

## **BATH AND NORTH EAST SOMERSET COUNCIL**

### **MINUTES OF COUNCIL MEETING**

Monday, 4th March, 2013

Present:- **Councillors** Simon Allen, Patrick Anketell-Jones, Rob Appleyard, Sharon Ball, Tim Ball, Colin Barrett, Gabriel Batt, Cherry Beath, David Bellotti, Sarah Bevan, Lisa Brett, John Bull, Neil Butters, Anthony Clarke, Nicholas Coombes, Paul Crossley, Gerry Curran, Sally Davis, Douglas Deacon, David Dixon, Peter Edwards, Paul Fox, Andrew Furse, Charles Gerrish, Ian Gilchrist, Francine Haeberling, Alan Hale, Katie Hall, Liz Hardman, Nathan Hartley, Steve Hedges, Eleanor Jackson, Les Kew, Dave Laming, Malcolm Lees, Marie Longstaff, Barry Macrae, David Martin, Loraine Morgan-Brinkhurst MBE, Robin Moss, Paul Myers, Bryan Organ, June Player, Vic Pritchard, Liz Richardson, Manda Rigby, Caroline Roberts, Nigel Roberts, Dine Romero, Brian Simmons, Kate Simmons, Jeremy Sparks, Ben Stevens, Roger Symonds, David Veale, Martin Veal, Geoff Ward, Tim Warren, Chris Watt and Brian Webber

Apologies for absence: **Councillors** Mathew Blankley, Bryan Chalker, Michael Evans, Douglas Nicol and Will Sandry

#### **83 EMERGENCY EVACUATION PROCEDURE**

The Chairman drew attention to the emergency evacuation procedure for the Assembly rooms.

#### **84 DECLARATIONS OF INTEREST**

Councillor Eleanor Jackson declared an 'other' interest in the Core Strategy item as a member of Meadow View Residents Action group who had previously given evidence to the Planning Inspector.

Councillor Sarah Bevan declared an 'other' interest in the Core Strategy item, having involvement with the River Corridor Trust (not as a Trustee but carrying out press/publicity on behalf of the Trust).

Councillor Neil Butters declared an 'other' interest in the Core Strategy item as a resident of Southstoke Lane.

Councillor Manda Rigby declared an 'other' interest in the Core Strategy item as Chairman of Bath city football club who currently have their grounds at Twerton park.

#### **85 MINUTES - 19TH NOVEMBER 2013**

On a motion from Councillor David Bellotti, seconded by Councillor Eleanor Jackson, it was

**RESOLVED** that the minutes of the 19<sup>th</sup> February be confirmed as a correct record and signed by the Chair(man).

## **86 ANNOUNCEMENTS FROM THE CHAIRMAN OF THE COUNCIL OR FROM THE CHIEF EXECUTIVE**

The Chairman made the following announcements;

1. He congratulated Councillor Geoff Ward on becoming a Lieutenant Colonel in the Territorial army.
2. He asked everyone to turn their phones to off/silent and reminded members of the public that some Councillors were accessing their meeting papers on their iPads.
3. He asked everyone to keep contributions to the debate relevant and not repeat comments already made.
4. He indicated that a short comfort break would be announced if necessary at an appropriate time in the meeting.
5. He announced that item 8 “Referral from the Standards Committee” would be taken after the Core Strategy item.

## **87 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There were no items of urgent business.

## **88 QUESTIONS, STATEMENTS, PETITIONS AND DEPUTATIONS FROM THE PUBLIC**

Statements to the meeting were made by the following people;

- Mark Owens, Managing Director of Horseworld, addressed the meeting. A copy of his statement is available on the Minute book and attached to the electronic record.
- Mary Walsh, Joint Chair of Whitchurch village Action group, addressed the meeting. A copy of her statement is available on the Minute book and attached to the electronic record.
- Cliff Shellard, Chairman of Fosseway campaign group, made a statement in which he argued against the use of green field sites and unwelcome speculative development in the Somer valley. He highlighted one area, a site that was not in the Core Strategy and presented a petition against the Development at Fosseway South Midsomer Norton – Plot no. 5400, Ref. 13/00127/out. He pressed for progress on the Placemaking plan.
- Jill Britten addressed the meeting. A copy of her statement is available on the Minute book and attached to the electronic record.
- Nigel Websper addressed the meeting. A copy of his statement is available on the Minute book and attached to the electronic record.

