beyond the scope of planning powers the Council will seek to encourage the provision of new small shops in suitable cases and will resist the change of use of units with the potential to provide continuing key retail services to their local residential communities. Examples could be a well-located village shop or a unit capable of serving a large residential area on the edge of a town."

R4.10 Modify Policy S.9 by deleting the existing wording and substituting:

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

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

R4.11 Modify paragraph B6.6 by deleting the remainder of the first sentence from "although".

R4.12 Modify paragraph B6.6A by inserting at the end:

“Where there is the potential for adverse impacts, the significance of these will be weighed against the contribution that will be made to the regional target for renewable energy and the potential economic, social and environmental benefits of the proposed development.”

R4.13 Modify Policy ES.1 by deleting the existing text and substituting:

“Developments that generate energy from renewable sources, including any ancillary infrastructure or buildings, will be assessed against the following criteria.

- vi) any significant conflict with other policies in the plan;
- vii) the extent to which the design and siting of the development minimises any adverse impacts and, where there is harm and conflict with other policies, whether that harm can be removed at the end of the economic life of the development or when it ceases to be used for energy production;
- viii) the contribution that will be made to the regional target for renewable energy;
- ix) any wider environmental, social and economic benefits.”

R4.14 Modify paragraph B6.8 by deleting the final sentence and substituting a reference to further guidance on energy efficiency in the design and layout of buildings being set out in the Design Guide SPD.

R4.15 Modify Policy ES.2 by deleting the existing text and substituting:

“Permission for new buildings will be granted only where, within the other constraints on the development, the design, orientation, and layout of the buildings and outside areas have taken into account the need to minimise energy consumption over the lifetime of the development.”

R4.16 Modify paragraph B6.14 by deleting all of the last 2 sentences.

R4.17 Modify Policy ES.3 by:

deleting the last paragraph; and

inserting: “The potential dangers from existing gas and electricity infrastructure will be taken into account in determining applications for other developments. Development will not be permitted where it would increase the number of people exposed to unacceptable risks”.

R4.18 Modify paragraph B6.19 by deleting the 2nd sentence and substituting:

“SUDs are designed to reduce the quantity and improve the quality of surface water at or close to source, prior to discharge. This minimises pollution discharged into watercourses, and reduces the volume of water discharged to sewers or outfalls, whilst increasing water infiltration to the

ground and underlying aquifers. Such systems can thus control pollution, reduce flood risk and provide other benefits”.

R4.19 Modify the plan by deleting the heading “Water and Sewerage Infrastructure”, paragraph B6.20 and Policy ES.6.

R4.20 Modify paragraph B6.23 by deleting the last sentence.

R4.21 Modify paragraph 6.25B by deleting the sentence beginning “The only material consideration. “

R4.22 Modify the plan by deleting the whole of paragraph B6.25C.

R4.23 Modify Policy ES.7 by deleting the existing text and inserting:

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

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

R4.24 Modify the plan by deleting Policy ES.8.

R4.25 Modify the plan by deleting the heading “Sewage Treatment Works”; paragraph B6.32; Policy ES.11; and the “Development Restraint Areas” on the Proposals Map.

Recommendations from Section 5 (Plan Chapter B7)

R5.1 Modify Policy HG.1 by deleting “6,200” and inserting “6,855”.

R5.2 Subject to the priorities identified in the Local Development Scheme, the Council give priority to the preparation of a Development Plan Document to provide a ten year supply of housing land based on an annualised figure derived from RPG10.

R5.3 A **table of allocated sites** be prepared as in Appendix 3 to Topic Paper 2.3 with the addition of the location of the site, whether previously developed or

greenfield, and the likely timetable for delivery. The new table to be inserted following the text in para B7.43, subject to the editing of that text to take into account changes in the sites to be allocated under Policy GDS.1.

R5.4 Modify the plan by deleting Paragraph B7.17A.

R5.5 Modify paragraph B7.17B by deleting the existing text and inserting:

"There are significant numbers of elderly people within the District, especially those over 80 years of age. These numbers are projected to grow during the plan period. The mix of dwellings to be provided under Policy HG.1 should include accommodation to meet the needs of the elderly including sheltered housing, flats and bungalows."

R5.6 Modify the plan by deleting paragraph B7.17C.

R5.7 Modify paragraph B7.17D by deleting the existing text and inserting:

"The increasing incidence of homelessness within the District will be addressed through the provision of a supply of housing in accordance with regional requirements. This will include a proportion of affordable housing through policies HG.8 and 9, together with residential accommodation over retail units through Policy HG.12. Proposals for temporary accommodation will be assessed against a range of policies in the Plan."

R5.8 Modify the plan by deleting the words in paragraph B7.18 from "Policy HG.2 acknowledges".

R5.9 Modify the plan by deleting paragraph B7.18A.

R5.10 Modify Policy HG.1 (as recommended to be amended) by adding:

"The provision will incorporate a mix of dwelling size, type, tenure and affordability to meet the needs of specific groups such as the elderly or first time buyers. New housing developments should avoid the creation of large areas of housing of similar characteristics."

R5.11 Modify the plan by deleting Policy HG.2.

R5.12 Modify paragraph B7.23 by deleting "60%" in the penultimate line and inserting "50%".

R5.13 Modify paragraph B7.25 by deleting the table and inserting Table 1 from Topic Paper 2, subject to the following changes to Table 1:

line 2 delete "750" and insert "690";

line 3 delete "On large brownfield sites" and insert "From allocated sites listed in Table "; delete "1430" and insert "2115";

line 7 delete;

line 8 delete "6300" insert "6855";

line 10 delete "6270" insert "6825".

R5.14 Modify all references to figures in the Table in the reasoned justification in Chapter B7 to those in the modified Table set out in R5.13 and update figures where relevant

R5.15 Modify paragraphs B7.28 to B7.43 by editing the text to take out detailed references to sites which are covered within the table of allocations and subject to Policy GDS.1; delete "90" in B7.35 and insert "80".

