

SECTION 2 - Chapters B1 and B2

Chapter B1 - Settlement Classification: Policy SC.1 and Paragraphs B1.9-B1.15

686/B67	Bath Preservation Trust	B1.2
2/B40	T2000/Railfutures	B1.3
3257/C50	Somer Valley Friends of the Earth	B1.3/B
2/B34	T2000/Railfutures	B1.4
3266/B1	O A G Stephens Limited	B1.4
700/B15	Chase Homes	B1.7
2599/B4	Mr G Glass and Mr R Weston	B1.7
721/C45	Government Office for the South West	B1.7/C
2641/C25	David Wilson Homes	B1.10/B
2/B33	T2000/Railfutures	SC.1
88/B24	William & Pauline Houghton	SC.1
502/B16	Camerton Parish Council	SC.1
566/B13	Clutton Parish Council	SC.1
614/B9	Temple Cloud Residents Committee	SC.1
631/B8	Cameley Parish Council	SC.1
695/B17	Society of Merchant Venturers	SC.1
721/B17	Government Office for the South West	SC.1
731/B12	Stowey Sutton Parish Council	SC.1
2199/B2	Mr M Fone	SC.1
2323/B3	Read Renewable Resource	SC.1
2332/B1	Mr & Mrs J Quinlan	SC.1
2648/B6	Persimmon Homes (Wessex) Ltd	SC.1
3047/B6	Mrs E W Styles	SC.1
3098/B15	George Wimpey Strategic Land	SC.1
3099/B16	Barratt Bristol Limited(Mr A T P Joliffe)	SC.1
3211/B2	Cllr M Hawkings	SC.1
3241/B11	Edward Ware Homes Ltd	SC.1
3265/B4	Mr D E Packman	SC.1
3299/B29	Bovis Homes (South West Region) Limited	SC.1
3312/B8	Cllr G Dawson	SC.1

Supporting Statements

695/B18	Society of Merchant Venturers	B1.3
3299/B9	Bovis Homes (South West Region) Limited	B1.3
257/C50	Somer Valley Friends of the Earth	B1.3/B
695/B19	Society of Merchant Venturers	B1.4
3251/B38	Prospect Land Ltd	B1.5
3251/B37	Prospect Land Ltd	B1.6
3251/B36	Prospect Land Ltd	B1.7
3257/C51	Somer Valley Friends of the Earth	B1.7/A
3257/C52	Somer Valley Friends of the Earth	B1.7/B
3257/C53	Somer Valley Friends of the Earth	B1.7/C
3251/B35	Prospect Land Ltd	B1.8
2641/C8	David Wilson Homes	B1.8/A
3257/C54	Somer Valley Friends of the Earth	B1.10/A
2641/C29	David Wilson Homes	B1.13/A
156/B10	Ubley Parish Council	SC.1
700/B13	Chase Homes	SC.1
2601/B2	Linden Homes (Developments) Limited	SC.1
3207/B1	Cindabi (International) Ltd	SC.1
3241/B4	Edward Ware Homes Ltd	SC.1
3242/B3	Davies Street (Bathampton) Ltd	SC.1
3251/B34	Prospect Land Ltd	SC.1
721/C46	Government Office for the South West	SC.1-REG24(9)

Issues

- i) Whether Bishop Sutton, Temple Cloud/Clutton, Farmborough, High Littleton, Paulton and Timsbury are appropriately classified as R1 settlements.
- ii) Whether a reference should be made to a change in the Green Belt at Keynsham, and should Keynsham be identified as a Principal Urban Area (PUA)?
- iii) Is there sufficient recognition of the opportunities for further development and need for self sufficiency for Norton-Radstock?
- iv) Is the classification of R2 and R3 settlements sound, and is there sufficient opportunity for development in the rural settlements to prevent their decline?
- v) Should Paulton, Peasedown St John and Farrington Gurney be treated as discrete from Norton-Radstock?
- vi) Should Policy SC.1 refer to R1 villages as local service centres?
- vii) Should the urban area of Bath include Bathampton, and should villages such as Twerton on Avon be identified separately from the urban area?
- viii) Is Camerton properly designated an R2 settlement?
- ix) Should Chew Magna be an R1 settlement?
- x) Should Farrington Gurney be an R1 settlement?
- xi) Should Hempnett/Thrubwell be classified as an R3 settlement?
- xii) Should Policy SC.1 recognise the relationship between Whitchurch and the rest of the built up area of Bristol?

Inspector's Reasoning

Issue i)

- 2.1 The Council carried out a detailed settlement classification analysis in order to define the extent to which settlements provided services to the rural areas. I have considered the approach adopted in the analysis and consider that it provides a reasonable classification of the many different types of rural settlements found within the district. There are bound to be discrepancies in an analysis of this sort, but in my view the approach taken correctly identifies those settlements which provide a reasonable level of local services and public transport provision. Whilst I have some sympathy with the views of those objectors in regard to Temple Cloud/Clutton, the two settlements provide an important range of services

to this rural area. I therefore agree with the Council's identification of the villages as an R1 settlement.

- 2.2 Although some objectors consider that Bishop Sutton has experienced too much development and should receive no more, the designation of the village as an R1 settlement does not in itself mean that it will receive further development. The classification acknowledges the status of the village as a rural service centre. That status will clearly have some bearing on future planning decisions, but any proposals would need to be considered on their individual merits, and against all the policies of the plan.

Issue ii)

- 2.3 The reference in paragraph B1.3 to a change to the Green Belt at Keynsham was deleted from the RDDLP as the result of the change in the strategy of the local plan. I recommend in Section 5 of my report that land be taken from the Green Belt for residential development at Keynsham in order to meet strategic housing land requirements. I therefore recommend the reinstatement of the deleted sentence. However, the definition of Principal Urban Area is set out in RPG10 and Keynsham is not included as a town which meets this definition. The differences between Keynsham and Norton-Radstock are not so significant that they justify a different settlement definition in the plan.

Issue iii)

- 2.4 It is an underlying objective of the plan to secure the development of sustainable communities. Norton-Radstock does have a significant level of local services and facilities, together with the potential for further employment. There are also a number of older employment sites which may be suitable for mixed-use development of residential and employment use. I recommend in section 5 of my report the investigation by the Council of a number of such sites in order to meet the housing land requirement. Whilst the Council is concerned to address the balance between residential development and employment within the town, in the absence of an adequate supply of housing land within the plan, Norton Radstock has the potential to make a significant contribution to the supply. Furthermore, there are opportunities to combine residential development with the provision of employment units. In my view such development would contribute to the self-sufficiency of the town, and I recommend changes to paragraph B1.4 to reflect this position.

Issue iv)

- 2.5 I have already expressed the view that the settlement classification analysis carried out by the Council was soundly based, and therefore recommend no change to the definition of the R2 and R3 settlements. The Council's objective is to steer development towards those settlements with good accessibility, local services and facilities, and this approach is in accord with the policies of RPG10 and the JRSP. However, there remains

scope for limited infill development which will help sustain the smaller villages and which is increased by the changes which I recommend to housing policies HG.4, 5, and 6.