- Racheal Hushon addressed the meeting as a local Bath resident. A copy of her statement is available on the Minute book and attached to the electronic record.
- David Redgewell endorsed the need for a sustainable Core Strategy and urged Councillors to make the difficult decisions to allocate housing. A copy of a statement from David is available on the Minute book and attached to the electronic record.
- Robert Hellard, Vice-Chairman of South Stoke Parish Council, addressed the meeting. A copy of his statement is available on the Minute book and attached to the electronic record.
- Peter Duppa-Miller addressed the meeting. A copy of his statement is available on the Minute book and attached to the electronic record.
- Caroline Kay addressed the meeting on behalf of the Bath Preservation Trust. A copy of her statement is available on the Minute book and attached to the electronic record.
- Sarah Moore addressed the meeting. A copy of her statement is available on the Minute book and attached to the electronic record.
- Geoff Dunford, Chairman of the River Regeneration Trust, addressed the meeting. He explained their vision of wanting to reconnect communities to the river Avon through various measures including giving more access, cleaning it up, using it to transport people and goods, protecting biodiversity etc. In response to a question from Councillor Paul Crossley seeking clarification on Mr Dunford's reference to the Broadmead peninsula, Mr Dunford responded that it was the area between the river and the railway behind the Co-operative shop, to the north of the railway line. In response to a further question from Councillor Dave Laming querying whether Mr Dunford had any experience of employment in this field, Mr Dunford responded that he'd been in the catering and leisure industry for many years and had a training company for those who wished to work in these sectors. Basically, he identified where jobs were available and designed courses to meet that need.

## **89 CHANGES TO THE B&NES CORE STRATEGY**

The Council considered a report setting out changes to the Bath & North East Somerset Core Strategy needed to address the examination Inspector's concerns raised following the hearings which were held in January 2012.

In addition to the reports circulated with the agenda, all Councillors and members of the public at the meeting received a copy of a composite replacement motion.

During the debate, Councillor Paul Crossley moved, seconded by Councillor Tim Ball, that the meeting continue until 11pm in accordance with Council rule 48. This was accepted by the meeting.

On a motion from Councillor Tim Ball, seconded by Councillor Paul Crossley, it was

**RESOLVED** to

- (1) Note the errata to the Council report listed in Schedule 1 of the composite recommendation and circulated at the meeting (unanimous);
- (2) Agree that the Core Strategy should be amended to enable an increase of around 10,200 jobs and 12,700 homes, including around 3,100 affordable homes, in B&NES between 2011 and 2029 as set out in **Annex 1** of the report (unanimous);
- (3) Agree that each of the locations listed in **Table 8 of Annex 1** of the report identified for development in the Plan period, and set out below are (voting shown in Notes below); -
  - a) Land adjoining Odd Down
  - b) Land adjoining Weston
  - c) Extension to MoD Ensleigh
  - d) Land adjoining East Keynsham
  - e) Land adjoining South West Keynsham (south of K2)
  - f) Land at Whitchurch
  - g) Somer Valley area, with a change to strike the following words from the officers report at page 55, Somer Valley section – line 6 “around 2 or 3” and line 8 “All new sites are highly likely to be greenfield” in order to ensure these words do not influence Council’s decision to adopt the Core Strategy and/or pre-empt the Placemaking plan.
  - h) Rural Areas, with a change regarding Policy RA1, to request that Cabinet investigate the current RA1 status of Clutton and to consider if it should be listed as RA2 and with a correction to the officer report, page 55, Rural Areas section, final sentence, to replace ‘5 years’ with ‘18 years’.
- (4) Agree the necessary planning requirements in Table 10 with the inclusion of affordable housing targets in the ‘Land at Whitchurch’ section on page 69 of the report;
- (5) Agree the proposed changes to the following Core Strategy Policies as set out in **Annex 2** of the report, as modified at (5) a) and c) below;
  - a) B1(8): The Recreation Ground, Bath – adjoining the Central Area, at the Recreation Ground, and subject to the resolution of any unique legal issues and constraints, enable the development of a sporting, cultural and leisure stadium;
  - b) CP.4: District Heating (unanimous);

- c) CP.9: Affordable Housing – with the proviso that the map designations are subservient to the site specific policies;
  - d) CP.11: Accommodation needs of Gypsies, Travellers and Travelling showpeople (1 abstention);
- (6) Agree the Schedule of Proposed Changes to the Submitted Core Strategy in **Annex 3**, as varied above and at resolutions (16) and (17);
  - (7) Agree that the Schedule of Proposed Changes in (4) above is published for consultation in accordance with the consultation strategy in **Annex 4** of the report, along with the other locational options considered in Annex 1 of the report but rejected;
  - (8) Agree that the Schedule of Proposed Changes in (4) above is forwarded to the Inspector for his consideration along with a schedule of all the comments received;
  - (9) that the amended Core Strategy is approved for Development Management purposes;
  - (10) that delegated authority is granted to the Divisional Director for Planning and Transport Development to make minor changes to the Core Strategy in consultation with the Cabinet Member for Homes and Planning to ensure clarity, consistency and accuracy across the Plan;
  - (11) To request that Cabinet work with Bristol City Council and the Local Enterprise partnership to consider the feasibility of creating Park and Ride for the A37 at Whitchurch;
  - (12) To request that Cabinet investigate all possible locations for a reopened Saltford station, including those locations with adequate parking facilities and which could also be accessible to residents of East Keynsham;
  - (13) To request that Cabinet consider a review of the Greenbelt to the south of the district, with a view to extending the Greenbelt to incorporate areas currently south of the Greenbelt boundary;
  - (14) To request Cabinet begin immediate preparation of the Placemaking Plan in order to;
    - a) Enable work to be undertaken with local communities and town and parish councils on detailed proposals to guide development locations agreed within the Core Strategy; and
    - b) As a matter of priority, work in partnership with town and parish councils to identify appropriate development sites in the Somer Valley and RA1 and RA2 villages;
  - (15) To request that Cabinet aims to maintain the rural buffer between South Stoke and Bath as a priority during the placemaking process for “land at Odd Down”;

