



Local Plan Partial Update Options Consultation

18/02/21

Bath Preservation Trust welcomes the opportunity to comment on the Local Plan Partial Update. This submission will cover the individual policies below, however there are three points we would like to raise as overview comments before our detailed response.

Housing Need Assessment

The housing numbers on which the provision in these proposals appears to be based are now many years out of date. 'Housing Need', which is the critical factor on which 'Housing Provision' should be based, must be informed by **current** ONS information both for B&NES and for those adjoining areas beyond B&NES' boundaries which form part of the Bath Housing Market Area in West Wiltshire and Mendip.

Specifically, current reporting suggests that student numbers (especially overseas student numbers) may be materially affected for the next 3-5 years by COVID, and perhaps permanently. It would be quite wrong for there to be no change to the student numbers as they impact upon the Housing Needs Assessment. Purpose built student housing - mostly provided by the private sector and marketed at high prices aimed at the overseas market - has taken up considerable amounts of limited development land in Bath with no noticeable beneficial impact on the HMO market.

It is imperative that any changes to the Local Plan at this stage are able to give evidenced planning weight to the new situation in such a way as to be able to take defensible planning decisions to prevent the further development of inappropriate student accommodation, and this should be led in the first instance by a new assessment of student numbers.

In addition, we note that the algorithmic calculation of Housing Need does not necessarily have to determine the plan-based Housing Requirement, when other factors (such as environmental constraints, or previous delivery) apply. Bath and its environs have many constraints and, given the market has failed to deliver the genuinely affordable housing that is needed in Bath, it seems perverse to continue to open up sites for further development of inappropriate housing rather than to recognise the environmental constraints as a factor in limiting over-development of sites in the city.

Climate Emergency

We applaud the ambition of the Council to develop greener policies and in particular to look at energy efficiency and energy generation in every possible way. However, we note

that B&NES is a small authority with considerable landscape and historic environment constraints. Where it would be appropriate to do so, we would encourage cross border collaboration when looking for e.g. wind or solar farm sites. For instance, it may in many cases be more efficient and less environmentally damaging (a win-win) to look at solar generation in proximity to the motorway in South Gloucestershire or north Wiltshire rather than in the landscape setting of Bath World Heritage Site. Furthermore, we consider that sustainable travel cannot seriously be addressed without meaningful dialogue and recognition of the importance of West Wiltshire and Mendip in the Bath HMA.

Taking these overall items into account, we also have the following points to raise on the scope of the Partial Update.

We support all the areas to be brought into scope. We are concerned however that all the scoping proposals refer to 'revision of the approach to' various items. What is required is a clear policy outcome rather than an 'approach' to making policy in all of these areas. We would prefer wording along the lines of 'development of new policies in relation to...'

In addition, we still feel there are the following omissions from the Update:

- **Holiday lets and Air BnB** There is no mention of a policy framework to limit or license the growth of short-term holiday lets including Air BnB. This should form an essential component of plan-based delivery of housing since the use of properties for this purpose - especially when managed as multi-property lettings and/or as a substantive business - remove dwellings from the housing market and moreover threaten the hospitality industry because of the lack of 'level playing field' in relation to licensing and safety. There should be a clear licensing arrangement and limits on short term holiday let density, similar to HMO policies.
- **Environmental framework for new technology.** We would like to see specific reference to the potential substantial intrusion into the rural and urban landscape with the roll-out of 5G technology and it is imperative that there is an element of planning framework (eg an SPD) to safeguard local character and amenity, to insist on infrastructure sharing between providers, and preferably to recommend a particular design approach.
- **Design quality and review process:** currently D1 and BD1 are not within the scope of the Partial Update. We maintain that these policies need to be amended to reflect the development of robust design review process, particularly in the City of Bath World Heritage Site. In addition, we believe that D2, D3 and D4 are worthy of substantial revision in order to enshrine clearly in policy the need for High quality design, a comprehensive and comprehensible Bath Building Heights strategy, an appropriate mixture of tenure of housing and healthy streets. We believe that particularly D3 and D4 need to be seriously reconsidered in the light of the COVID-19 crisis as animated healthy streets become more important and shared residences may require a different approach to shared space.
- **Space standards and property conversion** Again in relation to D1 B&NES does not have an adequate policy on minimal space standards for permanent living and this can result in student-style accommodation being deemed adequate for residential living. Any living accommodation, including that for students, must be capable of conversion to compliant permanent living standards including adequate light, ventilation and outdoor space.

COVID-19 considerations

We think it imperative that all policies and essential parts of the evidence base are ‘stress-tested’ against the current reality. This is particularly relevant for the housing needs assessment, but may also be relevant for e.g. the design of shared apartment buildings, care homes etc.

The reality of the ongoing COVID-19 situation may render co-living a less attractive or even compliant option and this would require modification to policy CP10.

Options Consultation Responses

Consultation Reference: DM1

Both options are supported

Consultation Reference: DM2

BPT is broadly supportive of energy hierarchy to achieve zero carbon though would prefer actual onsite performance over offsetting. Especially if there is no obvious solution to where offsite mitigation could take place.