Issue v)

- 2.6 Although Paulton, Peasedown St John and Farrington Gurney are in close proximity to Norton-Radstock, they remain separate communities with their own distinct characters. However, this does not prevent these other communities from benefiting from economic development in the area. Indeed there is potential for new employment development at Peasedown St. John and Paulton.

Issue vi)

- 2.7 The status of R1 settlements is made clear in the reasoned justification. I consider there is no need to repeat this in the policy.

Issue vii)

- 2.8 Although Bathampton is closely related to the urban area of Bath, it has maintained its separate identity as a village largely set in open countryside. As a result I agree with the Council that it should remain as a separate R1 settlement. However, Twerton on Avon is physically and administratively a part of the urban area of Bath and therefore I find no reason to identify it separately.

Issue viii)

- 2.9 Whilst I recognize the limited facilities at Camerton, it is not a village washed over by the Green Belt and would not therefore fall within the definition of an R3 settlement. However, its classification as an R2 settlement does not imply that it would be required to accommodate any significant development. The changes which I recommend to Policies HG.4 and 5 require consideration to be given to the scale of the settlement in terms of the availability of facilities and employment opportunities and accessibility to public transport.

Issue ix)

- 2.10 Chew Magna has a level of services and facilities which might well qualify it for the status of an R1 settlement. However, it is washed over by the Green Belt and as a result falls within the definition of an R3 settlement. I consider the distinction to be justified, although in any future review of the Green Belt the Council may investigate a change to make Chew Magna an inset village in recognition of its importance in serving the valley villages.

Issue x)

- 2.11 For the reasons given by the Council, I agree that Farrington Gurney should remain as an R2 settlement. Nevertheless the changes which I

recommend to Policies HG.4 and 5 would allow for some limited infill development as appropriate within the village.

Issue xi)

2.12 Nempnett Thrubwell is a fragmented area of development with poor accessibility within the Green Belt. As a result I agree with the Council that it should not be included in the classified settlements.

Issue xii)

2.13 Although Whitchurch is in close proximity to Bristol it remains physically and administratively separate from the urban area. I therefore find no justification for the change put forward by the objector.

Recommendations:

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.”

Chapter B2 - Policies ET.1 to ET.3 and Paragraphs B2.1-B2.41

There are large numbers of objections to these policies; details are listed at Appendix 1.

Issues

- i) Are the policies founded on a robust evidence base?
- ii) Do the policies conflict with national advice and the structure plan?
- iii) Do the policies fit together consistently and clearly?
- iv) Is there justification for Policy ET.1D?
- v) Is the purpose of Policy ET.3 and does it add to the plan?
- vi) Do Quick Guides 5, 6, 6A and 6B aid understanding of the plan?
- vii) Site-specific objections.

Inspector's Reasoning

Issue i)

2.14 Two parts of the evidence base are particularly important to the matters raised by objectors: -

- the Business Location Requirements Study (BLRS) prepared for the Council by Roger Tym & Partners/Cluttons and published in an updated final version in October 2003; and
- the statistical data on employment land supply, published as Topic Paper Addendum 4.3 (as amended in April 2005).

2.15 The substantial revisions to the plan made at RDD stage aimed to create a firmer link between the BLRS and employment policies ET.1 to ET.3 with its supporting text. The brief set for the BLRS is recognised as a “good practice example” in the new national guidance on undertaking reviews of the adequacy of employment land provision (the ODPM report “Employment Land Reviews – Guidance Note”, December 2004). Following on from the brief, it seems to me that the methodology adopted in the BLRS is reasonably consistent with the first of the two main stages of the review process described in the ODPM guide. The BLRS therefore fulfils the function of “creating a picture of future requirements” (stage 2 of the ODPM guide). Moreover, it also gives some useful broad and commercially-informed observations on the stage 3 of the ODPM guide in identifying a ‘new’ portfolio of sites and on “policy development and monitoring”.

2.16 Objectors raised relatively little criticism of the content of the BLRS and were more likely to refer to it to support some aspect of their case, for instance suggesting that its findings and recommendations did not always provide a clear and convincing justification for the employment policies in the plan. I consider this point below in the context of issues *ii* and *iii*.

2.17 I turn next to table 1A in chapter B2 of the plan, entitled “Business employment changes and floorspace requirements 2001-11”. This was inserted in the plan at RDD stage to reflect the findings and recommendations of the BLRS. Since I have already concluded that the report’s methodology was generally sound, I consider in principle that table 1A provides a reasonably robust set of indicative quantitative guidelines which can be used for local plan policy purposes.

2.18 Although any such quantitative guidelines can only be approximate I agree with the BLRS (paragraph 5.15) that:- *“Without a broad indication of how much space may be required to meet market requirements and policy objectives it is very difficult to safeguard or allocate the right sites and defend long-term planning policies against immediate market pressures. This is to not to deny that forecasts themselves are always imperfect.....Quantitative benchmarks can provide no more than broad guidelines, but without them we are entirely in the dark.*

- 2.19 The policy implications of table 1A are that the plan should seek to implement District-wide objectives of (a) increasing office floorspace, heavily concentrating this growth in Bath, and (b) achieving a managed reduction in industrial floorspace affecting all four sub-areas, albeit to different degrees.
- 2.20 However, it is pertinent to consider the policy implications of table 1A against the statistical data on employment land provided in amended Topic Paper addendum 4.3. The latter was compiled at my request in order to gain an insight into the progress made in moving towards the aims of table 1A in the 3 years 2001-04. If the requirements of table 1A were to form a central plank of local plan policy for employment land, it would be essential to have access to reliable monitoring data to help inform judgements about individual planning against criteria-based policies such as ET.1A-1D.
- 2.21 At first sight the overall “progress” apparently revealed by the addendum is rather surprising. With regard to industrial floorspace it seems to show that while the reduction in B&NES as a whole is more or less on course, the overall loss in Bath urban area is set to be about 64,000sq.m (ie 4-5 times greater than the level in table 1A). A significant part of this difference seems to be accounted for by planned losses brought about by local plan allocations. In the rural areas industrial floorspace is on the way to an increase of 41,000sq.m rather than a reduction of 10,500sq.m. In Keynsham and Norton-Radstock there are smaller differences between the table 1A targets and the forecast change in floorspace quantities.
- 2.22 In the case of office supply the expected increase in floorspace in the District as a whole is some 4 times greater than the level in table 1A. Provision would exceed requirements in all four sub-areas but would eventually be particularly marked in Bath if the allocations in the plan were to be achieved within the plan period.
- 2.23 However, I am not convinced that the content of addendum 4.3 is so reliable that it should lead to widespread changes to the plan in an attempt to make its policies and proposals comply more directly with the indicative guidelines of table 1A. Some aspects of the raw data in the addendum do not seem to be sufficiently robust to provide firm evidence for such a course of action. While the completions data should hopefully be reasonably reliable I am not convinced that this applies to the ‘actual vacancy’ measurements or, necessarily, to the overall vacancy margin allowed for. It is also unclear how much weight can be placed on some of the information concerning commitments, in terms of what is likely to be completed within the plan period, and on the projected windfall losses and gains.
- 2.24 Nevertheless, my recommendations seek to bring some improvement in the alignment between the content of table 1A and the direction of the plan. Moreover, as the type of information presented in the table in the addendum is refined and updated in future it should become more reliable

in bringing information to bear on how far local plan policy is being achieved as a means of informing individual decisions.