- (16) Item KI.4 - Replace the words “Highways Infrastructure associated with the Somerdale Site” with “New second road access to the Somerdale Site” in Annex 3, page 140 (Table 6 - Summary of Key Infrastructure in Keynsham); and
- (17) Item KI.6, (which will become new KI.5 as KI.1 has been deleted) - Reinstate the words deleted from this item - “Improvements to Keynsham Train Station and Enhanced Service Frequency to Bath and Bristol”.

[Notes;

1. *Voting on sites listed in resolution (3) above as follows;*

- a. *Land adjoining Odd Down – 35 Councillors voting in support, 6 Councillors abstaining, the following 19 Councillors voting against; Nicholas Coombes, Andy Furse, Neil Butters, Sharon Ball, Lorraine Morgan-Brinkhurst, Caroline Roberts, Nigel Roberts, Katie Hall, Jeremy Sparks, Steve Hedges, June Player, Dave Laming, Martin Veal, Francine Haerberling, Charles Gerrish, Marie Longstaff, Geoff Ward, Alan Hale, David Veale.*
- b. *Land adjoining Weston – 41 Councillors voting in support, 4 Councillors abstaining (including Councillor Neil Butters), the following 15 Councillors voting against; Gerry Curran, Nicholas Coombes, Nigel Roberts, Steve Hedges, June Player, Doug Deacon, Dave Laming, Malcolm Lees, Martin Veal, Patrick Anketell-Jones, Brian Webber, Colin Barrett, Gabriel Batt, Geoff Ward, Anthony Clarke.*
- c. *Extension to MoD Ensleigh – 55 Councillors voting in support, 0 abstentions and the following 4 Councillors voting against; Gabriel Batt, Colin Barrett, Geoff Ward, Martin Veal.*
- d. *Land adjoining east Keynsham – 50 Councillors voting in support, 0 abstentions and the following 7 Councillors voting against; Peter Edwards, Charles Gerrish, Marie Longstaff, Francine Haerberling, Brian Simmons, Kate Simmons, Alan Hale.*
- e. *Land adjoining south west Keynsham – 44 Councillors voting in support, 0 abstentions and the following 13 Councillors voting against; Rob Appleyard, Robin Moss, John Bull, Eleanor Jackson, Liz Hardman, Marie Longstaff, Peter Edwards, Sally Davis, Brian Simmons, Kate Simmons, Alan Hale, Francine Haerberling, Charles Gerrish.*
- f. *Land at Whitchurch – 48 Councillors voting in support, 2 abstentions and the following 10 Councillors voting against; Nicholas Coombes, Peter Edwards, Charles Gerrish, Marie Longstaff, Alan Hale, Colin Barrett, Liz Richardson, Sally Davis, David Veale and Brian Simmons.*

- g. *Somer Valley area – unanimous. A minor adjustment to the wording as underlined in resolution 3 g) above was proposed by Councillor Chris Watt and accepted by the mover and seconder of the motion.*
  - h. *Rural Areas – unanimous. A minor adjustment to the wording as underlined in resolution 3 h) above was proposed by Councillor Jeremy Sparks and accepted by the mover and seconder of the motion. A further adjustment to the wording as set out in bold in resolution 3 h) above was proposed by Councillor Vic Pritchard and accepted by the mover and seconder of the motion.*
2. *Resolution (4) above includes underlined wording requested by Councillor Nicholas Coombes and accepted by the mover and seconder of the motion. Voting – 54 Councillors voting in support, 0 abstentions and the following 3 Councillors voting against; Councillors Nicholas Coombes, Nigel Roberts, Alan Hale.*
  3. *Resolution (5) a) above contains an underlined word suggested by Councillor Manda Rigby and accepted by the mover and seconder of the motion. Voting – 50 Councillors voting in support, 6 abstentions (including Councillor Dave Dixon) and the following 3 Councillors voting against; Alan Hale, Gabriel Batt, Barry Macrae. An unsuccessful amendment to the wording to replace the words “sporting, cultural and leisure arena” with the words “new stadium” was moved by Councillor Brian Webber, seconded by Councillor Patrick Anketell-Jones, but not passed.*
  4. *A minor amendment to the wording to resolution (5) c) above was proposed by Councillor Nicholas Coombes and accepted by the mover and seconder of the motion. Voting – 51 Councillors voting in support, 0 Councillors voting against and 7 abstentions.*
  5. *An unsuccessful amendment was moved by Councillor Eleanor Jackson, seconded by Councillor Robin Moss, to resolution (5) c) above to amend the wording of CP.9 Affordable Housing (page 76) to read ‘Affordable housing will be required as on-site provision in developments of 10 dwellings or 0.5 hectares and above (the lower threshold applies). An average affordable housing percentage of 35% will be sought on these large development sites. This is on a grant free basis with the presumption that on-site provision is expected. Table 10 to be amended accordingly.’ This was not carried with 47 Councillors voting against, 7 Councillors voting in support and 5 Councillors abstaining.*
  6. *Resolution (11) above was proposed by Councillor Tim Warren and accepted by the mover and seconder of the motion.*
  7. *Resolution (12) above was proposed by Councillor Francine Haeberling and accepted by the mover and seconder of the motion.*
  8. *Resolution (13) above was proposed by Councillor Vic Pritchard and accepted by the mover and seconder of the motion.*
  9. *Resolution (14) above was proposed by Councillor Geoff Ward and accepted by the mover and seconder of the motion.*

