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**Planning Update Report**

**March 2021**

**1. B&NES Council News, Consultation & Policy**

**1.1 B&NES Local Plan Partial Update Options Consultation:** The public consultation has now closed. You can read a summary of the proposed updates to polices and land use proposals, and BPT’s full response, via our website: <https://www.bath-preservation-trust.org.uk/wp-content/uploads/2021/02/Local-Plan-Partial-Update-BPT-response-FINAL.pdf>

BPT’s key points in response are:

* Support for greener policies.
* Increased cross-border collaboration on large scale renewables and transport strategies.
* Greenbelt park and ride sites should be nodal points but not become destinations or a ‘free for all’.
* Policies to link student accommodation with providers are welcomed.
* Student housing should not be provided on land suitable for housing.

**1.2 B&NES City Centre Security Consultation:** Residents and businesses are being updated about the next steps on plans to permanently strengthen and improve on-street security within Bath’s busiest streets. Cllr Joanna Wright has stated that next steps involve working with an access specialist to listen to local groups, and other key local stakeholders including The Abbey Residents’ Association. A meeting has already been held with FOBRA on proposals.

The National Register of Access Consultants (NRAC) adviser will review responses received from the City Centre Security consultation on the measures which are for the prevention and protection from hostile vehicles. The adviser will also work with the B&NES Independent Equalities Advisory Group (IEAG) and the Active Travel and Accessibility Forum (ATAF). Views will also be gathered from a panel representing members of the community and local accessibility organisations, organised by the council’s equalities team. Together they will then recommend a package of measures to mitigate the impact of the scheme.

A final report will be published in spring 2021 with further opportunity to consult on proposals.

Updates are available via the project webpage: [www.bathnes.gov.uk/citycentresecurity](http://www.bathnes.gov.uk/citycentresecurity)

**1.3 B&NES Active Travel Scheme Consultation:** B&NES Council has launched its consultation for two proposed schemes which could see cycling and pedestrian improvements to A4 Upper Bristol Road and from the city centre to Bath University along North Road using £500k of allocated [Active Travel funding from the government](https://www.gov.uk/government/publications/emergency-active-travel-fund-local-transport-authority-allocations). An additional improvement scheme from Combe Down to Bath University is also being consulted on. This is funded separately from the council’s Transport Improvement programme. The proposals include:

* A4 Upper Bristol Road scheme: Proposed installation of new cycle lanes separate from motor traffic between Midland Road and Charlotte Street. Road crossings prioritised for pedestrians with the removal/relocation of a section of on-street parking bays.
* Bath city centre to University of Bath scheme: New continuous cycle route with new cycle lanes separate from motor traffic along Beckford Rd, an experimental closure of North Road as well as off-road cycle lanes. Relocation of a section of on-street parking bays.
* Combe Down to University of Bath scheme: New pedestrian and cycle crossings on Bathwick Hill and Widcombe Hill at junctions with Copseland.

Public consultation closes on the 21st March. All consultation documentation can be accessed via their website: <https://beta.bathnes.gov.uk/active-travel-schemes>

A recording of the webinar hosted by B&NES on 4th March to outline proposals in further detail is available on Youtube: https://www.youtube.com/watch?v=hvwq3UdQdxY

**1.4 Bathampton Meadows:** On 20th February, B&NES Council Cabinet Committee members approved proposals for the freehold transfer of land at Bathampton Meadows to the National Trust. It was considered that the transfer was justified by the long-term preservation offered by the National Trust and the exceptional nature of the site’s community and environmental benefits that could be achieved through this proposal. Ultimately, the benefits of transfer were felt to outweigh the loss of open market consideration.

The National Trust has outlined proposals for improvements to the free to access park and walking and cycling routes and increased access to green space and recreation. The implementation of the Bathampton Meadows project will support volunteering and community involvement. The deal would form part of the council’s ambitious Bath River Line project which aims to transform the ten kilometre stretch of the river corridor from Newbridge to the west of Bath to Batheaston to the east.