- 2.25 I conclude that the information in table 1A should form the first in a set of revised employment policies as it provides the essential quantitative perspective which needs to underlie and inform all decisions on employment land. At the same time the new policy must recognise the need for careful annual monitoring to be undertaken so that each individual decision can be made in the light of information about the extent of progress being made against the two objectives. In this way the plan would be sensitive to the comment in the BLRS that: *"...the worst risks of over-reliance on doubtful numbers are mitigated if we apply the principles of plan-monitor-manage, cross-check forecasts against historical evidence and market sentiment, practise continuous monitoring and updating, and recognise that precision is unobtainable"* (paragraph 5.15).

Issues ii) and iii)

- 2.26 The most common themes of the objections are that: -

- the plan is generally too restrictive and inflexible: it fails to reflect advice in PPG3 and Policy 30 of the JRSP concerning the need to consider whether existing employment allocations and sites that are no longer realistically required should be redeveloped for housing or other uses; and
- the plan's policies are over-complex and have too many tiers, making them appear inconsistent and difficult to follow, and their geographical applicability is not always clear.

- 2.27 My headline response to these two themes is that I agree with these concerns, particularly those expressed under ii) above. It seems to me that the content of the reasoned justification, taken as a whole, has not been sufficiently restructured to fit the pattern of the deleted and revised policies. It is also over-elaborate, sometimes confusingly expressed, and/or repetitive. I therefore consider that the text should be comprehensively revised and rearranged to provide a supporting structure for a re-expressed set of policies. My recommended ET.1 provides a quantitative overview as discussed above and is followed by two new Policies ET.2 and ET.3, replacing and amending the content of the five RDDLP policies [ET.1A-D and ET.3]. The first would provide guidance on proposals concerning office-type business floorspace in the District and the second for proposals affecting non-office Class B floorspace. This approach would resolve issues raised by objectors concerning uncertainty about the geographical application of the policies, suggested over-concentration on Bath, and doubt about how far industrial premises are subject to 'blanket protection'.

- 2.28 Looking at the two themes of objection in more detail, I agree with objectors who consider that the plan does not distinguish clearly enough

between sites which need to be identified for positive protection and those where any future proposals for alternative forms of development can be judged more flexibly against a set of appropriate criteria, including the extent of progress being made towards achieving the quantitative guidelines. In my view positive and transparent safeguarding of an appropriate number of identified core employment sites is consistent with the options for policy development and presentation described in the ODPM guidance note. This course of action was also urged by some objectors who otherwise considered that the plan gave blanket protection to too many sites.

- 2.29 As was discussed at the RTS, the plan contains confusing messages about the relative importance and degrees of protection that are to be afforded to various employment locations. Policy ET1.B identifies only two core employment areas – at Locksbrook Road and Brassmill Lane in Bath. However, the supporting text appears to suggest that the retention of quite a number of other industrial estates is of equal importance. For example, paragraph B2.28Q identifies it as “essential” to safeguard two sites in Keynsham. In addition, paragraph B2.28R refers to the need to safeguard various identified employment areas in Norton-Radstock, making them appear to be as equally essential as the Keynsham sites. Yet the plan stops short of identifying these sites as core employment areas and makes them subject to Policies ET.1C & 1D. Consequently, any proposals at these locations fall to be considered under the same criteria as any other existing employment land in the District. More uncertainty is introduced by paragraph B2.25 (applying to all existing sites) which states that alternative uses will only “very occasionally” be acceptable. That paragraph relates to former Policy ET.1 in the DDLP, now deleted, and is inconsistent with the overall thrust of the rest of the RDDLP policies.
- 2.30 In my view the Council needs to clearly identify the key sites throughout the District which need to be protected as core employment areas and modify the plan accordingly. Although the supporting text of the plan may provide a few pointers I do not have the necessary comprehensive information to make recommendations about the location or extent of such sites. However, my recommended new policies proceed on the basis that these areas will be identified through the modifications process and their boundaries defined on the PM.
- 2.31 If the plan identifies broad quantitative policy guidelines and defines areas to be positively safeguarded as part of the process of achieving them, I consider that it would then be sufficient for proposals affecting employment floorspace on sites outside these areas to be judged according to a number of brief criteria, including consideration of the progress that may or may not be occurring in achieving the objectives of new Policy ET.1. The introduction to these new policies needs to be neutrally-worded rather than implying that permission for the loss of floorspace will normally be either refused or permitted. Individual decisions could then be linked firmly to the particular background circumstances of the time and location.

- 2.32 In the case of recommended Policy ET.2 (concerning office development), I support the concept of the Bath City Centre core office employment area. I also recommend setting the policy in terms which establish the defined core area as a focus for new development in accordance with Policy GDS.1 or as part of other mixed use schemes. I also support the imposition of a short-term general presumption against the loss of office floorspace, at least until such time as it becomes more certain that the plan's sought-for new office development will be completed on the other sites promoted in Bath outside the city centre core. I understand the concerns of a number of objectors who would like to see an earlier more permissive approach to the change of use of office floor space in the city centre for a variety of reasons, particularly the potential benefits of enhancing the fabric of the city-centre and increasing its vitality by re-converting some present offices back to residential use. However, in the short term I do not consider there to be sufficient evidence to provide an effective challenge to the Council's approach of interim protection. My recommended criteria are broadly similar to those in RDD policy ET.1A but with the addition of another requiring consideration of progress made against achieving the Bath office target. Taken together, these criteria should avoid the creation of unnecessary blight and provide for flexibility where circumstances are appropriate.
- 2.33 As for proposals for office development outside the Bath core, I consider that the general office-related content of RDD policy ET.3 should be included within my recommended ET.2 but with more location-specific guidance provided for new development.
- 2.34 Turning to proposals for non-office development in the business use class, my recommended Policy ET.3 begins by providing support for new development within core employment development areas to be identified as described above, as well as on GDS.1 sites and on other land currently used for such purpose. It then provides clear safeguarding for the core employment sites. Elsewhere, a more neutral criteria-based approach is followed. Such an approach would enable the assessment of schemes for the redevelopment of sites for residential or mixed uses in accordance with Policy HG.4, and Government policy as set out in PPG3 paragraph 42(a). This encourages the re-use of redundant or under used industrial or commercial sites for residential or mixed uses where appropriate.

Issue iv)

- 2.35 Some objectors doubt whether there is clear evidence to support the policy's more restrictive approach to the loss of small premises. I accept that there is little firm information on this issue, and that the Council's own "small sites study" is not particularly helpful in shedding further light on it. I also recognise that the JRSP does not make any distinction between large and small units. However, the BLRS (paras 4.73 4.79) contains a firm marketing judgement that there is a continuing demand for units of up to 500sq.m in Bath set against a pattern of generally shrinking supply and little or no replacement provision. In these circumstances I consider it justified to take a cautious approach to the

loss of existing small units in the city. In other parts of the District the report perceives a need (and potential scope within the new land supply) for a next generation of small-scale speculative development of units of below 400 sq.m, but it is not clear that circumstances in these areas justify the same degree of protection of existing small units outside identified safeguarded locations. I therefore consider that this policy should be deleted in its present form. However, my recommended Policy ET.3 includes a final paragraph referring to the need to give particular consideration to the requirement to retain a sufficient supply of small premises in the Bath urban area.

