



Planning & Development News

February 2023

News this Month

- B&NES Council Adopts **Local Plan Partial Update** - see 1.1
- Council Adopts Ground-Breaking **Planning Framework for Net Zero Housing** - see 1.3
- Bath BID Hosts **Bath Wellbeing Festival 2023** - see 1.5
- B&NES Council Announces 4th March Date for **World Heritage Day 2023** - see 1.10
- BPT Responds to B&NES Consultation for **Clean Air Zone Class N3 Euro 6 Diesel HGVs Charges** - see 1.11
- BPT Responds to **Amended Plans for Phases 3 & 4 Development at Sulis Down** - see 2.1
- Revised Proposals for Residential Development of Historic **Beckford's Ride Site** - see 2.2
- Proposals at **Claverton Down Campus** for Increased Sports Floodlighting on Skyline - see 2.3
- Second **Deadmill Lane** Appeal Dismissed on Grounds of Harm to Heritage Assets - see 2.4
- Revised Application Refused for Residential Development of **Waterworks Cottage Site** - see 2.5
- BPT Supports **Ground-Mounted Solar Array in Green Belt** - see 2.8
- Bristol City Council Votes for **Rent Control Powers** - see 3.3

1. B&NES Consultations and Projects

1.1 Local Plan Partial Update: On 19th January, the Local Plan Partial Update (LPPU) was formally adopted by B&NES Council. This means that the LPPU now forms part of the Council's statutory [Development Plan](#), including for the purposes of determining planning applications.

Along with the LPPU, the Council has recently adopted three [Supplementary Planning Documents \(SPDs\)](#); Planning Obligations, Sustainable Construction Checklist and Transport Development. These documents are material considerations in determining planning

applications and provide further guidance and information on specific areas related to the Local Plan.

1.2 Local Plan 2022-2042: Public consultation on the [Local Plan 2022-2042 Launch Document](#) has now closed. BPT's submitted consultation response is [available on our website](#).

1.3 Council Adopts Ground-Breaking Planning Framework for Net Zero Housing: B&NES Council has become the first council in England to successfully adopt an energy-based net zero housing policy as part of its commitment to tackling the climate emergency. The new housing development policy will ensure the energy use of any proposed development is measured and meets a specified target - setting a limit on the total energy use and demand for space heating. It will also require sufficient on-site renewable energy generation to match the total energy consumption of the buildings - ensuring the development is 100% self-sufficient. The policy is the first new housing policy to be net-zero aligned based on 2030 trajectories of industry-leading organisations such as the London Energy Transformation Initiative (LETI), the Royal Institute of British Architects (RIBA) and the Chartered Institute of Building Services Engineers (CIBSE).

[Read the press release here.](#)

1.4 B&NES Unsuccessful Levelling Up Bid: MR Wera Hobhouse has confirmed that B&NES' bid for the Government's levelling up funding was unsuccessful, and made the following statement: *"I was very disappointed to learn that Bath & North East Somerset Council's bid to secure levelling up funding for our city was unsuccessful. This was the second time Bath missed out. I know many MPs up and down the country are aggrieved with this Government's uneven distribution of funding.*

"B&NES Council's visionary project to revitalise the internationally significant Bath Fashion Museum and develop a new location for its fashion collection at Locksbrook in collaboration with Bath Spa University will attract more visitors and create new jobs. I know a lot of hard work went into this bid and I share my colleagues' and constituents' disappointment.

"It seems curious that the South East received a disproportionate amount of money while the South West missed out. So far I have not seen any feedback as to why our bid failed. The Council is awaiting detailed feedback from the Government so that it can work out next steps."

[Kevin Guy has confirmed that plans for the Fashion Museum are scheduled to continue, and the Council are currently looking at different ways to fund the £37 million Re-Fashioning Bath project.](#)

1.5 Bath Wellbeing Festival 2023: Hosted by Bath BID, the 'ReBalance' Wellbeing Festival launched a three-week celebration of wellness and the city's connections to thermal waters on 7th February. The official launch will provide an opportunity to hear about all the exclusive events that are happening during the festival weeks and to explore the future of Bath as No 1 wellbeing city in the UK, with speakers including BPT's CEO Alex Sherman.