- 10. Resolution (15) above was proposed by Councillor Katie Hall, seconded by Councillor Neil Butters and accepted by the mover and seconder of the motion.*
- 11. Resolution (16) and (17) above were proposed by Councillor Charles Gerrish and accepted by the mover and seconder of the motion.*
- 12. Voting on resolutions (6) – (17); all Councillors voted in support, except for Councillors Nicholas Coombes and Alan Hale who voted against.*

## **90 REFERRAL FROM STANDARDS COMMITTEE**

The Council considered a referral from the Standards Committee. The Chairman identified Councillor Les Kew as the Councillor concerned.

Cllr Kew apologised for his error in failing to declare an interest to the Development Control Committee in relation to the Maynard's Terrace, Clutton application; following which Council censured him as per the recommendation of the Standards Committee.

On a motion from Councillor Sally Davis, seconded by Councillor Nigel Roberts, it was

**RESOLVED** that Councillor Les Kew be censured by Council.

The meeting ended at 10.30 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**



## **Presentation to Bath & North East Somerset Council** **Core Strategy debate March 4, 2013**

### **By Mark Owen, Managing Director, HorseWorld**

Thank you Chair and Councillors for allowing me to speak.

I'm Mark Owen, managing director of Whitchurch-based charity HorseWorld.

You may recall I spoke at last November's Full Council meeting on our proposals to build a new visitor centre.

Before you debate the Core Strategy this evening, I want to briefly explain how critical this document could be to our survival.

You may recall we face a financial crisis resulting from plummeting donations and rapidly growing demand for our help. We've worked diligently to solve this crisis. And we can solve it...by getting *more* visitors, spending *more* money.

But our existing centre – with its assortment of old buildings - is simply too old and too small. Our plan is to build a wonderful new visitor centre designed by award-winning Bath architects.

To fund it, we need planning permission for an 'enabling' development of houses on the Green Belt fringe of Whitchurch. Part of the site already has buildings on it.

The draft Core Strategy proposes *some* development in Whitchurch's Green Belt...enough – should we get planning permission - to secure our future.

How would saving HorseWorld help the B&NES community? It would:

- Save 62 local jobs
- Protect 140 local volunteer positions
- Keep our annual £1.7million expenditure...which goes mainly to staff and local suppliers

- Continue to attract 100,000 paying visitors
- Allow us to continue helping local colleges and schools
- Protect our essential training for Avon Fire & Rescue Service
- Safeguard our highly-acclaimed Discovery courses, which help hundreds of vulnerable local youngsters build self-esteem
- And, of course, enable us to continue rescuing, rehabilitating and rehoming abandoned, neglected and ill-treated horses...work we've done for 60 years.

We passionately believe that's too much to lose.

HorseWorld owns 180 acres of land at Whitchurch. By building homes on a small part of that land - adjacent to existing housing and set away from our main operation – we can secure our future. And – while HorseWorld continues to thrive – the rest of our land will be used for grazing horses, safeguarding it for generations to come from any potential threat of further development.

So we support the Core Strategy's proposal to allow *some* development in Whitchurch Green Belt.

Thank you very much for listening.

[375 words]

Good Evening, my name is Mary Walsh, resident of Whitchurch Village for years.

We formed Whitchurch Village Action Group some 5 years ago when we learned we were going to be swallowed up by 8000 houses in an urban extension. This was the Regional Spatial Strategy. The housing figures were arrived at by Computer Modelling and not necessarily housing needs tailored for the local area. Well over 30.000 people supported our cause to scrap the RSS. Please remember that the SWRSS was never ratified yet still the defunct housing figures are still referred to as point of reference. Even labour ministers concede the figures were wrong.