Issue v)

- 2.36 Objectors consider that Policy ET.3 is rather unqualified and adds little of value in its present form. I agree with this assessment and conclude that its content should be absorbed into my recommended recasting of the content of policies ET.1A-D and ET.3 where aims for future office development can be more firmly linked to former table 1A and the sustainability aims of the plan to concentrate future office development in central areas and other places with good public transport links.

Issue vi)

- 2.37 Objectors mainly focused on the content of Quick Guides 6A and 6B, inserted in the plan at RDD stage.
- 2.38 Guide 6A provides further detail on the considerations to be taken into account in deciding applications against the broad development control criteria of policies ET.1A, C and D. In my view this level of detailed coverage of normal development control criteria is unnecessary and can give the impression that the list is exhaustive, which is not the case.
- 2.39 The content of QG6B was criticised because it seeks to incorporate a range of *sui generis* uses into the definition of business uses for the operative purposes of the local plan policies. The Council has sought to do this for two reasons. The first is that in calculating the quantitative guidelines for employment land the BLRS necessarily uses inputs from SIC data which do not correlate exactly with use classes; the second is that many enterprises in the *sui generis* category have to compete for industrial-type premises and their retention in the City of Bath is essential to its functioning and maintenance. However, in my view, QG6B is confusing in its attempts to describe the potentially very wide range of *sui generis* employment-generating uses and associate them with the definition 'business' uses since they will always remain lawfully distinct. I therefore consider it misleading to define 'business' uses in this way although I recognise that *sui generis* uses will often need to occupy business-type premises.
- 2.40 I deal with the principle of using Quick Guides in Section 1 of this report, and recommend that they be deleted and where appropriate, their contents be relocated elsewhere within the text.

Issue vii)

Gay Street, Bath

- 2.41 An objector seeks exclusion from the Bath core office employment area of the east side of Gay Street between George Street and Old King Street. However, I am not convinced that the character and pattern of land use of this small area provide strong grounds for such exclusion.

British Waterways Land, Brassmill Lane, Bath

- 2.42 This is a small triangular area of undeveloped land next to a lock. From the notice displayed on the gate it appears that the site is currently retained free of development in order to safeguard access to the waterside for maintenance and emergencies. Beyond the former lock-keeper's house is a larger area of undeveloped land used as public open space. The objection suggests that the lock-side site should be excluded from the core employment area as it is too small for development for that purpose and lends itself better to residential use.
- 2.43 I agree that the site seems to have little potential for development for employment purposes. It seems to me that the natural termination of the main 'core employment site' on the south side of Brassmill Lane is the end of the developed area to the west of the public open space and that the two undeveloped areas may have been included in the core site only to form a continuous link between the two parts of it on the north and south sides of the road respectively. As the two parts of this area that are used for employment purposes are offset and do not directly adjoin each other I consider that it would be more appropriate to designate them separately.

Society of Merchant Venturers, Lower Bristol Road

- 2.44 The objector suggests that proposals should focus on delivering new employment opportunities with a range of premises for manufacturing and newer hi-tech enterprises with a small element of non business activity including housing and community facilities. In my view this would accord with the approach taken in the RDDLP where the site is allocated in GDS.1/B12 for mixed use redevelopment including 3 hectares of B1, B2, or B8. The allocation also makes provision for residential and retail development, and the Council has indicated that this could be as much as 200 dwellings. Whilst I accept that some higher value residential and retail uses may be required in order to provide a viable redevelopment, this should not be at the expense of the provision of new employment development. I deal with the detailed wording of GDS.1/B12 in Section 7.

St Peter's Factory, Westfield, Midsomer Norton

- 2.45 In the objector's view Policy GDS.1/NR4 does not need to reserve the whole area of the St Peter's factory at Westfield, Midsomer Norton for business uses. Whilst I accept that it would be desirable to reduce out-commuting from the Norton-Radstock area through the provision of more

employment opportunities within the towns, the BLRS indicates that the requirement for old style industrial type floorspace is in decline, whereas there is some demand for smaller units in B1 use. In these circumstances I consider that there is little benefit to be gained in retaining this site as currently allocated. Without a significant demand for industrial type uses there is little likelihood of the site being redeveloped, whereas a mixed use scheme which provides the small scale units for which there is a demand would benefit the supply of housing as well as provide new employment opportunities. I deal with the detailed wording of GDS.1/NR4 in Section 7.

Charlton Lane, Westfield, Midsomer Norton

- 2.46 This objection seeks the further extension of the Westfield industrial estate onto undeveloped land to the east. As I saw, this large and apparently thriving mixed estate offers only relatively limited opportunities for further development within the scope of current planning policy and commitments. However, taking account of employment land availability in Norton-Radstock as a whole, balanced against the findings of the BLRS, I find no clear-cut evidence of further need for growth onto the objection site, especially as such development would extend building beyond the current built-up area into a pleasant and open rural landscape.

Welton Bag Factory, Station Road, Midsomer Norton

- 2.47 The objectors state that there is a need to rationalise the use of this large brown field site, including undertaking mixed development which would retain employment uses within it. In their view the ET policies could inhibit this approach. The housing development boundary should therefore be extended to cover the site and a specific proposal included under Policy GDS.1.
- 2.48 This fairly densely developed site is embedded within the built-up area of the town and contains a mixture of industrial buildings of varying type and age. The site is not in intensive use and a mixed use redevelopment could provide modern industrial units to accommodate existing uses as well as new units for firms seeking to locate in the area. A residential element would clearly help to enable such a scheme. I recommend in the housing section of my report that the potential of this site is assessed for the provision of housing as part of a mixed use scheme within the current plan period.

Manor Farm, Writhlington

- 2.49 This objection seeks the allocation of land for mixed-use development including employment, housing and open space in order to “meet shortfalls” and satisfy structure plan objectives. However, in view of the site’s location beyond the urban boundary and the extent of employment land available in the Norton-Radstock area in relation to demand for such sites, I am not convinced that local needs for these purposes justify an additional allocation of this kind.

Old Mills, Paulton

2.50 Located to the north of the A362 this site is adjacent to existing commercial development which includes a DIY store and existing industrial estate. The Council allocates this greenfield site in order to provide for new employment development to take advantage of existing infrastructure and provide for improvements to the A362. However, the site is traditional pastureland broken up by hedgerows and very much part of the rural area such that its development would extend the urban area into the open countryside. I appreciate the Council's wish to attract economic development to the area, but there are other opportunities for the regeneration of existing industrial sites in Norton-Radstock with mixed use development. In the absence of a clear demand for such a site in the findings of the BLRS, I consider that this greenfield allocation should be deleted from the plan.