[Festival events are available here.](#)

1.6 Public Consultation on Funding Community Neighbourhood Projects for Bath:

B&NES Council launched a public consultation on whether the applications for Neighbourhood Community Infrastructure Levy (CIL) for Bath should be awarded funding to support the development of their areas. The two projects are a new pedestrian crossing and off-road walking route at Hope House in Lansdown and upgrades to facilities at Bath BMX Club in Odd Down. Public consultation closed 27th January; [all consultation documents are still available to read here.](#)

1.7 Free Bike Stands to B&NES Businesses: B&NES Council is funding free bike stands for local businesses and organisations through the charity Life Cycle. The scheme aims to help improve cycling infrastructure by providing residents with access to free, secure cycle parking. No reference is made to planning requirements/restrictions. The first hangars have been installed, in Sydney Buildings, Great Stanhope Street and New King Street, providing secure shelter for 8 bikes each. All 24 spaces have immediately been rented, showing the demand for these facilities, particularly from the occupants of flats.

[Further information is available here.](#)

1.8 B&NES Climate Emergency & Sustainability Policy Development and Scrutiny Panel:

The Panel met on 16th January to receive an update on the successful implementation of the council's Climate Strategy over the past year and its plans for the future.

[The agenda and meeting documents are available here.](#)

1.9 B&NES Street Tree Planting: Following a public consultation in 2022 to decide precise locations for the trees, B&NES Council will plant more than 150 trees in Bath, Keynsham, Saltford, Peasedown St John, Paulton and Camerton by the end of 2023. The new trees will contribute to increasing tree canopy cover across the district and help tackle the climate and ecological emergencies.

More than 380 responses were received in the consultation with 67% of people supporting all proposed planting locations. Seven of the 10 sites were supported by 80% of respondents. [The results of the consultation are available here.](#)

[The proposed planting location of the trees is mapped here.](#)

1.10 World Heritage Day: B&NES Council are planning to reschedule Bath's celebration of World Heritage Day (typically held on 18th April) to 4th March to coincide with the Great Spas of Europe Delegation arriving in Bath. The event will be held in the Guildhall between 11am-3pm; further information about the event is available [here.](#)

1.11 Public Consultation on Further CAZ Restrictions for Class N3 Euro 6 Diesel HGVs: BPT has responded, stating general support with the primary ambitions of the proposal to reduce vibrations, movement, noise, and weight associated with HGVs and their detrimental impact to fragile historic structures, as well as HGVs' significant contribution to air pollution. However, we have recommended a higher charge than £50 to ensure that this is enough of a financial deterrent for larger companies. There are additional concerns that the CAZ restrictions may result in rerouting problem traffic into other areas around the edge of Bath. Public consultation closed 7th February; [all consultation documents are still available to read here.](#)

[BPT's consultation response is available on our website.](#)

2. Bath Matters, Planning Applications and Developments

2.1 Sulis Down: Application [22/02169/EOUT](#) for up to 300 new dwellings for Phases 3 & 4 of the Sulis Down development. BPT has submitted an objection response, following the submission of new amended documents for the next phases of development on the Sulis Down plateau. We have continued to reiterate strong concerns with the lack of a comprehensive site-wide masterplan and the piecemeal approach to development. We have further expressed an in-principal position against the overspill of allotment development into the Green Belt.

In response to the latest amended documents, we have challenged the following:

- A lack of demonstrated consideration relating to alterations to the Wansdyke, a Scheduled Monument, in the creation of a new pedestrian/cyclist path.
- Continued development 'creep' onto adjoining Green Belt land.
- The adverse visual impact of lighting on sky glow, ecology and landscape setting.
- A site wide over-dominance of hard landscaping and car parking and a resulting lack of public green space and community facilities.

[Read BPT's original objection response here.](#)

[Read BPT's latest objection response to the amended documents here.](#)

[See the accompanying press release on our website.](#)

2.2 Beckford's Ride, Lansdown: A new planning application has come forward in a second attempt to development of a single dwelling on a parcel of land to the rear of Dixon Gardens, formerly part of the historic landscape of Beckford's Ride connecting William Beckford's residence at 20 Lansdown Crescent with the Grade I Beckford's Tower. BPT has previously stated an in-principle resistance to any development on this historically significant site, in response to a similar application submitted in 2014 (see [14/04025/FUL](#)), which was later withdrawn. [Our original response is available here.](#)

Public consultation on the application is open until 2nd March; and [you can respond to the planning application here.](#) BPT will continue to resist development on the site on grounds of harm to the setting of multiple Grade II structures and the loss of legibility of the last surviving fragment of Beckford's Ride. Our forthcoming response will be made available via our website.

