

Bath & North East Somerset Council

MEETING:	Cabinet	
MEETING DATE:	11th July 2012	EXECUTIVE FORWARD PLAN REFERENCE:
		E 2384
TITLE:	MoD Concept Statements	
WARD:	Combe Down, Widcombe, Bathwick, Lansdown	
AN OPEN PUBLIC ITEM		
List of attachments to this report: Appendix 1: Schedule of responses to key issues arising from the public consultation on the draft Concept Statements		

1 THE ISSUE

1.1 The draft Concept Statements set out the Council's planning framework for the redevelopment of the MoD Sites in Bath at Foxhill, Warminster Road and Ensleigh. They are an early stage in the preparation of the Council's Placemaking Plan. This report highlights the key issues arising from the public consultation undertaken on the draft Concept Statements during April and May 2012 and recommends an appropriate course of action.

2 RECOMMENDATION

The Cabinet:

2.1 agrees the responses and amendments to the key issues arising from the consultation into the Draft Concept Statements as set out in Appendix 1 to this report

2.2 acknowledges the general support given to the Draft Concept Statements.

2.3 agrees that the outstanding issues on the educational implications of the redevelopment of the sites and other relevant issues are reported to the September Cabinet meeting when the amended Concept Statements can be considered for endorsement for Development Control purposes and for incorporation into the Placemaking Plan Options.

2.4 agrees to making the comments received during the consultation period publicly available. Note that personal details will be removed.

3 FINANCIAL IMPLICATIONS

- 3.1 The preparation of the three Concept Statements is being funded as part of the Placemaking Plan from the Local Development Framework budget.
- 3.2 Based on the (Strategic Housing Land Availability Assessment) SHLAA the three sites have the capacity of generating up to £9.4 million pounds in New Homes Bonus under the current regime. The future use of any New Homes Bonus receipts arising will be considered by the Council as part of the medium term service and resource planning process in the appropriate financial year. The New Homes Bonus is an annual revenue receipt for 6 years after the delivery of new homes.
- 3.3 All of the sites generate the need for educational places and the provision of land and the costs for construction to cover the need generated by the development of these sites can reasonably be expected to be covered by developers. However, there are educational capacity deficiencies and the Concept Statements provide the opportunity to address this in a proactive way. The consultation events have identified opportunities to address deficiencies and the potential to provide additional school places through school expansion to meet general need. The issues raised during the consultation for each of the 3 sites have been summarised in Appendix 1, and are discussed in more detail in section 5 below.
- 3.4 Whilst the sites likely to receive planning permission after introduction of CIL, there will still be the need for S.106 agreements in relation to on-site requirements. Therefore, the Concept Statements will need to provide clarity on the developer requirements on these sites as far as possible.

4 CORPORATE OBJECTIVES

Build a stronger economy by:

- a) optimising the development potential of the sites, having regard to the Council's planning and economic development policies for the City.
- b) supporting the objectives of the Economic Strategy and underpin the Growth Agenda

Promoting independence and positive lives for everyone and creating neighbourhoods where people are proud to live by:

- a) promoting a housing led mixed-use development of the sites which will assist in delivering Bath and North East Somerset's strategic housing and, employment objectives, including local affordable housing needs, and address wider environmental, social and community issues as outlined in the Draft Core Strategy and so contribute to its objectives.
- b) consulting with and consider local community views and needs
- c) mitigating local labour market and transportation impacts and support bids for funds to promote local employment growth

5. THE REPORT

- 5.1 Redevelopment of the MoD sites is a key part of the Core Strategy which focusses development needs on brownfield land to limit urban expansion onto greenfield sites and loss of Green Belt land. The sites are identified within the SHLAA as providing around 20% of Bath's housing land supply in the period up to 2026.
- 5.2 The Council would normally use a Development Plan Document (DPD) to determine planning applications on such sites such as these but because there is insufficient time in the disposal timescale to complete this statutory process, the Concept Statements are being prepared. The Concept Statements are therefore the first stage in the preparation of the Council's Placemaking Plan (which is a DPD) and their preparation has been subject to the initial stages of statutory Plan preparation, including assessment of evidence and public consultation. This will provide sufficient planning weight to provide a basis for on-going discussions with developers.
- 5.3 The Concept Statements are not detailed site briefs or masterplans. Instead, they set out the vision and the key development / design principles to assist developers in the formulation of proposals for each site. The Concept Statements highlight the relevant evidence base as well as what further work is required. They will assist developers in what is required to create sense of place and quality whilst also optimising the development potential of each site. The Concept Statements therefore provide developers with greater certainty by identifying a clear process towards gaining planning permission. They set out the tools that the Council can offer to applicants to enable the delivery of a managed planning process.

Key issues arising from the public consultation

- 5.4 Appendix 1 to this report sets out the key issues arising from the consultation and the recommended response. This entails making changes to the Concept Statements. Particular issues are highlighted below.

Education

- 5.5 The impact on educational provision was perhaps the key issue arising from the public consultations. The draft Concept Statements set out requirements to ensure that the redevelopment of the sites properly addresses the educational needs that they generate. However, the consideration of educational issues should be seen in the context of the Council's co-ordinated strategy for providing educational needs across the City of Bath. The Council's Education Service (People and Community) is currently reviewing the strategy and therefore further work is needed before the options can properly considered. Therefore it is recommended that finalisation and endorsement of the Concept Statements is delayed to enable the educational analysis to be completed.