You can access all documents relating to the decision via their website: https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?Id=1511

**1.5 Approach Golf Course:** B&NES Coucil Cabinet Committee members voted unanimously not to proceed with the appointing of the contract to an operator providing “golf derived activity” rather than traditional golf on 11th February. Lansdown Councillors Lucy Hodge and Mark Elliott were amongst many campaigners who have welcomed the move. A new operator has been found for the Entry Hill Golf Course site who will engage with the local community on their proposals and once terms are agreed final contracts will be completed, after a standstill period of 10 days.

In a joint statement, Lansdown Councillors Lucy Hodge and Mark Elliott said:

“This is the right decision for Approach golf course and Bath as a whole. Over the last week we have been in touch with hundreds of local residents who were concerned about the proposal under consideration. It’s clear that it is a special place to so many.

“Cabinet papers showed that the only bid on the table was for a ‘golf derived activity’. We could see a clear consensus view, which we share, that such an activity would not be acceptable to residents as a future use of the site. It’s a shame that no traditional golf operator has come forwards.

“We are relieved and pleased at today’s decision and welcome Cabinet members’ willingness to listen to residents. It’s quite understandable that the procurement had to run its course and that a formal decision needed to be taken.

“The key question now will be what happens to Approach golf course in the future. As ward councillors we feel strongly that we should take great care of this unique asset in the World Heritage setting where golfers, dog-owners, walkers, tobogganers and visitors of all ages enjoy exercise and happily coexist.

“In our view, there should be a lower-cost maintenance option for the time being. We will continue to listen to and advocate for residents.”

You can read the Cabinet report via their website: <https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?Id=1496>

**1.6 Entry Hill Golf Course:** Entry Hill golf course has experienced a continued decline in visitors over more than a decade and, together with the Approach, operates at a significant loss to the council of £100,000 per year in total. A public consultation was carried out between December 2019 and March 2020 to find out how residents wanted to shape the site for the future.

Following an open procurement exercise, B&NES Council has agreed to appoint Bristol-based company [Pedal Progression](https://www.pedalprogression.com/) to provide a new family cycle and activity park for bikers, families, walkers, and nature-lovers. The park will provide free access to park areas and trails for walking and cycling, a learn-to-ride area with pump track and a new natural play park. The bike park is proposed to be accessible to those with balance or mobility issues and will connect link to existing and new cycle routes and promote walking and riding to access the site. New wildlife habitats and wider biodiversity will be encouraged with a nature garden, pond and community growing area. There will also be a new and expanded café with seating and viewing areas across the park.

It is hoped that the cycle park will open in spring 2022 with the café expected to open in summer 2021.

You can read the full update via the newsroom: <https://newsroom.bathnes.gov.uk/news/new-family-cycle-and-activity-park-bath>

You can watch Pedal Progression’s introductory video about the proposals for the site: <https://vimeo.com/516392095/3e1d5b4990>

Site updates are available on the Pedal Progression website: <https://www.pedalprogression.com/bbp-news/>

**1.7 Cleveland Bridge:** Work starts this spring on the £3.8m project to repair Bath’s historic Cleveland Bridge. The major engineering project which is set to start mid-April is part of millions of pounds of investment in infrastructure projects happening this year to support the city’s recovery and meet its future needs. The project, funded through the Government’s Highways Challenge Fund, is expected to take seven months to complete with the bridge closed to vehicles for 12 weeks from early May until early August. However, a timeline for works cannot be confirmed until the bridge is closed and engineers are able to inspect the bridge. Access for pedestrians, cyclists and emergency vehicles will be maintained with diversion routes for vehicles clearly signposted from Chippenham, Warminster, Bristol and the M4. Essential maintenance on the bridge has been timed to start after the launch of the Clean Air Zone on 15th March.

You can read the full report via the newsroom: <https://newsroom.bathnes.gov.uk/news/work-repair-cleveland-bridge-get-under-way-spring>

**1.8 Bath Abbey Footprint Project:** As of 8th March, the Abbey’s new eco-heating system powered by Bath’s natural hot springs has been turned on. As part of works, a set of underfloor heating pipework has been installed beneath the Abbey floor, and a state-of-the-art heat collection system has been fitted in the Roman Drain below York Street to collect heat from the flow of thermal water passing from the Roman Baths into the river. Energy will be extracted from this water to produce enough energy to heat the Abbey as well as the adjacent row of Georgian cottages (Kingston Buildings) that house additional associated facilities.