R5.16 Modify the contribution to housing land supply in the period to 2011 from the following allocations:

GDS.1/B1 Bath Western Riverside: 450 dwellings

GDS.1/B2 MOD Foxhill: delete allocation

GDS.1/B13 Lower Bristol Road: 50 dwellings

GDS.1/K5 Cannocks Garage: 25 dwellings

GDS.1/NR2 Radstock Railway Land: 50 dwellings

GDS.1/V3 Paulton Printing Factory: 150 dwellings (100 included in sites with planning permission and 50 to be added to brownfield allocations).

R5.17 That the following sites identified in the DDLP should be reconsidered as allocations for housing:

GDS.1/B7 land at Englishcombe Lane, Bath: 45 dwellings

GDS.1/B8 r/o 46-64 Bloomfield Drive: subject to investigation of the need for reinstatement of allotment use: 13 dwellings.

GDS.1/K2 land at South West Keynsham: 700 dwellings

GDS.1/V9 land at Brookside Drive, Farmborough: 30 dwellings.

R5.18 That the following sites be considered by the Council for residential allocation in the Local Plan:

Bath

Land at Beechen Cliff School Greenway Lane, for 18 dwellings.

Hayesfield School Playing Field: investigate requirement for continued recreational use and if not needed assess capacity for residential development.

Lansdown View: investigate requirement for reinstatement of allotment use and if not needed, assess capacity for residential development.

Radstock/Midsomer Norton

St Peter's Factory, Westfield together with land to the rear of Lincombe Road: mixed use scheme with 150 dwellings.

Welton Bag Factory, Station Road: mixed use scheme - capacity to be assessed.

Coomb End, Radstock: area designated as Regeneration Area in the RDDLP: mixed use scheme - capacity to be assessed.

Clandown Scrapyard: capacity to be assessed.

Land at Cautletts Close: capacity to be assessed.

R1 Settlements

Further land at Paulton Printing Factory: amendment to GDS.1/V3 subject to provision of employment related scheme - additional 200 dwellings.

Land between Wellow Lane and the bypass, Peasedown St John: 90 dwellings.

School Playing Field, Peasedown St John: investigate availability and need for recreational use; capacity to be assessed.

Coal Yard and Woolhouse, Peterside, Temple Cloud: capacity to be assessed.

R5.19 Following the assessment by the Council of the additional sites, a Table of Residential Allocations be prepared in accordance with the recommendation following paragraph 5.22 above. The Table to list the sites selected to make up the housing land supply for the plan period.

R5.20 Modify the plan by deleting paragraphs B7.45A & B.

R5.21 Modify Policy HG.4 by deleting the existing text and inserting:

"Residential development in Bath, Keynsham, Norton Radstock and those villages defined in Policy SC.1 as R.1 and R.2 settlements will be permitted if:

- i) it is within the built up area of Bath or within the defined housing development boundary; or
- ii) it forms an element of

- a) a comprehensive scheme for a major mixed use site defined in Policy GDS.1; or
- b) a scheme coming forward under Policy ET.3(3);
- iii) and it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport."

R5.22 Modify the plan by deleting the heading and paras B7.56 – B75.7 and substituting:

"Urban areas and R.1 and R.2 Settlements

The allowance for windfall development to meet the strategic housing requirement is based on the redevelopment of previously developed land in accordance with Government advice. However, windfalls may also occur on sites which were not previously developed, subject to the other policies of the plan which seek to protect greenfield sites which are, for example, needed for recreational uses, or which are of townscape or nature conservation importance. Large site opportunities are most likely to emerge in Bath but some may also arise in Keynsham and Norton Radstock and the 13 R.1 villages identified in policy SC.1. Opportunities are likely to be more limited in the 8 villages identified as R.2 settlements.

Windfall developments in the R.1 and R.2 villages may help to maintain the social and economic vitality of the rural areas and contribute towards meeting affordable housing needs. However, the scale and location of such schemes is critical to ensure that they can be satisfactorily integrated into the pattern of the settlement, taking account of local character and distinctiveness. To ensure that any windfall development is in keeping with the character of the settlement, and to prevent unsustainable patterns of development, a scheme will not be permitted unless it is appropriate to the scale of the settlement in terms of the availability of facilities and employment opportunities, and accessibility to public transport."

R5.23 Modify para B7.59 by inserting "and R.2" after "R.1".

R5.24 Housing Development Boundaries should be retained in this plan but the Council should consider the use of settlement boundaries in the LDF.

R5.25 The Proposals Map be modified to include the following sites in the HDBs:

Norton Radstock - the garden of 43 Bath Road, Clandown together with the dwellings and their curtilages to the north west; and any land allocated for residential development at Coomb End or at Clandown scrapyard.

Peasedown St John - any land allocated for residential development at Wellow Lane.

Whitchurch - to follow the boundary of the Green Belt and to include land to the south east.

R5.26 The Proposals Map be modified to include Lays Farm, Keynsham within the Green Belt (the boundary to follow the HDB).

R5.27 Modify the plan by deleting Policy HG.5 and paragraph B7.61.

R5.28 Modify Policy HG.6 by deleting criterion i).

R5.29 Modify the plan by deleting Policies HG.7 and HG.7A and inserting a new policy as follows:

"Residential development will only be permitted where the maximum density compatible with the site, its location, its accessibility and its surroundings is achieved. Densities in excess of 30 dwellings per hectare will be expected in order to maximise the use of housing sites.

Densities in excess of 50 dwellings per hectare will be expected in and around existing town centres and in locations well served by public transport."

R5.30 Modify the plan by deleting Quick Guide 13 and by incorporating its contents in a new paragraph in the explanatory text before the policy.

R5.31 Modify paragraphs B7.14 to B7.16, as set out in the inquiry changes version in Topic Paper 3.5, by rigorously editing them to make them consistent with the corrected WEHNAM assessed annual need and delete Quick Guide 12.

R5.32 Modify paragraphs B7.68 to B7.75 as set out in the inquiry changes version in Topic Paper 3.5, further amended as follows:

B7.70:- substitute "685" for "721" and rigorously edit the other figures and comments in paragraphs B7.70 to B7.75 and table 3A to ensure that they reflect this later correction rather than the figures in the inquiry changes.