Former Jewson Yard, Bathampton

2.51 This site is within the Green Belt and has a lawful use for B8 and timber storage. The objectors make a case for the designation of the site as a Major Developed Site to facilitate infilling or redevelopment which I deal with in Section 9 on the Green Belt. In terms of the potential for this site to change from employment and be redeveloped, the recommendations which I make for a new policy ET.3 would allow for any such proposal to be considered on its merits, against the criteria listed under (3), and having regard to Green Belt policy.

Overall conclusion on the above issues

2.52 My recommended modifications present the subject matter of these policies in a substantially different way. They also necessarily require extensive reordering of the subject matter of the reasoned justification in order to address the main themes raised by objectors and at the same time shorten and simplify the text in the interests of achieving greater focus and clarity. Consequently, although I have considered all the objections made to these policies and paragraphs, I have not considered it fruitful to discuss matters of detail that either (a) are no longer retained within my recommended modifications to the supporting text or (b) do not in my view justify specific mention in (or change to) this chapter of the plan. This includes the issues raised by Bath Spa University College, Mr S C Banks, OAG Stephens Ltd, the Federation of B&NES Allotments Association, and Bath Organic Group.

2.53 I do not include MOD Foxhill within the list of employment sites in Bath under Policy GDS.1 since it is unlikely to be available within the plan period. I set out the reasons for this view in Section 5 of my report.

Recommendations:

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."

Chapter 2 - Policy ET.3A and paragraph B2.41A - Coomb End

88/B25	William & Pauline Houghton	B2.40
686/B71	Bath Preservation Trust	ET.3
1427/B37	Environment Agency	ET.3
3007/B9	Grant Thornton	ET.3
3257/C59	Somer Valley Friends of the Earth	B2.41A/A
3267/C11	C S J Planning Consultants Ltd	B2.41A/A
3298/C50	Cam Valley Wildlife Group	B2.41A/A
3299/C50	Bovis Homes (South West Region) Limited	B2.41A/A
578/C100	Norton Radstock Town Council	ET.3A/A
3044/C3	Mr A Hall	ET.3A/A
3257/C61	Somer Valley Friends of the Earth	ET.3A/A
3257/D310	Somer Valley Friends of the Earth	PIC/B/14 (ET.3A)
3267/C10	C S J Planning Consultants Ltd	ET.3A/A
3298/C49	Cam Valley Wildlife Group	ET.3A/A
3299/C48	Bovis Homes (South West Region) Limited	ET.3A/A
578/C101	Norton Radstock Town Council	ET.3A/B
3044/C2	Mr A Hall	ET.3A/B
3267/C9	C S J Planning Consultants Ltd	ET.3A/B

Supporting Statement

2360/B1	Landray Will Trust	ET.3
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Issue

- i) Is there justification for the designation of Coomb End as a regeneration area?

Inspector's Reasoning

2.54 This policy was added at RDD stage. Some objections seek its deletion: others do not oppose it in principle but suggest changes either to its boundaries or to the detailed terms of the policy, such as a more positive presumption in favour of housing; dividing the area into two parts, one to be used for employment regeneration and the other for mixed uses; and more positive use of the area for community uses.

- 2.55 The area comprises a ribbon of old and new houses interspersed with generally utilitarian industrial buildings. The pattern of development is generally fairly dense near Radstock Town Centre but thins out considerably as the valley rises into more rural surroundings. In my view ET.3A adds very little value to the overall policy framework of the plan. It does not provide a clear vision of the objectives for the regeneration area and, in any case, there are considerable constraints to such action such as multiple ownerships, the complex pattern of land uses, highway issues, and issues concerning gradients and land slippage. The policy provides no hint of a coherent framework for concerted regenerative action to address any clearly identified problems. In effect it merely identifies Coomb End as an area to be treated as some kind of exception to the normal District-wide application of Policies ET.1B-D. This does not take things very far.
- 2.56 I have recommended considerable restructuring of Policies ET.1 to ET.3, including definition of more core employment areas. In my view the Council needs to decide whether any part of this area justifies identification and safeguarding for that purpose. If not, proposals at Coomb End can be judged on their merits against the criteria in my recommended Policy ET.3. I do not consider that Policy ET.3A amounts to an identifiable strategy warranting "designation" of a regeneration area here. I therefore recommend its deletion. If more specific proposals for the area were to be worked up in future they could be brought forward in the form of an Area Action Plan DPD.

Recommendation:

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

Chapter 2 - ET.4 and Paragraphs B2.42 to B2.44 - A Buoyant Rural Economy

3257/C60	Somer Valley Friends of the Earth	B2.42/A
3298/C58	Cam Valley Wildlife Group	B2.42/A
42/B13	CPRE	ET.4
686/B72	Bath Preservation Trust	ET.4
732/B18	Swainswick Parish Council	ET.4
2303/B3	Wellow Residents Association	ET.4
3242/B5	Davies Street (Bathampton) Ltd	ET.4
120/C165	Ms Helen Woodley	B2.44/B
239/C1	Country Land & Business Association	B2.44/B
3257/C62	Somer Valley Friends of the Earth	B2.44/B
3298/C74	Cam Valley Wildlife Group	B2.44/B

Supporting Statement

1865/B1	Mr J B D Robinson	ET.4
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Issue:

- i) Are elements of the policies and supporting text too restrictive/too permissive?

Inspector's reasoning

- 2.57 A major theme of the objections is that Policy ET.4 allows for development outside the limits of villages. In my view the approach outlined in the supporting paragraphs is generally consistent with national advice in PPS7 and with JRSP Policy 2(h) on the encouragement of rural enterprise, especially taking account of the addition to paragraph B2.42 in the RDDLP. However, the terms of the policy itself could be interpreted more widely than the supporting text, particularly as the RDDLP omits the original criterion (a). I therefore consider that criterion (a) should be restored as "scale" in this context is not just a design-related matter, and that Policy ET.4 should refer more clearly to small-scale enterprises, reflecting paragraph B2.42.
- 2.58 Concerns are also raised about the text inserted into paragraph B2.44 through the RDDLP. In this case it seems to me that the linked policy (ET.5) is appropriately worded and does provide a context for considering the kinds of situations raised by objectors such as further development within established rural employment sites; and larger-scale farm diversification projects.
- 2.59 Policy ET.12 permits small scale purpose built visitor accommodation within or adjoining R1 and R2 villages and within R3 villages i.e. the same locations as Policy ET.4 permits business uses. I recommend later in this report the deletion of Policy ET.12 and the insertion of "small scale purpose built visitor accommodation" among the list of uses at the beginning of Policy ET.4. I therefore include this recommendation below.

Recommendation:

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.

Chapter B2 - Policy ET.6 and paragraph B2.47

578/B40	Norton Radstock Town Council	ET.6
580/B4	Hignett Brothers	ET.6
1427/B39	Environment Agency	ET.6

Supporting Statement

1427/B38	Environment Agency	B2.47
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Issues

- i) Does the policy adequately protect residents from proposed agricultural development?

- ii) Should the need for the development be a policy consideration?
- iii) Whether the policy should refer to Source Protection Zones?