You can read the full update via their website: <https://www.bathabbey.org/worlds-first-eco-heating-system-using-baths-hot-springs-close-to-completion/>

A new state-of-the-art LED lighting has been installed in Bath Abbey with the intention to highlight and enhance the historic church’s beautiful interior and especially its magnificent fan vaulted ceiling. Following the completion of the floor repairs and installation of the underfloor heating as part of the Footprint project, the Abbey is now carrying out further improvements to preserve the inside of this historic church building while updating and opening it up in new ways and reducing its overall carbon footprint. As part of these improvements, more than 170 LED light sources have been set up and are being trialled through February. The Abbey’s original Victorian chandeliers will be retained (these have previously been retrofitted to incorporate LEDs in 2013).

You can read the full update via their website: <https://www.bathabbey.org/bath-abbey-goes-green-with-new-led-lighting/>

Watch the LEDs being switched on: <https://www.youtube.com/watch?v=YpxOWk69klQ&feature=youtu.be>

**1.9 B&NES Council Considering Changes to On-Street Parking:** Councillors are to consider introducing a series of changes to on-street parking across B&NES, including basing residents’ parking permit charges on vehicle emissions, increasing the cost of on street parking and implementing on-street charges on Sundays. The proposals are intended to improve air quality and reduce vehicle congestion within Bath’s residential neighbourhoods. The proposals are contained in a report to be considered in a joint member decision by Councillors Joanna Wright and Neil Butters, cabinet members for Transport Services. If approved, residents and businesses will be consulted later this year.

You can read the full proposals via their website: <http://tracking.vuelio.co.uk/tracking/click?d=ARYGOLY0ewqHRaMi8qeAHxX017lqPij1y9F_GDEmqHfz7ja8KSCTarqlt5Z4sF9Z0DbvSN4nGX5-E4501Jh6WuaCTBayYLwAhyoB9W1u3IoAf7SvzO4CXa2mYdcK2HeQd3hvkRsze2dDEAyUYXFkNctsWZ61LZ0rBLcrG5uc3jZYmb5uWi9CfblMaAR9p9PgAjPsKgDdv6s1Np1_AMNO0dgBBFxeQeJRLj0oh7cVDh050>

**1.10 New Housing for Former Council Offices:** 117 Newbridge Hill is a large Victorian building previously used as offices by the Children’s Services Team. It is now surplus to council requirements and has been empty since 2019. Councillor Richard Samuel made the decision to sell the offices at Newbridge Hill at below market value to the council’s own property company Aequus as part of plans to develop the property into six energy-efficient apartments aimed at first-time buyers. This decision was challenged; however, after consideration the council’s Corporate Policy Development and Scrutiny Panel dismissed the appeal. Additional conditions are therefore being applied to ensure that development meets the wider strategic aims of B&NES Council:

* The provision of apartments (rather than a luxury home) aimed young professionals and first-time buyers.
* Improved sustainability and energy efficiency.
* Prohibiting student accommodation, holiday lets or Houses in Multiple Occupation (HMOs).

The proposal would see the scheme deliver the following key outcomes:

* Six quality apartments in Bath targeted at professional workers and first-time buyers, potentially attractive to key workers at the nearby RUH. A local resident-only period would be provided for early release sales.
* Sustainability, energy efficiency and space standards will be improved.
* The site will be developed immediately using local contractors within 12 months of the freehold transfer. The site will not be land banked.
* The site will be covenanted against future use as holiday lets or HMOs.
* Aequus’ total gross returns to the council is predicted to be between £599k and £807k excluding additional Council Tax payments.