David Cameron promises us Localism and protection of the Green Belt. What is Localism? To us it means local opinion from those who know the roads are congested, that employment is always a car journey away, that Green Belt stops us being joined up with Stockwood. We have the support of approx. 70% of residents who wish to keep Whitchurch Village within the Green Belt. They do not want to be an extension of Bristol and Bristol does not want an urban extension either.

Whitchurch Village is an RA1 village. We are being discriminated against by having to absorb more housing than all the other RA1 Villages. There is no justification for this. The 200 houses suggested, does not include the 47 houses Barratt Homes gained upon Appeal recently and I suspect neither will it include Horse World intentions for 90 houses that they will apply for under Very Exceptional Circumstances so already we are up to 337 plus there is an active application which your Officers have controversially put on hold until after this meeting for 295 houses. That could mean 432 houses.

These faceless computer modellers sitting in their offices, do not have knowledge of the local Topography or logistics. The Infrastructure is unable to cope with any further development.

There are very many houses for sale right now within Whitchurch Village and the County, new development and old. We know where the greed is but where is the need?

I ask the Council why it needs a planning department. All outcomes are either directed from Government by one means or another with a Government Appointed Inspector as a last resort to bull doze applications through.

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Good evening. My name is Jill Britten, Beef Farmer working within the Green Belt.

I am here to talk about the value of the Green Belt on the Southern fringes of the conurbation called Bristol.

Bristol City Council neither want nor need an urban extension around Whitchurch Village as stated in their Core Strategy which has been ratified. There are a variety of reasons to their judgement. This open space is important. It continues to create separation of Stockwood, Bristol from Whitchurch Village within Bath & North East Somerset. It has recreational value, the infrastructure cannot support further development at this point, access to employment requires private transport. In other words, to Bristol, it is unsustainable.

No amount of SHLAA or SHMA or ORS computer modelling can justify your intentions for Whitchurch Village. Who are these houses needed for? There are many houses for sale at Whitchurch Village indicating a good supply chain. 600 houses are for sale at Paulton with only a hundred or so sold.

Whitchurch Village is surrounded by the Green Belt. It is the very reason Whitchurch Village still exists. My colleague will speak to you later about Localism and how the locals have responded over the years to urban extension threats.

I ask you all take on board the importance of this Green Belt and the ramifications upon removal of it from around Whitchurch Village.

Now would you build 200 houses in Victoria Park? Why not. People could walk to work, maybe cycle. Developers would love it. High end properties, loads of money. Your Park running costs would be severely reduced. But no this is not going to happen. Just what would the locals say.

Now Whitchurch Village only survives because of the Green Belt. Are you going to remove this very survival kit, because if you do you are going against the wishes of the majority of those living in the area and you will be consigning Whitchurch Village to oblivion.

Whitchurch Village is part of your Council and wishes your Council to retain its identity by maintaining the Green Belt.

Good Evening, my name is Mary Walsh, resident of Whitchurch Village for -----years.

We formed Whitchurch Village Action Group some 5 years ago when we learned we were going to be swallowed up by 8000 houses in an urban extension. This was the Regional Spatial Strategy. The housing figures were arrived at by Computer Modelling and not necessarily housing needs tailored for the local area. Well over 30.000 people supported our cause to scrap the RSS. Please remember that the SWRSS was never ratified yet still the defunct housing figures are still referred to as point of reference. Even labour ministers concede the figures were wrong.

David Cameron promises us Localism and protection of the Green Belt. What is Localism? To us it means local opinion from those who know the roads are congested, that employment is always a car journey away, that Green Belt stops us being joined up with Stockwood. We have the support of approx. 70% of residents who wish to keep Whitchurch Village within the Green Belt. They do not want to be an extension of Bristol and Bristol does not want an urban extension either.

Whitchurch Village is an RA1 village. We are being discriminated against by having to absorb more housing than all the other RA1 Villages. There is no justification for this. The 200 houses suggested, does not include the 47 houses Barratt Homes gained upon Appeal recently and I suspect neither will it include Horse World intentions for 90 houses that they will apply for under Very Exceptional Circumstances so already we are up to 337 plus there is an active application which your Officers have controversially put on hold until after this meeting for 295 houses. That could mean 432 houses.

These faceless computer modellers sitting in their offices, do not have knowledge of the local Topography or logistics. The Infrastructure is unable to cope with any further development.

There are very many houses for sale right now within Whitchurch Village and the County, new development and old. We know where the greed is but where is the need?

I ask the Council why it needs a planning department. All outcomes are either directed from Government by one means or another with a Government Appointed Inspector as a last resort to bull doze applications through.

Good evening. Thank you for allowing me the opportunity to address you.