2.3 Eastern Playing Fields, University of Bath Claverton Campus: Plans for the upgrade of the eastern playing fields were submitted in application [22/04720/FUL](#), including proposals for increased floodlighting across the campus' south-east corner. This follows recently-permitted application [21/01862/FUL](#) for the regularisation of floodlighting on the adjacent ball courts. With input from our AP&P Committee, BPT has submitted a holding objection in response to proposals for increased lighting on the University campus,

with strong concerns about the cumulative increase in light spill and ‘sky glow’ and resulting adverse impact on the sensitive landscape setting OUV of the World Heritage Site. We have additionally highlighted the risk to the ecological value of the site and adjacent Green Belt land, such as the National Trust site at Bushey Norwood.

[Read BPT’s holding objection here.](#)

2.4 Deadmill Lane, Bath: Application [21/04746/OUT](#) to build 15 “affordable” new homes on a green site along Deadmill Lane, on the edge of the Larkhall character area, has been dismissed at planning appeal. The Inspector concluded that development would harm “the contribution the site makes both to the local area and to the significance of the WHS”, highlighting the site’s local visibility in wider views from Gloucester Road and Woolley Lane, as well as inclusion in more significant panoramic views across Bath as part of the City’s green edge. The provision of 15 affordable homes was considered to be a significant public benefit, but this was tempered by the demonstrated need for affordable 1-bed housing rather than family homes, and was not felt to overcome the identified substantial harms.

[The appeal decision is available here.](#)

[Read BPT’s original objection response here.](#)

[See the accompanying press release on our website.](#)

2.5 Waterworks Cottage: Application [22/04122/FUL](#) for the development of the Waterworks Cottage to provide two new-build detached houses. This scheme would be dependent on the demolition of the 19th century Waterworks Cottage, for which it has already been separately confirmed that prior approval is not required. **UPDATE** - The application has been refused on grounds of failure to contribute and respond to the local context, or maintain the character and appearance of the surrounding area by reason of the proposal’s design, siting, scale, massing, and layout. Reference was made to the previous appeal decision, in which the Inspector found that “Plot 2 would be a dwelling of considerable scale, bulk and footprint coverage is intended across three stories upon a somewhat tightly dimensioned individual plot... and would appear as a discordant, cramped and unduly urbanising addition to the street scene”; it was considered that this judgement remained relevant to current proposals and the build-up of the street frontage would continue to amount to overdevelopment.

[The decision notice is available here.](#)

[See the accompanying press release on our website.](#)

BPT, alongside local residents, has continued to oppose development which would result in the unjustified demolition of a Non-Designated Heritage Asset (NDHA), although the demolition of the cottage has since been separately confirmed to fall within Permitted Development rights, and have an adverse impact on the rural character and local distinctiveness of the townscape.

[Read BPT’s original objection response here.](#)

2.6 1 Canal Cottages: BPT has supported proposals for the installation of PV panels on a family home along the Kennet & Avon Canal. 1 Canal Cottages, a former 19th century stables and ticket office and curtilage Grade II listed, was recently refurbished in 2014 and is currently in residential use. Application [22/04910/LBA](#) proposed the addition of a single storey bathroom extension and the installation of PV panels on the rear roof slope to meet the needs of a local family. With input from our AP&P Committee, BPT supported proposals for the installation of PV panels where this would enable the on-site generation of renewable energy and reduce associated carbon emissions, a significant public benefit in response to the Climate Emergency.

[Read BPT's support response here.](#)

2.7 Theatre Royal, City Centre: Application [22/05048/LBA](#) came forward with proposals for new LED digital screen signage to replace the existing illuminated poster boxes on the frontage of the Theatre Royal, a Grade II* building. New signage would be provided on the principal eastern façade, as well as the south-facing entrance to 'The Egg' children's theatre. With input from our AP&P Committee, BPT responded positively to the application, noting the opportunity to improve the signage and activation of the building frontage. The use of illuminated signage would be in keeping with the building's theatre typology and its prominence as a key building within Sawclose. We recommended provision of further technical details as to how the new signage would be installed. We further highlighted that the new signage would not match retained existing signage to the frontage of 'The Egg', with opportunity to upgrade all signage and ensure a coherent appearance.