You can read the full report via the newsroom: <https://newsroom.bathnes.gov.uk/news/new-homes-plan-former-council-offices>

**1.11 Tree Planting on Bath Skyline:** 1500 new trees have been planted on Lansdown escarpment edge extending the tree lined skyline around the city of Bath and improving the setting of the Cotswold AONB. The project forms part of B&NES Council’s commitment to support the planting of 100,000 new trees across the district over the next two years. A range of native species were planted including beech, hawthorn, yew, holly, field maple, bird cherry, goat willow and hazel. The project was funded by a grant from the Forest of Avon, and around half the trees were planted by volunteers/trainees from the Bath-based charity Grow For Life.

You can read the full update via the newsroom: <https://newsroom.bathnes.gov.uk/news/baths-tree-lined-skyline-extended-1500-new-trees-are-planted>

**1.12 Tree Planting on the Bathwick Estate:** Volunteers have helped to plant dozens of new trees on the Bathwick Estate. Around 40 trees including ornamental cherry, crab apple, pear, birch and mountain ash were planted in the largest ‘Street-tree’ planting project the council has delivered in a single location for decades. For the past two hundred years the area has been referred to as ‘leafy Bathwick’, but over the years many trees were lost due to old age and disease. The local Residents Association canvassed for the new trees to replace them, improving the natural environment while respecting the area’s heritage. The project was funded through S106 developer contributions and topped up with a grant of £500 from Councillor Manda Rigby’s Ward Empowerment Fund allocation.

You can read the full update via the newsroom: <https://newsroom.bathnes.gov.uk/news/dozens-new-trees-planted-bathwick-estate>

**2. Planning Applications, Development and Bath Matters**

**2.1 Telecommunication Mast, Woolley Lane**: Application [20/03255/FUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F03255%2FFUL) for a new monopole over 20m tall on Larkhall Sports Field, to the north of the location of an existing monopole, went before Planning Committee on 10th February. The case officer’s recommendation was to permit. The case officer emphasised that whilst the application should be considered on its own merits, councillors needed to be consistent in their decision. He highlighted the differences between applications 20/03255/FUL and refused application [19/05534/FUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=19%2F05534%2FFUL) with regards to position and design. It was additionally noted that the current application would propose 2G, 3G, and 4G services only, but would be of a design that could likely be upgraded to 5G in future (potentially under Permitted Development rights).

Councillors voted 7-2 to delegate to permit the application on the basis that the design would be less visually intrusive than previous proposed designs and would have public benefits such as improved services and the removal of the temporary mast on Colliers Lane.

You can read the minutes of the Planning Committee meeting via their website: <https://democracy.bathnes.gov.uk/documents/g5621/Public%20minutes%2010th-Feb-2021%2011.00%20Planning%20Committee.pdf?T=11>

You can read the Trust’s statement and response to the planning application on our website: <https://www.bath-preservation-trust.org.uk/monopole-at-larkhall-sports-club-permitted-by-planning-committee/>

**2.2** **Bath Quays North:** *Reserved matters application* [*20/04965/ERES*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F04965%2FERES#details_Section) *for detail of the proposed appearance, materials, scale, and landscaping of the proposed Bath Quays North residential and office development on the site of Avon Street Car Park.* **UPDATE -** As of 16th February, further documentation has been submitted with additional details, including the Landscape Management and Maintenance Place Roof Level document as part of the overall estate Landscape Management and Maintenance Plan to be developed at the next stage. It is intended to create and maintain an estate wide strategy to provide a consistent, co-ordinated base from which to meet the needs of all the residents, commercial occupiers, their employees and visiting public and to ensure that the proposed landscaped spaces continue to reflect the approved design.

Additional documentation has been submitted regarding the provision of 7 active EV charging points (to be allocated for commercial/public use) and 103 passive EV charging points. It is noted that Western Power Distribution will not allow further active EV charging point provision at present.