Inspector's Reasoning

Issue i)

2.60 Paragraph B2.51 states that a range of policies will apply to agricultural development, not just Policy ET.6. The extent to which any development, including that associated with agriculture, may harm the living conditions of nearby residents would be a consideration under Policy D2. Furthermore, policies in Section B6 seek to control specific forms of pollution. I am satisfied therefore that this issue is covered adequately in the plan and that it is not necessary for residential amenity to be referred to in the policy.

Issue ii)

2.61 Given that new agricultural buildings may often be substantial in scale and most likely be proposed in the open countryside, it is inevitable that some conflicts with other policies in the plan will frequently arise. If the plan is going to facilitate change in the agricultural sector (as is its stated intention) some consideration needs to be given to the need for the proposed development and the benefits to the farmholding and/or to the rural economy (such as for new enterprises). Including such a factor in the policy would make explicit that a balancing of potentially conflicting considerations will often need to be made. To incorporate such an additional factor, the policy would need to be redrafted to list “considerations” rather than criteria that have to be met. I recommend accordingly.

Issue iii)

2.62 I appreciate that certain types of agricultural development may have the potential to affect Source Protection Zones, but I consider this issue is adequately covered by Policy NE.13. This seeks to protect from pollution groundwater source protection areas and other groundwater catchment areas. This policy applies to all forms of development and so this consideration does not need to be repeated here.

Recommendation:

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."

Chapter B2 - Policy ET.7

578/B41	Norton Radstock Town Council	ET.7
581/B15	Batheaston Society	ET.7
239/C2	Country Land & Business Association	ET.7/E
3257/C63	Somer Valley Friends of the Earth	ET.7/E

Supporting Statements

581/C27	Batheaston Society	ET.7/E
1427/C193	Environment Agency	ET.7/B

Issues

- i) Does the policy adequately protect residents from agricultural development?
- ii) Whether the policy should require replacement agricultural buildings to be well designed.
- iii) Whether developments should be assessed on a case-by-case basis taking into account potential benefits and mitigation.
- iv) Should certain types of development be exempt from the policy?

Inspector's Reasoning

- 2.63 A number of these objections are difficult to understand because they do not specify how the policy should be changed or they appear to consider that it relates to controlling agricultural development. The policy seeks to mitigate the potential consequences for existing agricultural operations of proposed non-agricultural development nearby.
- 2.64 Parts i) and ii) introduce criteria not duplicated elsewhere in the plan to protect agricultural operations from the indirect effect of nearby non-agricultural development. This part of the policy is necessary and reasonable.
- 2.65 Part iii) seeks to prevent housing or other non-agricultural buildings being sited in proximity to livestock units and silage or slurry facilities. The plan does not explain the reason for the potential conflict between these uses (paragraph B2.53), but I presume that the main concern is odour and, possibly, noise. I see no reason for this part of the policy since Policies ES.9, ES.10 and ES.12 all seek to prevent sensitive development being located close to sources of pollution or nuisance, including odour and

noise. These policies give adequate protection to the living conditions of prospective occupiers of proposed development. Part iii) is thus unnecessary duplication. The deletion of this part, together with my recommendation below, would give Policy ET.7 a single focus which would make its scope more easily understood.

- 2.66 Part iv) is concerned with a different consequence of non-agricultural development namely the reuse of agricultural buildings triggering a need for replacement agricultural buildings or outside storage. This consideration would sit much more logically at the end of Policy ET.9 which lists considerations applicable to the conversion of rural buildings. I recognise that this factor would be relevant only for buildings in agricultural use, but several of the factors listed in ET.9 are not applicable in all cases. The wording would need to be amended to fit the permissive context of Policy ET.9 and I consider that the phrase “lead to a proliferation of” should be deleted to make the policy take into account the visual consequences of any likely replacement building. Neither Policy ET.7 nor ET.9 is the place to control the design of any such new building. Paragraph B2.54 (which already refers to Policy ET.9) should be moved to that policy section, such as after paragraph B2.62. Subject to these changes. Policy ET.7 will seek solely to protect agricultural/farming enterprises from disruption by non-agricultural development. No other changes or considerations need to be introduced.

Recommendations:

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).

Chapter B2 - Policy ET.8 and Paragraph B2.57

686/D181	Bath Preservation Trust	PIC/B/15 (B2.57)
239/C3	Country Land & Business Association	B2.57/A
566/C18	Clutton Parish Council	B2.57/A
580/B5	Hignett Brothers	ET.8
686/B75	Bath Preservation Trust	ET.8
686/D182	Bath Preservation Trust	PIC/B/16 (ET.8)
732/B20	Swainswick Parish Council	ET.8
1427/B40	Environment Agency	ET.8

Issues

- i) Whether Policies ET.8 and ET.9 are compatible and both necessary.

- ii) Whether paragraph 2.57 should refer to “holiday accommodation”, “equestrian facilities” and “sporting facilities”.
- iii) Whether the policy should require employment to be retained or increased (criterion i).
- iv) Whether the policy should refer to the openness of the Green Belt and protection of the AONBs.
- v) Whether residential amenity and the threat from pollution are adequately addressed.

Inspector's Reasoning

Issue i)

- 2.67 Policy ET.8 is concerned with all forms of farm diversification covering the use of both land and buildings. Policy ET.9 concerns the reuse of all forms of building in the countryside, not just agricultural buildings. Many forms of farm diversification will involve the reuse of existing buildings. Accordingly, the policies are distinct, but there is likely to be considerable overlap. Many proposals for rural enterprise could be subject to both policies. I see no objection in principle to 2 separate policies on these matters, bearing in mind that PPS7 indicates that Councils should support well conceived farm diversification schemes (paragraph 30 ii). But it is essential that the 2 policies are compatible and consistent. One difficulty with the plan is that it does not make clear what constitutes a proposal for farm diversification – is it simply any proposal for a business use on a farm holding or is it a proposal which supports the continuation of a farm operation. I do not know the Council's intention for the scope of this policy. This should be clarified in the text. This clarification might justify another criterion in the policy (such as some relationship between the proposal and the farm operation), but given the limited information before me, this is not a matter on which I can make any recommendation.
- 2.68 I see no good reason why a farm diversification proposal that requires a building and which could reuse existing buildings should not be subject to the same criteria as any other proposal for the reuse of a building in the countryside. Policy ET.8 contains no criteria on when the reuse of existing buildings would be suitable. In my view, Policy ET.8 should refer to the criteria in Policy ET.9. Without such a reference it would not be obvious that Policy ET.9 was to apply in addition to Policy ET.8.
- 2.69 Policy ET.8 allows for *additional* buildings subject only to the design and scale being appropriate to their rural surroundings. It is not clear whether scale is intended to cover only the appearance of the building or also the scale of the activity involved. I am concerned that this aspect of the policy gives too much scope for new, additional buildings in the countryside, in conflict with other related policies which seek to focus the limited economic development in the rural area to the main villages. I consider that the policy should contain the same over-arching criterion on

scale that is in other policies for the countryside (such as ET.5 and ET.9), namely, not to result in a dispersal of activity which prejudices town or village viability. In addition, I consider that any additional, new, non replacement buildings, should be small in scale and only for a use which is related to the use of the surrounding land or products of the landholding. Otherwise the opportunity for business related development on a piece of land belonging to a farm would be considerably greater than on an adjoining similar piece of land not belonging to a farm. Such a disparity is neither equitable nor necessary.