My name is Nigel Websper. I am a long term Bath resident, and live on Great Pulteney Street. I Chair the Pulteney Estates Residents Association (PERA) which has about 300 households in membership around Great Pulteney Street, Sydney Gardens, and the Rec.

On behalf of PERA I attended the Core Strategy hearings in February 2012 objecting to the unsound proposals to:-

1. Allocating the Rec for commercial City Centre uses
2. Allocating the eastern side of the river bank (The Rec side) for commercial City Centre uses,
3. Using the term "Arena" to allow an unacceptable intensification and expansion of commercial uses and activities.
4. Use of the term "associated uses" which could mean any commercial mixed-use activity and is simply far too wide.

The current proposal concerning the above is on pages 71, 112, 113, 114, and 197.

1. On page 71, Policy B1(8), the word Stadium and Arena are used seemingly interchangeably. Planning officials emails use the term interchangeably. Arena implies multi-use intensification. Stadium does not. I suggest that Stadium is only used as it has a clear meaning under PPG17.
  - a. If indeed BANES intends it to be an Arena rather than a stadium, with the potential to fully exploit all commercial activity, than it should clearly say so. I suggest that support for a multi-use leisure facility ("Arena") has not been given.
  - b. The proposed new Policy sentence that says "Associated uses may be acceptable" is simply far too wide, and gives both BANES and the off shore owned Arena 1865, the proposed new tenants of the Rec, almost carte blanche to propose anything as in the Core Strategy, associated uses can mean almost anything.
  - c. By adopting Arena rather than Stadium, the policy becomes one for non-recreational use development, such as hotel development, cafes, bars, restaurants, clubs, retail.
2. Pages 112 -114, refer to the changes in the Central Area boundary, shown in the map on page 197.
  - a. The City Centre boundary now does not include the Rec (thank you) albeit that "associated uses" may dilute the impact of this apparent largesse. However it still includes the whole of the Eastern side of the river way.
  - b. That means that City Centre commercialization can occur north of Pulteney Bridge along the river bank where there is only private residential housing (other than IPL) and south of the Leisure Centre where there is residential housing along Spring Gardens Road in Widcombe.
  - c. Reclassifying the river frontage alongside the Rec in the City Centre, affects a 98% residential area, with the potential to cause a high amount of nuisance and blight local people with another "George Street". It is alarming that the proposed heads of terms between BANES and the offshore owned Arena 1865 Ltd has a MINIMUM (but no maximum) of commercial space.

In summary, and notwithstanding the many legal hurdles concerning the Rec, and the fact that a new Stadium should NOT be site specific, the Core Strategy proposals should refer to Stadium (and NOT Arena), remove the sentence about "Associated uses", and leave the City Centre boundary to the west of the river from upwards of the Bath Travelodge Hotel in Widcombe.

Thank you.

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Submission by Rachael Hushon, City of Bath Resident  
Date: 4.3.2012

Dear Members of the Council and Public,

As a local, Bath Resident I attended the BANES core strategy examination January 2012. My objections were concerned with the policy B1.8, an unjustified site specific allocation of a stadium on the Recreation Ground, 'unsound' proposals to introduce commercial "associated uses", 'mixed-uses', 'active frontages' on the Recreation Ground, and the inclusion of the East side of the riverside and the Recreation Ground in the Central boundary.

The Inspector also had concerns about the clarity and effectiveness of the plan in relation to the central area boundary diagram 7 and the sports stadium.

During that examination the attendees agreed with the inspector that all parties would share their feedback with the Planning Officer responsible for the redraft.

I submitted my further comments to BANES and to the Inspector in relation to the Rolling Changes in February 2012. I believe that what is now being proposed regarding the above remains unsound.

The phrasing in the proposed new wording is deliberately vague, what appears innocuous at this stage, from a planning policy perspective makes the Recreation Ground vulnerable to commercial intensification and commercial exploitation which could be independent of any stadium development. The use of the phrase "associated uses" and the use of the word "arena" in particular would result in a situation where any future development control committee would find it difficult to reject stand alone commercial applications which are independent of a "sporting stadium", these could include hotels, offices, retail, restaurants, cafes, bars, and clubs. Future local consultation on these individual uses would then be a token exercise, meaningless because B&NES have provided Arena 1865 Ltd (or any other Developer) with a perfectly crafted planning policy framework that enables them to develop commercial applications independent of their stated core purpose i.e. a rugby club, and to do this in the heart of a 98% residential neighbourhood and on encumbered open green space.

Putting aside personal views of the legal status of the land, (which is currently subject to a Charity Commission Decision Review) I object to the following on planning grounds:

**1. The 'unsound' site specific development policy for a stadium on the Recreation Ground.**

The continued inclusion of such an 'unsound' site allocation in the Draft Core Strategy pre-empts the proper consideration and consultation on any detailed and specific stadium plans for the BANES area. The proper process would be non site specific and then to progress **within approved and consulted upon policies**. The site of the Recreation Ground, is part of the River Valley Flood Plain and should be subject to the "sequential" test for development. BANES has not submitted any adequate justification for development at this location.