B7.74:- change "houses" to "homes".

R5.33 Modify paragraphs B7.76 to B7.82A as set out in the inquiry changes version in Topic Paper 3.5 as follows:

Retain paragraph B7.76, but amend the final sentence to read:

".....sought where planning permission is sought for development including the provision of dwellings on any suitable sites in settlements identified within policy SC.1."

Delete B7.77 to B7.82A and insert the follow:

"It would not be possible to provide 4795 additional affordable homes for the period 2002-2009 (the need suggested by WEHNAM) because this

represents substantially more than the residual housing requirement for the remainder of the plan period. It will therefore not be possible to meet the projected needs even allowing for registered social landlord provision through conversions or purchase of existing dwellings. However, the Council will seek to negotiate to ensure that 35% of all new permitted dwellings are within the affordable category. Developers are advised to take this level of provision into account in negotiating the purchase of sites for development. It will normally be considered that provision of affordable dwellings will be about 75% social rented and 25% intermediate forms of ownership. In certain cases a limited number of low-cost market homes for purchase may be appropriate, provided that there are mechanisms for preserving their affordability in perpetuity, but this will depend on the relationship between local house prices and local incomes of those in need of affordable housing

The 35% target will be regarded as an average proportion to be achieved across all sites granted permission from now until the end of the plan period. The Council will take account of any abnormal site costs associated with the development which may justify an upwards or downwards adjustment of the average. Standard development costs will not generally be considered as abnormal. Account will also be taken of the proximity of local services, and facilities, access to public transport, the distribution of need for affordable housing, and whether or not the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in a particular case. It will normally be expected that such affordable dwellings will be provided on-site in order to help create balanced communities, but in very exceptional circumstances the Council will consider provision in lieu through a financial contribution towards affordable housing on an alternative site within the District.

In view of the overall level of need for affordable housing in the District revealed by WEHNAM the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 15 dwellings (or on a site of a minimum of 0.5ha) in Bath, Keynsham, Norton-Radstock, Saltford, Peasdown St John and Paulton.

For the same reason the Council considers it appropriate to seek the provision of affordable dwellings on any site where planning permission is sought for a minimum of 10 dwellings (or on a site of a minimum of 0.5ha) in all smaller villages with populations of fewer than 3000, including those not identified in policy SC.1.

It is expected that this policy will result in delivery of about affordable homes in Bath, in Keynsham,in Norton-Radstock and around in rural villages. [figures to be inserted by the Council].

Before granting planning permission for any affordable housing the Council will require suitable arrangements to be in place to secure the occupation of the dwellings both initially and in perpetuity by people with

a genuine need for such accommodation who are either already resident in the District or have strong connections with it, such as locally employed key workers. Some examples of appropriately secure arrangements are given at para.....below." [Council to insert appropriate reference from the supporting paragraphs to HG.9].

The Council will keep the need for affordable housing under review, together with the progress made towards achieving the level of provision expected under this policy. If justified by the evidence, an early review of the policy will be made with a view to introducing changes using the opportunities presented by the procedures for local development documents under the Planning and Compulsory Purchase Act 2004."

R5.34 Modify Policy HG.8 by deleting the existing wording and substituting:

"The Council will seek to secure the provision of 35% affordable housing before determining applications for planning permission in the following circumstances: -

- in Bath, Keynsham, Norton-Radstock, Saltford, Peasedown St John and Paulton where permission is sought for 15 dwellings or more or the site has an area of 0.5ha or more; and
- in settlements where the population is 3000 or below, where permission is sought for 10 dwellings or more or the site has an area of 0.5ha or more.

Higher or lower percentages may be sought in individual cases, taking account of:

[include existing criteria i) to iv)]

Before planning permission is granted under this policy secure arrangements will need to be in place to ensure that:

[include the existing second set of criteria (i) to (iii) but insert "such as local employment" at the end of (b) i)].

The Council will keep under review the need for affordable housing and the provision achieved under this policy and, if appropriate, will bring forward an early review of the matter."

R5.35 Modify Policy HG.9 by deleting the existing text and substituting:

"As an exception to the other housing policies of the plan, residential development of 100% affordable housing will be permitted on land outside the scope of those other policies if it will meet a particular demonstrable need for local affordable housing arising in an individual rural parish or group of parishes which cannot be met in any other way, provided that:

occupancy of the housing is restricted in perpetuity as being for the benefit of people in need of the accommodation because of their inability to complete successfully in the local housing market who are either:

as a first priority, currently living in the parish or group of parishes as long-standing residents and are in need of separate accommodation, or

as a second priority, not resident in the parish or group of parishes but have strong local connections with it/them; and

[include existing criteria iv) and v) and]

in the case of a proposed development at a Green Belt village, the site has been selected to cause the minimum possible harm to the openness and purposes of the Green Belt."

R5.36 Modify paragraphs B7.83 to B7.91 as follows:

"Recent amended advice in PPG3 is that all local authorities that include rural areas should include a 'rural exception site policy' in the relevant development plan document. This is to enable the allocation or release of small sites which would not otherwise be released for housing to provide affordable housing to meet local needs in perpetuity on sites within and adjoining existing small rural communities.

The Council recognises that there is only limited scope to satisfy rural-based needs for affordable housing through the operation of policy HG.8, yet WEHNAM identifies a need for [Council to insert edited figure based upon the final corrected District-wide total]. It will therefore give sympathetic consideration under policy HG.9 to schemes designed to meet local needs generated within rural communities under the terms of PPG3 and demonstrated to be required through specific needs data compiled in cooperation with the Council's Housing Services.

The definition of affordable housing for rural exceptions sites will be taken to be [incorporate italicised words at B7.87].

[Retain B7.90]

However, such schemes will be limited to villages classed R1, R2 and R3 under policy SC.1. Smaller settlements will be considered unsuitable on sustainability grounds. In considering any schemes within the Green Belt the Council will require sites to be selected that have the minimum possible impact on the purposes of the Green Belt.