Additional land adjoining MoD Ensleigh

- 5.6 The draft Concept Statement for this site identifies the potential opportunity for development on the sports pitches adjoining the MoD site on land that is outside both the Green Belt and the Area of Outstanding Natural Beauty. The rationale for this is based on an aspiration to create a more sustainable and self-contained housing led scheme that can better support local facilities and public transport.
- 5.7 This proposal did not find favour during the public consultations. The principle concerns related to the impact on the World Heritage Site and its setting, the open character of the area, the Area of Outstanding Natural Beauty, the importance of this approach into the city, and traffic impacts. However, the Concept Statement also recognised these landscape and visual issues as being of the utmost importance.
- 5.8 However, in light of the significant benefits of this proposal, it is recommended that the position of the Concept Statement on this issue as currently drafted remains in the final version and further work is undertaken to test this option of expanding the MoD site through the Placemaking Plan. This would entail the Council, working with the MoD, neighbouring landowners, the Homes and Communities Agency, ATLAS, local stakeholders and interested parties. The outcome of this proactive work, which would need to consider impact on issues of acknowledged importance, would provide the Council with robust evidence that could inform its position when it comes to either allocating this additional area in the Placemaking Plan, or seeking to protect it from development.

Gypsy & Travellers sites

- 5.9 It has been suggested that in light of the difficulties finding sites to meet the accommodation needs of Gypsy & Travellers, that the MoD sites could help to meet this need, if only through limited provision. The role of the MoD sites in the spatial strategy for Bath has been agreed in the Core Strategy. They make a significant contribution to meeting the City's significant general housing needs. Focussing housing on these sites, along with associated supporting uses, minimises the need for the Council to remove land from the Green Belt on the edge of Bath to meet housing needs. The substitution of housing land for Traveller pitches will impact on the capacity of the MoD sites to meet housing need.

6. RISK MANAGEMENT

- 6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Council's decision making risk management guidance.
- 6.2 It should be noted that the Concept Statements will not be formal Development Plan Documents and hence cannot be accorded the full weight of adopted Planning Policy. However their preparation, which has been based on robust evidence, has entailed comprehensive public consultation and political endorsement, is the first part of preparing the statutory Placemaking Plan which will afford them sufficient planning weight in negotiations with developers at this stage.

7. EQUALITIES

- 7.1 An Equality Impact Assessment (EqIA) has been completed. No adverse or other significant issues were found.
- 7.2 The following impacts have been identified that have a positive impact on all groups and the community as a whole.
- Positive impact for all of increased housing opportunities including affordable homes.
 - Increased housing to reinforce local centres
 - Increased connectivity to and from areas of housing, employment and neighbourhood centres.
 - Implementation of Core Strategy Policies PC43 and PC84 which will have a positive impact for all as reduces carbon emissions with benefits for health and wellbeing, and where heritage assets are made more energy efficient there will be cost savings.

8. RATIONALE

8.1 Preparation of Concept Statements will assist in setting out the Council's development requirements and priorities clearly and at an early stage in the disposal of the MoD sites. This provides clarity for any prospective site purchasers, reduces their commercial risk and will assist in the redevelopment process. The Concept Statements are key to ensuring that high quality development that responds positively to community and corporate aspirations can be delivered in a timely fashion. The Concept Statement are an early stage in the production of the Council's Placemaking Plan, which will be adopted as a formal Development Plan Document.

9. OTHER OPTIONS CONSIDERED

- 9.1 Adoption of a statutory Development Plan Document or Supplementary Document: Whilst the Concept Statements represent the start of a statutory plan-making process, there is insufficient time available to complete the preparation of Statutory Planning Documents.
- 9.2 Preparation of a Masterplan/development brief: There was insufficient time available to pursue more detailed work on the MoD sites over and above that provided by the Concept Statements. However, the Concept Statements importantly set the framework and the process for this work to be undertaken by developers working with the Council and the Community.
- 9.3 Do nothing: This will result in lack of clear planning guidance and lack of clarity of corporate priorities. This will be of detriment to the site disposal process, result in lack of clarity for developers and to guide the site disposal process and could inhibit the Council achieving its corporate objectives.

10. CONSULTATION

10.1 *Ward Councillor; Cabinet members; Parish Council; Town Council; Trades Unions; Overview & Scrutiny Panel; Staff; Other B&NES Services; Service Users; Local Residents; Community Interest Groups; Youth Council; Stakeholders/Partners; Other Public Sector Bodies; Charter Trustees of Bath; Section 151 Finance Officer; Chief Executive; Monitoring Officer*

10.2 A detailed consultation exercise was undertaken from 18th April to 31st May 2012. Key issues arising are set out in Appendix 1 with responses. The Concept Statements will be incorporated into the Placemaking which will also be subject to public consultation as part of the statutory plan preparation procedures.

11. ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 *Social Inclusion; Customer Focus; Sustainability; Young People; Corporate; Other Legal Considerations*

12. ADVICE SOUGHT

12.1 The Council's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

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Sponsoring Cabinet Member	<i>Councillor Tim Ball</i>
Background papers	<i>B&NES Draft Core Strategy</i>
Please contact the report author if you need to access this report in an alternative format	