You can find out more about the proposals and read the Trust’s response via our website: <https://www.bath-preservation-trust.org.uk/bpt-responds-to-reserved-matters-application-for-bath-quays-north/>

**2.3 Bath Press:** *Application* [*20/04760/EFUL*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F04760%2FEFUL) *for the residential-led redevelopment of the Former Bath Press site on Lower Bristol Road with 286 residential units and ground floor commercial space behind the retained historic façade.* **UPDATE –** The B&NES Council internal Planning Policy consultation response objects to the scheme on grounds of the non-policy compliant provision of commercial floor space, inadequate provision of affordable housing (assessment of Viability Assessment pending), and potential for the Build to Rent units to be inhabited by three or more people of more than one household (class c4) despite proposed use class C3.

You can find out more about the proposals and read the Trust’s full response via our website: <https://www.bath-preservation-trust.org.uk/revised-plans-for-former-bath-press-site-risks-unbalanced-harm-to-heritage-says-bpt/>

**2.4 Regency Laundry:** *Application* [*20/03166/FUL*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F03166%2FFUL) *for the demolition and residential redevelopment of the former Regency Laundry site on Lower Bristol Road to form a 155 unit co-living and co-working scheme.* **UPDATE -** The applicant has proposed that 22 co-living units are offered at a discounted market rent for key workers only (14% provision of affordable housing across the site). As a co-living scheme, the development falls within the *sui generis* use class and therefore does not trigger the affordable housing requirements as outlined in Policy CP9 of the [Core Strategy and Placemaking Plan](https://www.bathnes.gov.uk/sites/default/files/sitedocuments/Planning-and-Building-Control/Planning-Policy/Placemaking-Plan/cs_pmp_vol_1_district-wide.pdf). This was argued to constitute a ‘planning benefit’ and was commended by the council’s housing officer (16/09/2020). However, as of 26th November 2020 the council confirmed that the co-living scheme would be subject to Policy CP9 and be expected to meet 30% affordable housing provision, on the basis that the wording of CP9 did not explicitly exclude co-living and the precedent of the legal judgement of [*Rectory Homes Limited v Secretary of State for Housing, Communities and Local Government [2020] EWHC 2098 (Admin)*](https://www.bailii.org/ew/cases/EWHC/Admin/2020/2098.html)*.* The ongoing dilemma is to whether the individual co-living studio units can be considered ‘dwellings’, or whether the inclusion of communal living room and kitchen facilities preclude the units from being considered as independent, self-sufficient dwellings [*(Gravesham Borough Council v Secretary of State for the Environment: 1984)*](https://swarb.co.uk/gravesham-borough-council-v-secretary-of-state-for-the-environment-1984/).

**2.5 Friends Meeting House:** Applications[20/04801/LBA](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F04801%2FLBA) & [20/04802/AR](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F04802%2FAR) for four wall-mounted signs and the repainting of the frieze to the frontage of the Grade II Friends’ Meeting House went before Planning Committee on 10th March. The Meeting House has already received consent for refurbishment to house Toppings book shop. The officer recommended refusal on grounds of the cumulative impact of the number, individual size, and positioning of the proposed wall-mounted signs and harm to the building’s historic narrative by painting over the ‘Friends Meeting House’ name. Councillors acknowledged the benefits of bringing the building back into use but felt that the proposed signage could be more sensitive to the building. There was particular concern regarding the painting over of the ‘Friends Meeting House’ sign on the portico. Councillors voted 7-2 to support the officer’s recommendation to refuse the application.

You can read our response in full via our website: <https://www.bath-preservation-trust.org.uk/future-of-friends-meeting-house-secured/>

**2.6 Homebase:** Planning application [20/00259/FUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F00259%2FFUL) for the redevelopment of the Homebase site to provide a new care and assisted living facility was refused at Planning Committee on 16th December. Following the decision, the applicant has requested that the decision goes to an appeal public inquiry by June at the earliest. The case officer has indicated that an appeal hearing may be more appropriate.