[Retain B7.89]

[Retain B7.91]

As the potential for positive 'allocation' of such sites was introduced into PPG3 at a very late stage in the evolution of the local plan this possible

avenue of provision will not be considered until the affordable housing policies are reviewed through a local development document."

R5.37 Modify Policy HG.10 by deleting "HG.4, 5 and 6" in the first line and substituting "HG.4, 6, and 9".

R5.38 Modify Policy HG.14 by deleting "5" in the first line and criterion i) and by modifying criterion ii) by deleting "other" in line 2 and by not adopting PIC/B/44.

R5.39 Modify paragraph B7.122 by deleting the existing words and substituting:

"Proposals for permanent residential moorings will be subject to Policy HG (Council to insert number), and other relevant policies of the Local Plan."

R5.40 Modify the plan by inserting new Policy HG. (Council to insert number), below paragraph B7.122 as follows:

"Residential moorings in Bath, Keynsham, Norton Radstock and those villages defined in policy SC.1 as R.1, R.2 and R.3 settlements will be permitted if the site is:

i) within the built up area of Bath or within a defined housing development boundary; or

ii) within an established boatyard or marina; and in all cases

provided the location has good access to services and facilities including employment opportunities and accessibility to public transport."

R5.41 Modify Policy HG.16 as follows:

line 6 be amended to reflect the deletion of Policy HG.5;

criteria i)-vi) be deleted and replaced with

"i) the site has good access to local services, facilities and public transport;

ii) it has safe and convenient access to the road network;

iii) it is capable of being landscaped to ensure that it blends in with its surroundings;

iv) adequate services including foul and surface water drainage and waste disposal can be provided;

v) there would be no harmful impact on the amenities of local residents by reason of noise or fumes from business activities."

R5.42 Modify Policy HG.17 as follows: -

in criterion (i) delete the existing wording and substitute "it is on previously developed land or other land allocated for the purpose";

delete PIC/B/45 criterion iii)c) and insert new iii)c): “within the areas identified for development for student accommodation in the university master plan (see policy GDS.1/B11)”.

Not incorporate IC9.

Recommendations from Section 6 (Plan Chapter B8)

R6.1 Modify the plan by deleting paragraphs B8.4 to B8.20 (retain heading).

R6.2 Summarise in the following table the relevant information contained in the aforementioned paragraphs:

Current situation (2005*)				Predicted situation (to 2011*)	
Waste Type	Waste arising	Re-used and recovered	Landfilled	Waste Arising	Percentage increase
Council collected					
Commercial and industrial					
Construction and demolition					
Clinical and special					
TOTAL					

R6.3 Incorporate PIC/B/47 but reinstate the word “waste”.

R6.4 Modify Policy WM.1 by deleting all the existing text and substituting:

“Development of waste management facilities will only be permitted where they:

- (i) have regard for regional self-sufficiency, the proximity principle and the precautionary principle, and do not prejudice the management of waste via more sustainable methods;
- (ii) and do not have an unacceptable adverse impact on the environment or local amenities.”

R6.5 Modify paragraph B8.58 by deleting the last sentence.

R6.6 Modify paragraph B8.55 by deleting the second sentence.

R6.7 Modify paragraph B8.62 by deleting second sentence and inserting:

"Where a development is expected to generate significant volumes of waste through the development process by reason of (*examples, eg demolition, site clearance etc to be filled in by the council*), applicants for planning permission will be required to submit a waste audit with their planning applications."

R6.8 Modify Policy WM.3 by deleting the existing wording and substituting:

"Development proposals which are expected to generate significant volumes of waste through the development process itself will be required to submit, as part of the application detail, a waste audit to include the following:

1. the type and volume of waste that the development will generate; and
2. the steps to be taken to ensure the maximum amount of waste arising from the development process is incorporated within the new development; and
3. the steps to be taken to manage the waste that cannot be incorporated within the new development and, if disposed of elsewhere, the distance the waste will be transported.

The way in which the waste arisings identified in the waste audit are to be dealt with will be considered in the context of regional self-sufficiency, the proximity principle and the precautionary principle, and any prejudice to the management of waste via more sustainable methods."

R6.9 Modify paragraph B8.72 by deleting the final sentence.

R6.10 Modify Policy WM.6 as follows:

Delete after "permitted" and insert

"where:

- i) the development will not conflict with or unreasonably delay reclamation and restoration of the site;
- ii) the site is close to the markets to be supplied with the recovered material."

R6.11 Modify Policy WM.10 as follows:

Delete "with energy recovery" from first sentence.

Insert new criterion:

“i. provision is made for energy recovery;”

R6.12 Modify the plan by deleting Policy WM.11.

R6.13 Modify the plan by deleting paragraph B8.96.

R6.14 Modify Paragraph B8.106 by deleting the second bullet point.

Recommendations from Section 7 (Plan Chapter B9)

R7.1 Modify paragraph B9.2 by deleting the last sentence and inserting:

“As with all development proposals, planning applications for the development of the allocated sites will be assessed against all the Local Plan policies which are relevant to the scheme.”

R7.2 Modify the plan by deleting paragraphs B9.3 and B9.4.

R7.3 Modify Policy GDS.1 as follows:

Delete sections A and B.

Review the list of clauses in each allocation and delete requirements which are covered by policies elsewhere in the plan.

R7.4 Modify the plan by inserting edited paragraphs A4.26A – C under the heading “BATH” before policy B1.

R7.5 Modify Policy GDS.1/B1 as follows:

in 2 delete “800” and insert “450”.

delete clauses 2A and 2B.

add after 10: “There will be no requirement for existing businesses to be relocated during the plan period. Those business uses wishing to remain within the site and which are compatible with the redevelopment scheme, will either remain in their current locations or be relocated within or adjacent to the redeveloped area.”

Delete final sentence and insert: “Any planning application will need to demonstrate that it is consistent with and contributes to the comprehensive development of the whole site by reference to the Masterplan Supplementary Planning Document which accords with this policy.”