**2. The use of the term "Arena"** is not recognised as a term with Planning Policy Guidance and by adopting this term, rather than "stadium", the policy becomes too vague. In putting forward such proposals the Council has not been objective as a planning authority, has possibly been impartial in its role as a joint venture developer with Arena 1865 Ltd.

The use of the words "sporting, cultural and leisure arena" rather than just "stadium" is too wide ranging in terms of possible land uses. This term should be deleted in favour of "stadium".

**3. The use of the phrase "associated uses" is UNSOUND.** It could mean any intensity, commercial mixed-use activity and is too vague. This view is also supported by PPG17 which states (Section 11), that "open spaces and sites of sports and recreational facilities ... of particular value to

the community, should be recognised and given protection by Local Authorities through appropriate plan policies”.

I support the view proposed by PERA that the core strategy should contain the following non site specific statement regarding a stadium for Bath:

**“Enable the development of a stadium with ancillary uses.”To regard a Stadium proposal as a ‘sui-generis’ use for outdoor sports and recreation use only and for this to be non-site specific pending a more detailed justification in accordance with an approved Core Strategy.**

**4. Central boundary** I support the BANES amendment to the Central Area boundary such that it will not encompass the Recreation Ground/North Parade Road.

However, the Central Area boundary is still proposed as drawn along the river walkway between Pulteney Bridge and North Parade Bridge (on the EASTERN side of the river).

This boundary still leaves open the introduction of unspecified commercial ‘mixed-uses’ along the river as part of an extended Central Area encroaching into a residential neighbourhood.

This boundary creep could lead to the introduction of bars, clubs, hotels, and retail uses, along the ‘active river frontage’. Again such a proposal is **UNSOUND**, as commercial uses have not been consulted upon or justified in the Draft Core Strategy.

**No reference to the “east” side of the river in this policy is now needed.**

**Finally** I would like to re-emphasise that regardless of one’s perspective on the proposed extended lease to Arena 1865 Ltd, the existence of enforceable restrictive covenants on the land, or the current legal complexity surrounding the charitable status, it is unsound to be vague in planning policy with a deliberate purpose of providing future, one way flexibility for developers at the expense of residential neighbourhoods and proper, correct local consultation.

To provide this planning policy framework for a Developer , which could ultimately be a JV partner of BANES (detailed in the proposed Heads of Terms lease) is unsound and has not involved the correct level of consultation.

Thank you for your consideration of these issues.

## **Statement for the Planning and Housing Board of the West of England Partnership 25 February 2013**

### **Statement for BANES Core Strategy 4 March Meeting Full Council**

### **Statement for South Gloucestershire Core Strategy Enquiry 7/8 March**

These are our preferred options for the four core strategies.

We think it is very important to regenerate the available brownfield land: especially to regenerate the diverse communities which comprise the Old Market/Temple Meads Area, Easton and St Pauls. It is of course vital that all developments in these areas are negotiated with the respective communities – BME, disabled and LGBT specifically.

Regenerations zones should also be focused on Filwood, Hengrove, Hartcliffe, Whitchurch and South Liberty Lane in South Bristol, as well as parts of BANES extending from Whitchurch towards Stockwood and Keynsham which could all be served by the new Metro Bus network. The life quality of the housing needs to be supported with accessible employment and green lungs in the form of good quality parkland interspersed in the developments. Keynsham, Parson Street and Bedminster will provide Metro rail access.

Other regeneration land could be around Weston-super-Mare and its villages with good bus and rail connections, including Birnbeck Island, the Bourneville Estate and the former RAF site at Locking. To the south of the town there is room for development at Highbridge, Burnham-on-Sea, Bridgwater and Taunton.

In North Bristol the areas for development would be Hallen, Henbury, Brentry, Charlton Hayes, Patchway, Filton, Cheswick/Lockleaze, East of Harrystoke, Coalpit Heath, Emerson's Green and Yate. Small scale development might also be considered for Pilning and Severn Beach. In all cases again the quality of life of those who take up residence in these new developments needs to be enhanced with the provision of high-quality open spaces and wild areas which act as the city's green lungs. It is important to keep in mind that we can not simply rely on the existing green spaces but need to plan for new areas of respite from the urban landscape. The suggested areas of development are all in line with the transport strategy for Greater Bristol and Bath LTP and metro rail access is available in many of the locations listed, with express bus network services providing links to those which are not directly rail served.

Stroud District with Gloucestershire County Council's proposal for development of Thornbury, Berkeley and Sharpness is an alarming prospect which would require a huge amount of infrastructure improvement as well as redesigned bus services and the potential reopening/upgrading of the Thornbury branch railway and the Berkeley and Sharpness line. The net result of this proposal would constitute ribbon

development from Filton to Quedgeley and would distract from the regeneration of Gloucester and Cheltenham.