**2.7 Western Riverside:** Refused planning application[19/05165/ERES](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=19%2F05165%2FERES) for 2 5-storey blocks of Purpose-Built Student Accommodation (PBSA) has gone to appeal. The application was refused on grounds of poor design and harm to local character and distinctiveness at Planning Committee on 26th August 2020, despite the officer’s recommendation to permit. See [APP/F0114/W/21/3268711.](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3268711)

**2.8 Holburne Park:** Refused applications [19/03838/FUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=19%2F03838%2FFUL) (70 new dwellings) and [19/04772/FUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=19%2F04772%2FFUL) (8 additional dwellings) have gone to appeal. For both applications, reasons for refusal included the insufficient provision of affordable housing contrary to local policy. Both appeals set out to demonstrate that the scheme cannot viably deliver a contribution towards affordable housing, based upon a financial viability assessment of the scheme in combination with a re-plan of the wider masterplan, alongside the Council’s independent assessment of viability. As part of the appeal, the previous offer of 20 discount market housing units has been withdrawn and therefore no further affordable housing would be provided should either appeal be permitted.

For application 19/04772/FUL, see [APP/F0114/W/20/3256285.](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3256285)

For application 19/03838/FUL, see [APP/F0114/W/20/3256285.](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3256285)

Application 19/03838/FUL has been included for information on the Planning Committee agenda for 10th March. The agenda notes that the applicants have launched an appeal against the committee’s decision to refuse the application on grounds of failure to provide a policy compliant level of affordable housing without justification, impact to the WHS, and failure to comply with proposed parking standards. Subsequent application [20/02921/FUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F02921%2FFUL) was approved by the Committee. This scheme was of the same design and had a further reduce level of parking per dwelling, but it had a significant uplift in affordable housing provision. Considering the permitted scheme, the Chair and Vice Chair of the Planning Committee and Director of Planning have agreed to the removal reasons 2 and 3 for refusal. The Council will continue to defend reason for refusal 1.

You can read the agenda via their website: <https://democracy.bathnes.gov.uk/documents/g5622/Public%20reports%20pack%2010th-Mar-2021%2011.00%20Planning%20Committee.pdf?T=10>

**2.9 Bath Cricket Club:** Works ongoing. Recent development updates can be found here: <https://www.bathcricket.com/news/development-update-31st-jan/>

**2.10 Old King Edward’s School:** Planning application [21/00695/LBA](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=21%2F00695%2FLBA) has been submitted for the proposed change of use of the Grade II\* Old King Edward’s School from a school to a hotel. This follows on from previous consented applications [13/02293/LBR](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=13%2F02293%2FLBR#details) and [10/00042/LBA](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=10%2F00042%2FLBA) for the change of use from B1 (office) to D1 (non-residential institution).

The Trust has previously voiced concerns regarding the building’s ongoing vacancy and we would like to see this building brought back into a use coherent with its material conservation and maintenance. Our current statement is available to read via our website: <https://www.bath-preservation-trust.org.uk/bpt-open-letter-to-bnes-about-future-of-old-king-edwards-school/>

**2.11 Stadium for Bath/The Rec:** A press release was published on 9th February in response to proposed amendments to site allocation Policy SB2 in the Local Plan Partial Update Options Consultation, encouraging the public to support the continued inclusion of the policy as existing and the principle of a new stadium within the new Local Plan.

You can read the press release via their website: <https://www.bathrugby.com/club-news/we-need-your-support-redevelopment-of-the-rec/>

**2.12 Sulis Down:** BPT’s Environs of Bath Committee has reported that there has been no update on the site, although the site appears to be under offer.The site continues to be marketed by Savills in Bristol with a guide price of £15m, and with attached planning consent for 171 dwellings due to expire by August 2022 (see [17/02588/EFUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=17%2F02588%2FEFUL#importantDates_Section)).

View the land listing and sales details: [https://search.savills.com/property-detail/1c5890cc-990e-488f-a358-9e2ca6feb0d5](https://search.savills.com/property-detail/1c5890cc-990e-488f-a358-9e2ca6feb0d5%20)

**2.13 Hartwells Garage Site**: *Outline application* [*19/01854/OUT*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=19%2F01854%2FOUT) *for the demolition and redevelopment of the Hartwells Garage site on Newbridge Road to provide up to 104 residential units and up to 186 student units.* **UPDATE -** The appeal inquiry concluded on 26th February. A decision is pending. The hearing was attended by Joanna Robinson who gave a statement to the Inspector and answered questions. See [Appeal Ref: APP/F0114/W/20/3258121](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3258121).