R7.6 Delete the Bath Press site and the area which includes the Renrod sites from the BWR allocation on the Proposal Map.

R7.7 Review the need to include Sainsbury's and Homebase within the BWR allocation on the Proposals Map.

R7.8 Retain the established Green Belt boundary at Newbridge as shown on the Proposals Map of the DDLP.

R7.9 Modify Policy GDS.1/B1A as follows:

amend site area to that of the land north of the A36.

delete 2.

delete 13.

R7.10 Modify the plan by deleting policy GDS.1/B2 and from the Proposals Map.

R7.11 Modify the policy to provide an indication of the community facilities required under 3 if known.

R7.12 Review the allocation if the base date of the plan is amended.

R7.13 The Council should reconsider whether the property known as Avonside should be included within the Southgate allocation on the Proposals Map.

R7.14 Review the allocation if the base date of the plan is amended

R7.15 Review the allocation if the base date of the plan is amended.

R7.16 That the Council consider the reinstatement of GDS.1/B7.

R7.17 That the Council reconsider the allocation of the site for housing, subject to any need for its use as allotments.

R7.18 Modify B12 as follows:

correct the site area from 7.2 ha to 7.05 ha;

in 2 amend 75 to 50 and add after "dwellings" "during the plan period";

delete 2A.

R7.19 Review the inclusion of the Unite site within the boundaries of the allocation as part of the process of master planning.

R7.20 Review the allocation if the base date of the plan is amended.

R7.21 Modify Policy GDS.1/K1 by deleting clause 13.

R7.22 Policy GDS.1/K2 be reinstated from the DDLP, with clause 1 amended to "About 700 dwellings."

R7.23 Modify Policy GDS.1/K4 by deleting clauses 4, 8, 13, 14 and 15.

R7.24 Modify GDS.1/NR2 as follows:

Delete clauses 1, 2, 3, 4 and 5

Insert new clauses:

- "1. Residential development with retail and office uses within or adjacent to the Town Centre, with community facility and local nature reserve.
2. About 50 dwellings in the period to 2011.
3. Provision for safe movement of public transport service vehicles in and around the site."

Modify clause 6 by adding at the end:

"where this is compatible with the safeguarding of the trackbed which is of significant nature conservation value."

Add new clause:

"Identification of areas of significant nature conservation interest to be retained, with a scheme for their management and the mitigation of any effects of development; together with a programme for compensation where the loss of areas of ecological importance cannot be avoided."

Retain clauses 8, 9 and 10.

Add new clause:

"Retention (with relocation if necessary) within the site of engine shed and nearby turntable."

R7.25 Modify Policy GDS.1/NR4 as follows:

insert in clause 1 before "Development" "Mixed use" and after "for" "residential and";

insert new clause 2 "About xx houses can be accommodated, with xx before 2011";

delete clauses 3 and 8.

R7.26 Modify Policy GDS.1/NR5 by deleting "About" in clause 1 and insert "at least".

R7.27 Review the allocation if the base date of the plan is amended.

R7.28 Review the allocation if the base date of the plan is amended.

R7.29 Review the allocation if the base date of the plan is amended.

R7.30 Modify GDS.1/V3 as follows:

delete clause 1 and insert:

"Development for residential and business use. Residential development beyond the south eastern part of the site to take place only as part of a mixed use scheme which includes employment development."

delete clause 11 and insert:

"Some 350 dwellings to be accommodated within the factory site, with no more than 150 to be constructed unless linked to a scheme for the development of employment floorspace."

The Council to review the detail of the remaining clauses in the policy and amend where necessary to reflect the change in the allocation.

R7.31 Modify the plan by deleting Policy GDS.1/V4.

R7.32 Modify the plan by deleting Policy GDS.1/V5.

R7.33 The Council consider the reinstatement of this allocation having regard to flood risk, access, and any impact on the adjoining school.

Recommendations from Section 8 (Alternatives sites)

R8.1 Modify Policy GDS.1 by adding a new site in Bath as follows:

"BEECHEN CLIFF SCHOOL, GREENWAY LANE – site area 0.4 ha.

Development requirements:

- 1 About 18 dwellings.
- 2 Safe and adequate highway access to be provided from Greenway Lane.
- 3 Any planning permission to be linked to a legal agreement for improvements to educational and sports facilities, including shared community use of the sports facilities.
- 4 Provision for the accommodation of public rights of way within the site."

R8.2 Modify the Proposal Map to accord with new allocation.

R8.3 The Council to consider any need for the reinstatement of the site to allotment use; if not required then consideration be given to development of the site for housing.

R8.4 That the Council assess the potential for the residential allocation of the area designated as a Regeneration Area in the RDDLP at Coomb End, Radstock for mixed use development with its capacity for housing to be assessed.

R8.5 The Council consider Clandown Scrapyard for residential allocation in the plan.

R8.6 The Council review the status of the site to determine whether any development of the site for housing would fall to be assessed under recommended Policy ET.3(3), or whether it would be appropriate to modify the HDB to incorporate the site.

R8.7 The Council consider the potential for the residential development of the Welton Packaging site as part of a mixed use scheme.

R8.8 That the Council consider land at Wellow Lane, Peasedown St John for residential allocation in the Local Plan.

Recommendations from Section 9 (Green Belt)

R9.1 Modify the plan by deleting paragraph C1.3.

R9.2 Modify paragraph C1.8 as follows:

reinstate sentence beginning "At Keynsham" from the DDLP;

delete from "These proposed" to "Newbridge";

insert "and at";

reinstate "at" and "in Bath --- proposed";

delete ().

R9.3 Modify the plan by deleting paragraphs C1.10A – E and inserting:

"Provision is made for a new park and ride facility at Newbridge which could incorporate a transport interchange for a future rapid transit system. The park and ride will be at ground level only, and with appropriate layout and landscaping it will not affect the openness of the Green Belt. Any built infrastructure necessary to support the transport interchange would be carefully designed to sit within the site to minimise its effect on openness. It will not be necessary to change the boundary of the Green Belt in order to accommodate this scheme."