Consultation Reference DM3

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

Consultation Reference DM 4

Support for Option 2: For all major development defined as 10 dwelling units, or 1000m² or more of non-residential floor space.

Consultation Reference DM 5

Broadly supportive.

Consultation Reference DM6

The policy framework and considerations for wind energy seem reasonable.

Consultation reference DM7

New Policy Harnessing wind energy

We would support the consideration of an option to harness wind energy in landscape areas of low sensitivity and the development or encouragement of lower profile, less visually intrusive turbine design including columnar turbines and smaller-bladed units.

We disagree completely with Option 2.

We suggest the following modifications to Option 1

Option 1: Subject to assessment against the criteria set out in policy approach DM5 above allow wind turbines in ~~moderate~~ and less sensitive landscape areas: The study shows that by allowing turbines in landscape areas up to moderate impact would give the technical capacity for 209 MW of wind generated power (based on the analysis for medium size wind turbines).

Less sensitive areas would need to be defined either as areas of low landscape value or more sensitive areas where there may already be a landscape detractor (such as the motorway). Turbines should only be permitted where the harm is 'low'.

Consultation Reference DM 8

The policy fails to tackle the much greater problem of providing charging facilities for the existing houses and streets in the city, most of which will have to be done at the kerb edge.

BPT supports:

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

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

Consultation Reference DM 9

We are broadly supportive of amendments provided that SSSIs are included in Nationally Important Sites.

Consultation Reference DM 10

We support the inclusion of nature recovery.

Consultation Reference DM 11

We support the new Policy for Biodiversity Net Gain and further policy requirements.

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

Consultation Reference DM 12

We support the amendments to Policy CP7.

Consultation Reference DM 13

We support the amendments to Policy NE1.

Consultation Reference DM 14

We support the amendments to PCS1: Pollution and Nuisance.

Consultation Reference DM 15

We support the amendments to Policy PCS5.

Consultation Reference DM 16

We support the principle of amendments to Policy LCR6 New and replacement sports and recreational facilities.

However, the policy risks being too vague and merely a response to unspecified concerns about artificial pitches. What are the criteria against which the policy will be measured? Will similar whole-life pollution considerations be applied to other forms of development (e.g. playgrounds, outdoor amenity in developments) and if not, does this not look as if it is singling out a particular sector? We would prefer to see such a policy consistently applied to all developments including outdoor space in private residential developments, and/or greater clarity about what the policy is trying to achieve.

Consultation DM 17

We support amendments to Policy CP9.

Consultation Reference DM 18

We support Option 1 amendments to Policy H2

Consultation Reference DM 17

We broadly support the proposed changes to Policy H2 - Houses in Multiple Occupation.

We would welcome policy criteria for the change of use/loss of accommodation that includes consideration of the distances to schools, childcare facilities and playgrounds.

We specifically note the importance of HMOs for young professionals and key workers who cannot afford to buy houses, which highlights the need for HMOs not to be overcrowded and to have adequate bathroom and outdoor amenity provision.

Consultation Reference DM 20

We do not support the changes on the current form. A 'good standard' of accommodation requires criteria.

Consultation Reference DM 21

We are broadly supportive of the priority in policy for onsite PBSA, however this is only effective if it is complied with. We do not feel that the policy is robust enough and there should be an assumption that off-campus PBSAs will not be permitted until the on-campus provision has been met.

Consultation Reference DM 22

BPT supports Option 1

Consultation Reference DM 23

New Policy H2B - Purpose Built Student Accommodation

BPT supports Option 1. However, it requires strengthening to include ties to student accommodation provider, limits on holiday lets, caps on cost so that is genuinely affordable for students, and defined residential standards for outdoor amenity so that its is capable for conversion to acceptable-quality residential accommodation in the future.

Consultation Reference DM 24

The amendment to policy H2 to include PBSA is supported.

Consultation reference DM 25

The amendment to Policy H7 is supported.

Consultation reference DM 26

Options for ED2A are supported.

Consultation Reference DM 27

Amendments to Policy ED2B are supported.

Consultation Reference DM 28

We support the principle of site allocations for the Bath Spa University Locksbrook Campus.

Consultation reference DM29

We support strengthening this policy as outlined. Deliveries would need to use electric vehicles to avoid CAZ charges.

Consultation reference DM30

We support strengthening this policy as outlined.

Consultation reference DM31

We support strengthening this policy as outlined.

Consultation reference: DM32

We support strengthening this policy as outlined.

Consultation reference DM33

We support **strengthening this policy as outlined.**

The Liveable Neighbourhoods policy needs greater coverage and to sit within a new citywide Traffic Movement Plan, aimed at reducing overall traffic volumes, to be effective.

Consultation reference DM34

ST6: Park & Ride

We do not support the proposed changes to policy ST6.