[Read BPT's comment response here.](#)

2.8 Charmydown Farmhouse: Application [22/05110/FUL](#) proposed the installation of a 58-panel ground-mounted solar array to provide power to the Grade II listed Charmydown Farmhouse. The proposed site of installation is located within open countryside, part of the Green Belt and Cotswolds AONB. With input from our AP&P Committee, BPT supported plans for the on-site generation of renewable energy and associated benefits in response to the Climate Emergency as well as the cost of living crisis. Whilst we recognised that the site is visible in long-range views from Little Solsbury Hill, we considered that landscape impact would be appropriately mitigated by plans to plant a new hedge and orchard trees to screen the array from view. However, the suitability of this measure is ensuring that the proposed planting is appropriately undertaken and managed to ensure it thrives.

[Read our support response here.](#)

2.9 Frome House: Refused applications [22/01299/FUL](#) and [21/04147/FUL](#) have both been appealed. The initial application was refused on grounds of harm to multiple heritage assets including the setting of a number of Grade II listed buildings and the World Heritage Site due to the design, scale, massing and siting of the proposed development. The second application omitted the proposed roof extension, but was refused on grounds of loss of office space and insufficient housing mix due to overprovision of student accommodation within the locality. BPT has re-submitted its written objections, opposing the principle of purpose-built student accommodation on this site.

[See the ongoing appeals here.](#)

3. National News

3.1 Levelling Up: The [Levelling Up and Regeneration Bill](#) has now passed Second Reading in the House of Lords.

A total of [111 areas](#) have been awarded a share of £2.1 billion from Round 2 of the Levelling Up Fund, including **£429 million** which will be invested in restoring and developing local heritage and culture.

[This interactive map](#) shows the spread of all funding allocated through the £4.8 billion Levelling Up Fund so far, to local authorities across the UK.

3.2 Consultation on Revisions to the National Planning Policy Framework: The Department for Levelling Up, Housing & Communities (DLUHC) has launched a consultation seeking views on the Government's [proposed approach to updating to the National Planning Policy Framework](#) (NPPF). This has been published alongside draft revised [NPPF text](#). The deadline for responses is **2nd March**.

3.3 Bristol City Council Votes for Rent Control Powers: Bristol has become the first city in the UK to introduce rent controls, to be implemented through a series of measures designed to "empower" tenants. As part of its action plan, it will ask the Westminster government for the authority to implement rent controls. This is in response to the 52% increase in private rents in Bristol, which has not been matched by the comparative 24% increase in wages. An annual "living rent index" will be published, showing what affordable rents would look like in Bristol. A publicly accessible list will also show all enforcement notices issued to landlords in the city – but only if a long-delayed new law does not do that first on a national level.

[Read the full press release here.](#)

3.4 UK's Vacant Homes: The latest Government data shows over 257,000 properties in England have stood empty for more than six months, while total vacancy now stands at over 650,000 (and that is excluding nearly 257,000 so-called 'second homes' or 'furnished empties'). [Action on Empty Homes has collated the latest 2022 figures from Government data published by DLUHC](#). Bath and North East Somerset is given as having a total of 1,686 homes not in use (made up of 858 second homes and 828 long-term empty homes), which equates to 1 of every 51 homes in the district (a ratio matched in Bristol).

[See more work from Action on Empty Homes here.](#)

The Empty Homes Network has their annual National Empty Homes Conference scheduled for 24th May 2023; [further details are available here.](#)

3.5 Ukraine's Odesa Designated UNESCO World Heritage Site: The historic centre of the Ukrainian port city of Odesa has been designated an endangered World Heritage Site. Parts of Odesa were also added to the World Heritage in Danger List, which UNESCO said gives the city access to technical and financial assistance. Odesa has become Ukraine's seventh cultural World Heritage Site.

[Read Odesa's World Heritage Site designation here.](#)

3.6 Glasgow Chamber of Commerce Report on Defunct Office Buildings: A report has been released to Glasgow's Chamber of Commerce, highlighting a rising vacancy rate in its city centre office buildings and proposals for increased conversion to residential accommodation. Glasgow has set itself a target of doubling the number of people living in its city centre to 40,000 by 2035. This is of increasing relevance to Bath where older city-centre office buildings are falling out of favour and there is increasing pressure for these to be converted to residential use (a mix of residential, student accommodation, and holiday lets).

[Read the report here.](#)

[Glasgow houses: Conversion of heritage buildings crucial - The Herald.](#)