R9.4 Modify paragraphs B3.54 to B3.55 of the plan by:

- i) substituting the following after "include" in the third sentence of B3.54:- "university-related non-residential development for uses including learning, research and allied business incubation and

knowledge transfer, conferences, university administration and IT and sports, health, creative arts, social, recreational and catering purposes and additional student residential accommodation." and

- ii) amending the second sentence of B3.54A to read "Therefore policy GDS.1/B11 allows for further development on the campus including some development on land now to be excluded from the Green Belt.", and deleting the fourth sentence.

R9.5 Modify paragraphs B7.132 to B7.134A by replacing paragraphs B7.134 and B7.134A as follows: -

"...The university has identified a need for a further 2000 bedspaces of student accommodation to be provided on campus during the plan period. Policy GDS.1 makes an allocation to meet that need, together with the academic needs of the university."

R9.6 Modify Policy HG.17 as follows:

in criterion (i) delete the existing wording and substitute "it is on previously developed land or other land allocated for the purpose";

delete PIC/B/45 criterion iii)c) and insert new iii)c): "within the areas identified for development for student accommodation in the university master plan (see policy GDS.1/B11)".

R9.7 Modify paragraphs C1.10F to C1.10K by replacing them as follows:

"C1.10F Changes to the Green Belt boundary are also proposed at the campus of the University of Bath at Claverton Down. The Green Belt boundary here will be redefined to exclude two areas of land. The larger area is to the east of Convocation Avenue, consisting of the buildings and enclosed outdoor facilities of the English Institute of Sport and some grass pitches to the east of them. The grass pitches make some contribution towards Green Belt purposes 1 and 3 (contributing to checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment) but are not considered to serve any meaningful role in meeting purposes 2, 4 and 5. The smaller area mainly comprises enclosed tennis courts to the west of Norwood Avenue which also make a limited contribution to Green Belt purposes 1 and 3.

C1.10G However, the Council considers that there are exceptional circumstances which warrant excluding these areas from the Green Belt. Briefly, these result from Government priorities for the development of higher education and the opportunity for Bath, as a leading research-intensive university with particular strengths in the fields of science and technology, to contribute towards the aims of increasing participation, supporting growth in science, innovation and knowledge transfer.

C1.10H The University has identified a substantial requirement for additional accommodation to meet a wide range of needs as summarised in policy GDS.1/B11. This amounts to some 43,250 sq.m for non

residential floorspace and 40,000 sq.m of student accommodation. It is expected that this new development will need to be provided over a 10 year timescale to 2015, extending beyond the plan period. It is also considered highly desirable and more sustainable to concentrate and consolidate this growth at the existing campus rather than seeking to disperse it across a variety of sites in the city. In any case, the main development sites in the city outside the campus are more suited to meeting other important local needs and have been allocated accordingly.

C1.10I While a substantial amount of this development can be accommodated within the present non-Green Belt areas of the campus, not all can be met in this way without unacceptable encroachment on the important green heart of the campus or skyline views.

C1.10J Weighing the limited harm that would be caused to Green Belt purposes against the above exceptional circumstances, the Council has concluded that the Green Belt boundary should be redrawn in two places: (a) to exclude land to the north side of The Avenue as far as the edge of the campus and then along the boundary between the campus and the adjoining land at Bushey Norwood and (b) to exclude land west of Norwood Avenue between Claverton Down Road and The Avenue."

R9.8 Modify the Proposals Map to:

exclude the land north of The Avenue and west of Norwood Avenue from the Green Belt as well as from coverage by policies SR.1A and BH.15; and

include the whole of the university campus within the GDS.1 allocation.

R9.9 Modify Policy GDS.1/B11 by deleting the existing wording and inserting:

"B11 University of Bath Campus, Claverton Down – site area [insert entire campus area]

Development Requirements

A comprehensive scheme expressed within a university-wide master plan providing for:

- a. approx 43,250 sq.m of additional university-related non-residential development for uses including learning, research and allied business incubation & knowledge transfer; conferences; university administration and IT; and sports, health, creative arts, social, recreational and catering purposes and
- b. approx 40,000sq.m (2000 bedrooms) of additional student residential accommodation.

Precise identification of a protected green heart to the campus (also to include St John's Field which is covered by Green Belt designation) and other visually and ecologically important planted areas and landscape screens

Adequate and suitable replacement on or off-site of any displaced existing sports pitches.

On and off-site transport infrastructure necessary to deliver an integrated transport solution.

High quality design and landscaping that responds positively and sensitively to the Cotswolds AONB designation and ensures that development on the campus has an appropriate and much-improved visual and landscape relationship with neighbouring land, particularly Bushey Norwood."

R9.10 Modify paragraphs C1.19 and C1.20 by reinstating the wording in the DDLP.

R9.11 Modify the plan by deleting paragraph C1.21.

R9.12 Modify the Green Belt boundary to reinstate GDS.1/K2 as shown on the Proposals Map in the DDLP.

R9.13 Modify the Proposals Map in accordance with PIC/C/2.

R9.14 The Council consider the introduction of a new policy to deal with future development of the racecourse at Bath.

R9.15 Modify the plan by deleting heading "Farmborough" and paragraph C1.44.

R5.16 Modify Policy GB.4 by deleting "and Farmborough".

Recommendations from Section 10 (Natural Environment)

R10.1 Modify paragraph C2.11 to make clear that the Landscape Character Assessment SPG will be used to assess the effect of proposals on landscape character and local distinctiveness when applying Policy NE.1 to particular proposals.

R10.2 Modify Policy NE.2 by:

deleting the 2nd paragraph and criteria (i)-(iii); and

substituting "Major development within an AONB or outside it which would harm the designated area will be determined on the basis of the advice in PPS7."

R10.3 Modify the plan by deleting Policy NE.3, paragraphs C2.18 - C2.20 and the Important Hillside notation from the Proposals Map.

R10.4 Modify the plan by deleting Quick Guide 13A.

R10.5 Modify paragraph C2.25 by inserting a reference to the protection afforded to trees in conservation areas and where further information can be found.