We strongly oppose the removal of the Park and Rides from Green Belt as we consider this could lead to 'free-for-all' development on these sites, at the gateways to the city.

We acknowledge and support the emphasis on multimodal/transmodal function of the sites.

We support the use of sites for carefully designed and landscape harm mitigated solar generation in some cases, and consider there is a missed opportunity for small scale recycling facilities. We do not believe these developments would be incompatible with Green Belt status.

However, Park and Ride locations should not be destination sites. We are concerned that other uses, such as farmers markets, cafes, venues and festivals would detract from the vitality and vibrancy of town centres and encourage increased car journeys.

Consultation reference DM35

Changes to the policy must be undertaken in parallel.

Consultation reference DM36

The current Core Strategy policy regarding infill is clear.

Furthermore, we highlight the poorly defined nature of 'Previously Developed Land', as flagged up by CPRE. It may have a definition in NPPF but that doesn't preclude sites that have gained this status via an innocent sounding interim grant of planning permission, or an Agricultural Approval. Perhaps the definition should reference to start date, in the way that GB extension volumes relate to pre1948.

A definition of infill should be included in the glossary.

Policy GB2: Development in Green Belt Villages

BPT supports Option 1 which retains the clarity of a clearly defined Housing Development Boundary.

Option 1. Amend Policy GB2 by adding reference to residential development being permitted where it is limited to infill or a replacement dwelling (subject to it not being materially larger than the dwelling to be replaced) or redevelopment of previously developed land (subject to no greater impact on openness). In relation to infill development and reference to HDBs:

It is important to note that infilling of plots can sometimes harm the character of villages in Conservation Areas and undesignated villages of some historic interest, and harm and the wider setting of listed buildings. Any infill policy needs to bear in mind these factors in going forward. Infill plots identified should not harm the character of a village, Conservation Area or wider setting of a listed building.

Policy SB8: Bath Riverside

We support updating this policy as outlined.

Policy SB14 Twerton Park

Policy Options (capacity)

We would support uplifting capacity provided it is not PBSA. The current Twerton Park proposal had 51 dwellings and extensive student accommodation. We assume the uplift will be achieved by increasing the proportion of dwellings vs students, rather than increasing the height or density of the proposed development.

SB18 Bath Royal United Hospital

We support updating this policy as outlined.

SB 10 Roseberry Place (phase 2)

We support updating this policy as outlined. In terms of land use we support option (ii) and a mix of development, but we would oppose a change to residential throughout.

Sion Hill (new allocation)

We support the policy option for Sion Hill provided development is within existing buildings/building boundaries and would not include the existing green open space which is an important feature contributing to the character and appearance of the conservation area.

Consultation Reference Bath1 Recreation Ground

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

Consultation Reference Bath2

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

Consultation Reference Bath3 Milsom Quarter (new area)

We generally support **Option 1 subject to modifications**. We disagree with the blanket suggestion that creation of entrance foyers on the ground floor would automatically be acceptable. As there are a high number of listed buildings in the Milsom Quarter there will need to be case by case assessment of the proposals and their necessity. The specific policy for the Quarter should consider a variety of solutions for the challenge of access to upper floors rather than suggesting that entrance foyers are the right and only answer.

Option 2 is strongly opposed as it risks harm to the vitality and vibrancy of commercial frontages and would likely see the commercial potential and vibrancy of the upper town disproportionately damaged.

Consultation Reference Bath4

We support updating policy Policy SB1 (Cattlemarket site) as outlined.

Consultation Reference Bath5

We support the modification of policies B5/SB19, but would like to see it strengthened in terms of the University's commitment to housing its students on and off campus. The Campus Masterplan simply sets out the number of potential PBSA places that can be developed on-campus, but makes no projection for student numbers nor does it commit to housing a % of those numbers. We should like to see as a policy requirement that the University should be required to house a certain % of its student body (both undergraduate and post-graduate) both on-and off-campus, which would then tie in with the revisions to the PBSA policy requiring a partnership with education providers. Permissions for academic floorspace should be tied to the capacity of the University to house its students.

Amendment to Policies B5 and SB19 University of Bath

We are broadly supportive of the amendments. However, this policy needs to be in the context of student numbers, the current version of the Masterplan, and a commitment to housing students onsite.

Consultation Reference Bath6

Park and Ride

We do not support the removal from the Green Belt under any circumstances. We do not think Green Belt constraints will limit the development of household waste and solar

generation if appropriately designed, whereas removal from the Green belt would threaten those sites with unconstrained development in the setting of the WHS.

Consultation Reference Bath7 Bath Community Academy (formerly Culverhay School)

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

Consultation Reference Bath8 Weston Island

We support the policy allocation for Weston Island for industrial uses and builders' merchants (as per sites in Policy ED2A) and to include development requirements relating to enhancing the ecological value of the river edge. Development requirement criteria should specifically accord with the ambitions for the Bath Riverline project. Furthermore, we would encourage creative workspaces and workshops alongside light industrial uses, and the effective use of the island as a safe pedestrian/cycle river crossing.