You can read the Trust’s objection statement in full via our website: <https://www.bath-preservation-trust.org.uk/hartwells-site-appeal-inquiry/>

**2.14 19 Park Street:** *Application* [*20/00189/FUL*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F00189%2FFUL) *for the erection of a mews flat over garages to the rear of Park Street terrace.* **UPDATE -** Appeal commencing week of 23rd February. See [Appeal Ref: APP/F0114/W/20/3251612.](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3251612)

**2.15 Field on Corner with Ferndale Road and Deadmill Lane:** *Outline application* [*20/00491/OUT*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F00491%2FOUT) *for the construction of 18 dwellings on an undeveloped site along Deadmill Lane.* **UPDATE –** Following refusal, this application went to appeal. As of 1st March, the appeal has been dismissed. The inspector felt that the proposed development would not constitute inappropriate development in the Green Belt and would provide some public benefit. However, it was considered that this would not outweigh cumulative harm to the setting of the World Heritage Site and Bath conservation area, and harm to the setting of the Non-Designated Heritage Asset. There were additional concerns relating to highway safety along a local ‘rat run’. See [Appeal Ref: APP/F0114/W/20/3260800.](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3260800)

**2.16 Site Adjacent to Old School House, Chapel Row, Bathford:** *Application* [*20/00236/FUL*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F00236%2FFUL) *for the erection of a one bedroom detached dwelling on Chapel Row*. **UPDATE -** Following refusal, this application has gone to appeal. The application was refused on grounds of harm to the Root Protection Area of the adjacent Copper Beech tree in the garden of the Old School House and would consequently neither preserve nor enhance the character and appearance of the conservation area. Previous appeal [APP/F0114/W/18/3210652](https://www.bathnes.gov.uk/publisher/docs/AF8317CCCEDB89DE28942AA07941993B/Document-AF8317CCCEDB89DE28942AA07941993B.pdf) for application [17/04472/FUL](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=17%2F04472%2FFUL) was dismissed due to failure to preserve or enhance the Bathford conservation area. See [APP/F0114/W/21/3267381.](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3267381)

**2.17 Lyncombe Court:** *Application* [*20/04312/FUL*](https://www.bathnes.gov.uk/webforms/planning/details.html?refval=20%2F04312%2FFUL) *for the construction of a three-bed ‘eco’ home on a woodland site in Lyncombe Vale.* **UPDATE -** Following refusal, this application has gone to appeal. The application was refused on grounds of a design out of keeping with the architectural style of the locality, a failure to respond to local context, and harmful impact on the character and appearance of the Bath conservation area, as well as the setting of the grade II listed Lyncombe Court and this part of the World Heritage Site. Other reasons for refusal included overlooking and loss of trees within an area of green infrastructure. See [APP/F0114/W/21/3267412](https://acp.planninginspectorate.gov.uk/ViewCase.aspx?caseid=3267412).

**3. National Developments and News**

**3.1 National Planning Policy Framework (NPPF) and National Model Design Code Consultation:** A government consultation was launched on 30th January for revisions to the NPPF, to implement policy changes in response to the Building Better Building Beautiful Commission “Living with Beauty” report. Further amendments are proposed to strengthen environment-related policies such as flood risk and climate change, such as the inclusion of the 17 Global Goals for Sustainable Development. Out of date text such as the early thresholds for the Housing Delivery Test is to be removed. Amendments to the Article 4 Directions section of Chapter Four would seek to ensure that any Article 4 for the removal of Permitted Development Rights is applied to the smallest geographical area possible/necessary, particularly where this relates to residential change of use. An additional paragraph would be added to Chapter 16 for the specific protection of historic monuments and statues.

The consultation is also seeking views on the draft National Model Design Code, which provides detailed guidance on the production of design codes, guides and policies to promote successful design through the planning system. It would be intended to inform the production of local design guides, codes and policies.