R10.6 Modify Policy NE.5 by deleting criterion ii and substituting

“ii) does not conflict with the local strategies of the Forest Plan and has regard to its aims in the layout of development, including landscaping” (or, if the Council is about to publish SPG “Planning and the Forest of Avon” - reference should be made to that document instead).

R10.7 Delete Policy NE.6 and amend the text of the plan to explain why a specific policy in the plan for European sites is unnecessary.

R10.8 Delete QG 14 and reference to it in paragraph C2.33. Refer to the B&NES Biodiversity Action Plan 2000 at the end of paragraph C2.33.

R10.9 Subject to the Council being satisfied that the feeding grounds and landscape features used by Bechstein’s Bats overlap with those of Horseshoe Bats, delete Policy NE.7. (If not, retain the policy for Bechstein Bats only without reference to bat protection zones).

R10.10 Delete the Bat Protection Zones from the Proposals Map.

R10.11 Modify paragraph C2.40A to reflect the above changes.

R10.12 Consider including bat protection zones and further information on the assessment of development proposals on bats in SPD (such as that on habitats and species which the Council propose to prepare).

R10.13 Modify Policy NE.8 by adding “adversely” before “affect” in the first sentence.

R10.14 Delete Quick Guide 15 and add to the text: an explanation of where the selection criteria and confirmation process for SNCIs is set out; where the description of each SNCI and large scale plan of their boundaries can be found; and to highlight that further SNCIs may be identified and confirmed which are not shown on the Proposals Map.

R10.15 Modify Policy NE.9 by:

inserting after “indirectly”, “the nature conservation value of”; and

inserting in criterion i after “biological”, “geological/geomorphological”.

R10.16 Delete QG 15A.

R10.17 Modify paragraph C.248 to explain how species of local importance will be identified and to make reference to the proposed SPD on Priority Species and Habitats (if the Council intend to produce such SPD in the near future).

R10.18 Modify paragraph C2.52 to refer to the proposed SPD on Priority Species and Habitats (if the Council intend to produce such SPD in the near future).

R10.19 Modify paragraph C2.58A by reference to the importance of Flood Risk Assessments being prepared and submitted with planning applications within indicative floodplains and to the advice on their preparation at Annex F of PPG25.

R10.20 Modify paragraph C2.59 by the addition of IC17.

R10.21 Modify Policy NE.14 by deleting criterion ii; and adding at the end of the policy:

“all planning applications located within an indicative floodplain shown on the Proposals Map or where there is other evidence that it is at risk from flooding should be accompanied by a Flood Risk Assessment.”

R10.22 Modify the Proposals Map:

in accordance with IC19 (floodplain boundaries at Bath Western Riverside) and to take account of any other revisions to the EAs indicative floodplain maps;

by adding “indicative” before “flood plain” on the Key.

by deleting the Protected Overland Flood Paths (PIC/C/30) (unless the plan is modified to explain their purpose and what policy criteria apply to them).

R10.23 Delete the existing wording of Policy NE.16 and substitute:

“Development which would result in the loss of the best and most versatile agricultural land will not be permitted unless sustainability considerations are sufficient to override the protection afforded to the agricultural value of the land. Development should be directed towards the lowest grade agricultural land except where sustainability considerations indicate otherwise.”

R10.24 Modify paragraph 2.66 to refer to the comparative accessibility/sustainability of land of different agricultural value as one of the factors to be taken into account in determining where necessary development on agricultural land should take place.

Recommendations from Section 11 (Built and Historic Environment)

R11.1 Modify paragraph 3.6 by:

deleting the phrase added in the RDDLP “plus a further two criteria that all sites have to fulfil”;

deleting the 2 mandatory criteria;

adding at the end: "The City also meets the two further criteria required of all WHS, namely, authenticity and legislative protection."

R11.2 Modify paragraph C3.10 by deleting the reference to DOE Circular 7/94 and substituting "Circular 02/99 Environmental Impact Assessment".

R11.3 Modify paragraph 3.12 by explaining the position of the boundary and the importance of the Local Plan in defining a boundary for the WHS.

R11.4 Modify Policy BH.1 by deleting the text and substituting: "Development which would harm the qualities which justified the designation of Bath as a WHS will not be permitted."

R11.5 Modify paragraph C3.17 by deleting "all original and later".

R11.6 Modify Policy BH.4 by inserting after "originally designed" "(except where policy ET.2(2) – as recommended in this report - also applies)".

R11.7 Modify policy BH.5 by deleting "adversely" in the first line.

R11.8 Delete QG17 and insert the selection criteria under paragraph C3.30.

R11.9 Modify paragraph C3.40 by highlighting that conservation area appraisals will assist in the application of the policy because they identify what makes an area special and what detracts from it. Insert a cross reference to where existing and proposed appraisals are listed in the plan.

R11.10 Modify Policy BH.7 by inserting at the end: "or iv) the proposed development would make a significantly greater contribution to the conservation area than the building to be lost."

R11.11 Delete Quick Guide 18.

R11.12 Modify paragraph C3.45 by deleting the last 2 sentences.

R11.13 Modify paragraph C3.46 by deleting the last sentence.

R11.14 Modify the Proposals Map by deleting all Parks and Gardens of Local Historic Interest.

R11.15 Modify the plan by deleting Policy BH.10.

R11.16 Modify Policy BH.9 by deleting the text and substituting: "Development which adversely affects sites on English Heritage's Register of Historic Parks and Gardens or their settings will not be permitted".

R11.17 Modify paragraphs C3.54-C3.56 to reflect the above modifications.

(R11.18 and R11.19 below are alternatives)

Either:

R11.18 The Council assemble a set of defined criteria against which to evaluate undeveloped sites within built up areas and carry out an assessment of sites identified in the RDDLP as VIOS against those criteria. Sites which accord with the criteria may then be identified with explicit reasons for the inclusion of sites within the VIOS designation; and

modify the Proposals Map in accordance with that site selection process; and

modify Policy BH.15 to relate directly to the criteria for the selection of sites and the contribution the site makes to the character of the settlement.