Issue ii)

- 2.70 The words “holiday accommodation” are reinstated by a PIC. An objector is concerned that this might lead to the development of new buildings. The provision of holiday accommodation by the conversion of buildings such as in farm diversification schemes is mentioned in paragraph 41 of PPS7. It is a common form of farm diversification. There is no good reason to exclude holiday accommodation from the illustrative list of potential farm diversification projects in paragraph B2.57. I have already commented on what I regard as the unacceptable scope in Policy ET.8 for new, additional buildings. The potential for new, purpose built holiday accommodation justified as a farm diversification scheme under Policy ET.8 illustrates my concern, since Policy ET.12 seeks to limit new purpose built development outside the main towns to small scale development in or adjoining the main villages. Policy ET.8 would undermine ET.12 and the underlying sustainability objectives of the plan. The change explained above would avoid this incompatible approach. (I recommend below the deletion of Policy ET.12, but for reference to purpose built holiday accommodation to be incorporated in Policy ET.4.)
- 2.71 PPS7 (paragraph 32) indicates that equine related activities can fit in well with farming and help diversify rural economies. If there are site specific concerns about highway safety as a result of increased riding these can be taken into account at the application stage. Similarly, “sporting facilities” encompasses a wide range of activities, many of which are unlikely to have the intrusive impact feared by the objector. There are a number of policies in the plan, such as ES.10 and ES.12, to restrict harmful development, including that which might be unacceptably noisy. Equestrian facilities and sporting facilities are both possible acceptable activities for farm diversification schemes and reference to them should not therefore be deleted from the plan.

Issue iii)

- 2.72 I recognise that an important benefit of farm diversification is to provide an element of stability in the rural economy through the provision or retention of employment, but criterion (i) imposes too strict a test for a farm diversification scheme. It would be hard to identify the cause of employment change on a farmholding and many worthwhile schemes may not provide additional employment, at least initially. In my view, this criterion goes beyond Government guidance and it should be deleted.

Issue iv)

- 2.73 Development in the Green Belt would need to be considered against the Green Belt policies in Chapter C1. These require consideration to be given to the issue of openness and it is not therefore necessary to include a further criterion within this policy. Similarly, the policy for the AONB would be equally applicable within those designated areas. They do not need to be mentioned here. The Council has frequently emphasised that the plan needs to be read as a whole. I agree.

Issue v)

- 2.74 Many new developments have the potential to harm residential amenity, or cause some form of pollution, but the protection of the living conditions of nearby residents and of the natural environment are secured by other policies in the plan and do not need to be repeated here.

Recommendations:

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."

Chapter B2 - Policies ET.9 and ET.10 and Paragraph B2.61

1427/B42	Environment Agency	B2.61
345/B19	Freshford Parish Council	ET.9
580/B6	Hignett Brothers	ET.9
686/B76	Bath Preservation Trust	ET.9
720/B7	BT Group plc	ET.9
1427/B41	Environment Agency	ET.9
581/B14	Batheaston Society	ET.10
721/C47	Government Office for the South West	ET.10-REG24(9)

Issues

- i) Whether more emphasis should be given to environmental protection.
- ii) Does the policy conflict with GB.1 to protect the Green Belt, especially on the edge of small settlements?
- iii) Is the requirement in criterion 1 for the existing building to be “in keeping with its surroundings” arbitrary or vague?
- iv) Are Policies ET.8 and ET.9 compatible and are both necessary?
- v) Does the policy conflict with national advice by: requiring the conversion to respect local buildings style; preferring non-residential conversions; and in excluding residential conversions in isolated locations?
- vi) Whether the policy allows for unlimited retail development contrary to national advice.
- vii) Should the policy take account of traffic impact and restrict retailing to existing buildings?

Inspector's Reasoning

Issue i)

2.75 The plan should be read as a whole. As I have made clear in response to other objections in this section, other policies in the plan provide an adequate framework to secure protection of the natural environment. No additions need to be made to the text or the policy on this issue.

Issue ii)

2.76 I see no reason why the proper application of Policy ET.9 should undermine the protection of any part of the Green Belt. Policy GB.1(ii) refers to Policy ET.9. Part 6) of this policy sets out a clear test as to whether the proposal would have a materially greater impact on openness. Openness is the most important attribute of the Green Belt. The 2 policies are compatible and Policy ET.9 is consistent with national advice in PPG2.

Issue iii)

2.77 The term “in keeping with its surroundings” is commonly used in planning policies. It is important to ensure that buildings which detract from the character or appearance of the countryside are not given a new lease of life by reuse. Applying this policy test will require the exercise of judgement, but in my view it is not a vague or arbitrary test.

Issue iv)

- 2.78 I have considered under Policy ET.8 the compatibility of, and need for, Policies ET.8 and ET.9. The recommendations I make in relation to ET.8 will ensure that the 2 policies are compatible.

Issue v)

- 2.79 Since the objections were made, PPG7 has been replaced by PPS7. PPS7 is less prescriptive than the previous advice in relation to the conversion of rural buildings. It also encourages the replacement of buildings in some circumstances.
- 2.80 Control of the design of the conversion is a reasonable requirement in the interests of visual amenity. But it is more logical to require the conversion to respect the design and materials of the existing building, than to respect local building style and materials, since the policy is concerned with conversions rather than new buildings. Imposing a local building style on a modern, ubiquitous building could look odd.
- 2.81 PPS7 empathises the importance of economic development in the countryside. I consider that the clear preference for non-residential conversions in part 5 of the policy is justified. However, it is not clear how the first part of the test in criterion 5a would be measured (“deplete the stock of buildings suitable for employment use”). Most, or all, rural buildings might be capable of some business use. The second part of 5a provides an adequate test for ensuring that employment uses have been adequately explored. Thus I consider the first part of 5a is imprecise and unnecessary and should be deleted.
- 2.82 I consider that the requirement for residential conversions to be not “isolated from public services and community facilities” accords with the Government advice on sustainable development and the location of new housing. Criterion 5b should remain unchanged.

Issues vi & vii)

- 2.83 Policy ET.10 would not allow for unlimited retail development as part of a diversification scheme since criterion ii) would provide some check on excessive scale. Nonetheless, depending on local circumstances, a sizeable retail operation might be possible without harm to the viability of village shops, especially if there were none close by. In their response to this objection, the Council say that such proposals would also be subject to other policies, such as Policy S.4 which applies the sequential test in national advice. I find this confusing because the existence of this separate policy on farm shops would imply that the sequential test would not be applied. Farm shops are a common form of farm diversification and are included in the illustrative list in paragraph B2.57. Planning permission would not be required where the retail use was ancillary to the main use. Policy ET.10 does not indicate that the retail operation should be linked in anyway to the landholding or the produce of the farm. I see

no good reason for a policy which, in effect, promotes general retail uses in the countryside, since this is contrary to sustainability principles. Policy ET.8 would enable the proper assessment of a farm shop along with the shopping policies of the plan. I therefore consider that Policy ET.10 should be deleted along with the related text.