**BPT is reviewing the proposals and implications and will be responding to the consultation. The consultation deadline is the 27th March.**

All consultation documents can be accessed via their website: <https://www.gov.uk/government/consultations/national-planning-policy-framework-and-national-model-design-code-consultation-proposals>

Robert Jenrick issued a Written Ministerial Statement about the role of the planning system in relation to the protection of historic statues, plaques, memorials and monuments with an associated press statement relating to proposed new legislation.

Read the Ministerial Statement: <https://www.gov.uk/government/news/new-legal-protection-for-england-s-heritage>

Read the full press statement: <https://questions-statements.parliament.uk/written-statements/detail/2021-01-18/hcws713>

**3.2 Right to Regenerate Consultation:** The government has announced plans to enable the public to require Councils and public sector organisations to sell unused land and assets to create new homes or community spaces. Land would be required to be sold by default, unless there was a compelling reason against the sale. Under the proposals, public bodies would need to have clear plans for land in the near future, even if only a temporary use before later development. This would supersede and strengthen the intentions behind the existing [‘Right to Contest’.](https://www.gov.uk/guidance/right-to-contest)

The public consultation closes on 13th March. You can read proposals in full via their website: <https://www.gov.uk/government/consultations/right-to-regenerate-reform-of-the-right-to-contest/right-to-regenerate-reform-of-the-right-to-contest>

**3.3 Future of Building Standards Consultation:** The government has launched a consultation on changes to Part L (conservation of fuel and power) and Part F (ventilation) of the Building Regulations for non-domestic buildings and dwellings; and overheating in new residential buildings. It sets out proposals for a Future Buildings Standard, which provides a pathway to highly efficient non-domestic buildings which are zero carbon ready, better for the environment and fit for the future.

The public consultation closes on 13th April. You can read proposals in full via their website: <https://www.gov.uk/government/consultations/the-future-buildings-standard?utm_medium=email&utm_campaign=govuk-notifications&utm_source=b7179e35-8081-499f-917b-4ba1637fbd74&utm_content=weekly>

**3.4 Protecting Heritage in the City of London:** On 11th February MHCLG published a letter from the Secretary of State to the City of London Corporation outlining the Government’s national policy and advice on the protection of historic statues. The letter emphasises the need for a ‘retain and explain’ approach rather than the removal of statues or street names with controversial historical associations.

You can read the full letter via their website: <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/960975/Letter_from_SoS_MHCLG_-_Heritage.pdf>

**3.5 Local Heritage Listing:** The revised [Historic England Advice Note 7 (2nd ed): Local Heritage Listing](https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag301-local-heritage-listing/) has now been published as part of the government’s local list heritage campaign. The Government has announced 22 successful local list projects resulting from the recent local heritage list campaign. The initial funding allocation of £700k has been increased to £1.5 million to support projects which involve a county-wide approach to developing or improving local heritage lists.

You can read the results of the local heritage list campaign via their website: <https://www.gov.uk/government/publications/local-heritage-list-campaign-call-for-expressions-of-interest/local-heritage-list-campaign-guidance>

Read Robert Jenrick’s statement: <https://questions-statements.parliament.uk/written-statements/detail/2019-10-23/hcws31>

**3.6 Oxford-Cambridge Arc Strategic Framework:** The Government has set out a Spatial Framework plan for the Oxford-Cambridge Arc. This is a regional plan that covers the 5 counties of Oxfordshire, Northamptonshire, Buckinghamshire, Bedfordshire and Cambridgeshire. A strategic approach will be taken to protect and enhance the Arc’s heritage and environment. Through the Government-led approach, the Spatial Framework will be implemented as a spatially specific national planning policy with Local Planning Authorities having regard to the Spatial Framework, as they do with other national policies and guidance.

You can read the full proposals via their website: <https://www.gov.uk/government/publications/planning-for-sustainable-growth-in-the-oxford-cambridge-arc-spatial-framework?utm_medium=email&utm_campaign=govuk-notifications&utm_source=93297c6b-83a6-478f-81b8-f142f28c2e6b&utm_content=daily>