Or:

R11.19 Delete Policy BH.15 and delete the VIOS designation from the Proposals Map.

R11.20 Modify the plan by deleting paragraphs C3.73 and C3.74, Policy BH.16 and the village buffers from the Proposals Map.

R11.21 Modify the plan by deleting all that part of paragraph C3.80 from "All directional signs" to the end.

Recommendations from Section 12 (Minerals)

R12.1 Modify Policy M1 to accord with the proposed changes set out in the Council's response to objection 3202/B2.

R12.2 Paragraphs C4.5 to C4.58 be deleted and replaced with the following:

"Limestone is the principal commercial mineral worked in the plan area. Current reserves are in the order of 600,000 tonnes, according to 2001 estimates. Fuller's Earth and coal were extracted from sites within the District up to 1979 and 1973 respectively. However, whilst reserves still exist in the area the extraction of these minerals is not considered to be economically attractive and is unlikely to resume in the District.

There are currently three sites active in the District: two surface mineral workings and one underground mine. Stowey Quarry near Bishop Sutton, produces white lias and blue lias limestones for use as building and walling stone and also for aggregate purposes. Upper Lawn Quarry at Combe Down produces the Combe Down variety of Bath Stone for building, refurbishment, restoration and walling purposes; and Hayes Wood Mine at Limpley Stoke produces some 9-11,000 tonnes of stone each year.

There are also a further three sites which are currently inactive but with extant planning permissions. The Table below provides a summary of the mineral reserves and registered planning permissions at the six sites."

Table 4.1 (*to be completed by the Council*)

	Name	Description, i.e.location, area etc.	Extent of mineral reserve and type	Planning Permissions
Active sites				
Inactive sites				

R12.3 PIC/C/38 be deleted.

R12.4 Modify the plan by deleting paragraph C4.60 and Policy M.3.

R12.5 Modify the plan by deleting paragraph C4.62.

R12.6 Modify Policy M4 criterion (i) as follows:

delete "satisfactorily" before "restored" and "regenerated"

insert after "tip" "where it would cause significant harm"

delete "of value"

insert "or" after "landscape".

R12.7 Delete Policy M.5.

R12.8 Modify the plan by deleting paragraph C4.74.

R12.9 Modify paragraph C4.75 by deleting the second sentence and "M3" in the last sentence.

R12.10 Modify paragraph C4.76 by deleting the first sentence; deleting "therefore" and inserting after "forward" "from the MWALP".

R12.11 Modify the plan by deleting paragraph C4.78.

R12.12 Modify paragraph C4.79 by deleting from "Proposals for further" to "rise to complaints."

R12.13 Modify the plan by deleting paragraph C4.80.

R12.14 Modify paragraph C4.83 by deleting the second sentence; deleting “will be resisted until” and inserting after “site” “should be phased to accord with the completion of”; deleting “have reached an advanced stage”.

Recommendations from Section 13 (Access)

R13.1 Modify the plan by deleting paragraphs D1.1 and D1.4.

R13.2 Modify the plan by deleting Table 6B and all references to it in the text.

R13.3 Modify Diagram 17A and B by updating with 2001 census data.

R13.4 Modify the plan by inserting a new Diagram to show inward commuting.

R13.5 Modify paragraph D2.3 by updating the reference to the Strategic Rail Authority.

R13.6 Modify paragraph D3.4 bullet point 6 by inserting after “school” “through the Safe Routes to Schools Scheme”.

R13.7 Modify the plan by deleting Policies T3 and T4 and inserting a new policy:

“To promote walking and the use of public transport, the Council will seek the provision of safe, convenient and pleasant facilities for pedestrians and the mobility impaired, including the extension of a network of pedestrian routes. These requirements should be incorporated in all new developments including traffic management and transport infrastructure schemes.”

R13.8 Modify Paragraph D3.6 in accordance with Inquiry Change IC13.

R13.9 Modify Policy T.5 by deleting “or seek funding for”.

R13.10 Modify the plan by incorporating Inquiry Change (IC13).

R13.11 Modify Policy T.8 by deleting “seek funding for”.

R13.12 Modify the plan by deleting QG 19.

R13.13 Modify the plan by deleting paragraph D5.3.

(See also recommendation under Policy T.11 below.)

R13.14 Modify Policy T.10 by deleting 1).

R13.15 Modify the plan by deleting the heading “Rapid Transit” and paragraphs D6.1 to D6.3.

R13.16 Review all the Sustainable Transport Routes to ensure they do not include land which has been redeveloped and is in beneficial use.

R13.17 Modify the plan by deleting Policy T.17 and Paragraph D9.3.

R13.18 The Council to consider whether it is necessary to retain Policy T.18, or whether its wording could be used to replace much of the preceding text in paragraphs D10.1 – D10.4.

R13.19 Modify the plan by deleting Policy T.21.

R13.20 Modify Policy T.22 by inserting at beginning:

“The Council will safeguard land shown on the Proposals Map for Park and Ride purposes at Lambridge, Bath, adjacent the A4.”

R13.21 Modify Paragraph D11.1 by adding at the end:

“This includes uses which might increase the risk of collision between aircraft and birds. Applicants should consult the Council about the current extent of the safeguarded areas because they are reviewed and amended from time to time by the CAA”

R13.22 Modify Policy T.23 deleting “shown on the Proposals Map” and inserting “as defined by the CAA”.

R13.23 Modify Policy T.24 by deleting criterion 6.

R13.24 Review the residential parking standards (C3) set down in the schedule to Policy T.26 to ensure they comply with national standards of, on average, no more than 1.5 spaces per dwelling.

R13.25 Modify paragraph D12.4 by deleting the final sentence.

R13.26 Modify Policy T.26 criterion (i) by deleting after “Council”.

R13.27 Replace all references in the text to “Supplementary Planning Guidance” with “Supplementary Planning Document”.

R13.28 Modify the Glossary in accordance with IC20.

Recommendations from Section 14 (Omission of policies)

No changes