Recommendations:

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.

Chapter B2 - Policy ET.11 and Paragraphs B2.66-B2.72

689/B16	British Horse Society	B2.66
689/B17	British Horse Society	B2.68
578/B42	Norton Radstock Town Council	B2.72
3257/C64	Somer Valley Friends of the Earth	B2.72/A
3298/C48	Cam Valley Wildlife Group	B2.72/A
3298/C78	Cam Valley Wildlife Group	B2.72/A
376/B6	Mr I Wallis	ET.11
1427/B44	Environment Agency	ET.11
3257/B11	Somer Valley Friends of the Earth	ET.11

Supporting Statements

1427/B43	Environment Agency	B2.69
120/D294	Mrs H Woodley	PIC/B/17 (B2.72)
3257/D311	Somer Valley Friends of the Earth	PIC/B/17 (B2.72)
120/C125	Ms Helen Woodley	B2.72/A
1427/B35	Environment Agency	ET.11
2360/B2	Landray Will Trust	ET.11

Issues

- i) Should reference be made in paragraphs B2.66 and B2.68 to the British Horse Society's proposed “Ride UK” routes?

- ii) Should reference be made to the high quality sporting facilities available outside Bath?
- iii) Whether the plan should recognise that eco-tourism is not confined to the rural areas.
- iv) Should the policy support a major performing arts venue or conference centre?
- v) Should the policy recognise the potential for impacts on the natural environment from tourism?

Inspector's Reasoning

2.84 In my view, Policy ET.11 serves no useful purpose. For tourist development in the main towns it sets out no criteria or requirements at all. For developments in the rural area it requires only that rural character is not harmed. Rural character is adequately protected by other policies. Paragraphs B2.65-B2.73 refer to tourism in general and to various projects, but none of these are formal proposals in the plan. I consider that this whole section of the plan could usefully be deleted. None of the matters raised by objectors justify retaining the section. I recommend accordingly.

Recommendation:

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

Chapter B2 - Policy ET.12 and paragraph B2.77/A

686/B79	Bath Preservation Trust	ET.12
3098/B17	George Wimpey Strategic Land	ET.12
686/C145	Bath Preservation Trust	ET.12/A

Supporting Statements

120/C167	Ms Helen Woodley	ET.12/A
3257/C65	Somer Valley Friends of the Earth	ET.12/A
120/C168	Ms Helen Woodley	ET.12/B
120/C169	Ms Helen Woodley	ET.12/C
120/C170	Ms Helen Woodley	ET.12/D
120/C171	Ms Helen Woodley	B2.77/A

Issues

- i) Should this policy make reference to the Green Belt?
- ii) Whether the words "purpose-built hotels" should be reinstated.

Inspector's Reasoning

- 2.85 Although the above objections do not question the need for this policy it is impossible to consider detailed matters of wording without having regard to the overall effect of the policy. I am concerned that the policy is far too permissive in terms of where all types of visitor accommodation would be allowed and is at odds with national advice and the plan's stated objectives to promote a more sustainable pattern of development. I cannot contemplate making any recommendations on detailed aspects which would imply acceptance of the overall policy.
- 2.86 "Visitor accommodation" clearly includes hotels. Paragraph B2.75 indicates that the need in Bath is primarily for larger hotels. PPS6 (March 2005) indicates that hotels are among the wide variety of uses to which that policy statement applies. The emphasis in that advice is encouraging such uses as part of vibrant town centres. Policy ET.12 would permit hotel development anywhere within Bath, Keynsham and Norton-Radstock and *adjoining* these urban areas. In my view, to allow a hotel on the edge of these towns without requiring a sequential assessment of more sustainable sites is fundamentally unsound. Since the policy sets out no other criteria for the location of hotels, it has no purpose other than to loosely guide the location of such development in this permissive way. I consider that this part of the policy should be deleted and the Council should review its policy for visitor accommodation in the main towns as part of the preparation of the LDF.
- 2.87 The second part of the policy allows small scale purpose built visitor accommodation within or adjoining R1 and R2 settlements or within R3 villages. This is consistent with advice in PPS7 paragraph 37. Small scale accommodation is unlikely to raise such fundamental sustainability concerns as full scale hotels. But this part of the policy does not say anything different to Policy ET.4 applicable to office, industry and storage uses. Consistent with my view that the plan is unhelpfully long with too many policies, I consider that Policy ET.12 could be deleted in its entirety and Policy ET.4 modified to include "small scale purpose built visitor accommodation" among its list of uses. Given the needed emphasis on small scale uses in this context it would be inconsistent to substitute "hotels" for this phrase. The Council will need to review what parts, if any, of the supporting text should remain. With some editing, paragraphs B2.76-B2.77 could form the supporting text for the change to Policy ET.4. I recommend accordingly.

Recommendations:

- 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.)

Chapter B2 - Policy ET.13 and Paragraphs B2.80 and B2.81

120/D298	Mrs H Woodley	PIC/B/18 (B2.80)
120/C166	Ms H Woodley	B2.81/A
120/D301	Mrs H Woodley	PIC/B/19 (B2.81)
3257/C67	Somer Valley Friends of the Earth	B2.81/A
120/B46	Ms H Woodley	ET.13
120/D303	Mrs H Woodley	PIC/B/20 (ET.13)
376/B2	Mr I Wallis	ET.13
721/B20	Government Office for the South West	ET.13
721/C48	Government Office for the South West	ET.13/A
721/C49	Government Office for the South West	ET.13/A

Supporting Statement

3257/D312	Somer Valley Friends of the Earth	PIC/B/19 (B2.81)
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Issues

- i) Does the policy unreasonably require (or imply) the provision of car parking to a certain standard?
- ii) Should the policy promote small scale establishments which encourage guests to arrive by public transport?
- iii) Would the policy reduce available affordable housing?
- iv) Is there sufficient justification for requiring the retention of a *substantial* residential unit in large schemes?

Inspector's Reasoning

2.88 In my view, the supporting text is rather rambling and unclear, especially in relation to how the presence or absence of parking will be evaluated. The Council has accepted that a further revision to the policy is required and indicates that part i) should now read: "in the case of larger residential properties, a substantial private residential unit is retained and an appropriate level of parking is available on-site, having regard to the criteria in Policy T.26, or in the vicinity"

2.89 The objectives set out in the text appear broadly to be: the protection of residential amenity; the retention of a unit of permanent residential accommodation within the building; and some assessment of parking. All these matters are covered by other policies in the plan. Policy HG.13 sets out a presumption in favour of retaining residential accommodation. A proposal for a change of use which retained an element of permanent living accommodation could be seen as complying with this policy. Policy ET.13 does not add anything on protecting residential amenity and, in my view, the issue of parking is still confused. It would be preferable to delete the policy and related supporting text. The Council should decide whether any of the supporting text (suitably amended) needs to be added to explain the application of Policy HG.13. In view of my recommendation, I do not consider the detail of the individual objections.

Recommendation:

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