Further development in South Kingswood/Hanham/Longwell Green is neither appropriate nor desirable and the region would be much better served by brownfield and/or greenfield building around Keynsham, South West Bath, Western Riverside, Northern and Southern Quays, Peasedown St John, Timsbury, Paulton, Norton-Radstock and Clutton. BANES will of course have to work with Swindon and Wiltshire on the City Deal.

In Mendip the preferred sites would be around Shepton Mallet, Street, Trowbridge, Melksham, Frome and Swindon, the last four of which have good metro rail links (which could also be brought to Radstock and Shepton Mallet).

Not building houses and providing jobs is absolutely not an option for a city region like Bristol and Bath, and nor can every blade of green-belt grass be protected in the face of a severe housing shortage.

#### **South West Transport Network**

with the support of **Bristol Gay Village Org** in the need for diversity consultation in planning (the Equalities duty)

22 February 2013

**Submission to B&NES Council Meeting at The Assembly Rooms, Bath  
On Monday 4<sup>th</sup> March 2013.**

**by  
Robert Hellard. Vice Chairman of  
South Stoke Parish Council.**

**Agenda item 9. Revisions to BANES' Draft Core Strategy.**

The Parish of South Stoke has long been opposed to the prospect of any development on this southernmost part of the Cotswold Plateau.

There are many reasons why development here would be inappropriate.

The whole of the "Odd Down Plateau" is within the Bristol/Bath Green Belt. Government Policy, including the new NPPF, seeks to protect Green Belt Land for specific purposes. Development here would ride 'rough shod' over these and cause the 'Coalescence' of the ancient, independent, settlement of South Stoke with the City of Bath.

The majority of this land is part of the nationally designated "Cotswold AONB". This forbids major development absolutely, unless it can be proven to be of "over-riding Local and National importance". AONB land is afforded the highest level of protection against inappropriate development and no proof has been offered that this should be 'over-ridden' here.

The whole site lies within the setting of the World Heritage City of Bath. The inscription of the World Heritage Site, specifically draws attention to the importance of the long views into and out of the City. Any development on, or near, this exposed edge of the Cotswold Plateau would be clearly visible from many miles away and existing outward views from points of Public access would be ruined.

The Eastern end of this open plateau area is bounded on its North side by one of the few remaining parts of the "Western Wansdyke". This is a scheduled Ancient Monument protected by National Legislation. Any development south of this would seriously affect its setting. It is simply not possible to mitigate against such potential damage.

A large part of this plateau has a European Designation as a site of special importance for Wildlife Conservation, particularly as a foraging area for rare species of Bat. This would be eradicated by the proposed development.

We acknowledge the need for low-cost, affordable housing to support the expanding tourist economy of Bath but cannot see a proven need for speculative development to house outwardly commuting executives. There are apparently over 4000, as yet, unused plots with current planning approval in BANES and many more on acceptable brown field sites.

We ask you now to remove this Cotswold Plateau area from your list of potential development sites. Failure to do this will inevitably lead to the ruin of South Stoke as a Village and set a precedent which would allow a "Green Field First" policy to be pursued here and in other Green Belt or AONB zones around our World Heritage City.



**From:** The Clerk to COMBE HAY PARISH COUNCIL  
**To:** B&NES Council  
**Reference:** G3318.  
**Date:** 4 March 2013.

## **PROPOSED CHANGES TO THE SUBMITTED CORE STRATEGY.**

**I am Peter Duppa-Miller – I am speaking this evening on behalf of Combe Hay Parish Council and also on behalf of Englishcombe Parish Council – I will be making seven points.**

- 1. We thank the authors of the report and the many background papers both for their clarity and for the inclusion of a number of previously-proposed amendments, such as that referring to the provision of broadband in the rural areas.**
- 2. It is most important to recognise that, whilst it is the Core Strategy's intention is to identify strategic sites for development, the documents before you make it very, very, clear that it is the B&NES Place-Making Plan which is to provide the fine detail of such development.**
- 3. The B&NES Place-Making Plan will be prepared by B&NES Council in collaboration with the relevant Parish Councils in North East Somerset - Combe Hay and Englishcombe Parish Councils are both totally committed to this process, which has, as its objective, the adoption of the B&NES Place-Making Plan in 2015.**
- 4. It is emphasised that the Core Strategy document remains committed to a Plan/Monitor/Manage regime, which will ensure that the requirement for additional housing will be kept under constant review and will be adjusted throughout the Plan Period as may be found to be necessary.**
- 5. It is suggested, yet again, that there would be advantage in considering, for a number of those rural settlements, which are washed over by the Green Belt, the amendment of their Housing Development Boundaries to enable the development of a small number of additional homes in each such settlement.**
- 6. It is suggested that, during the ensuing consultation period, a set of the relevant documents be provided at the new Combe Hay Community Library, for the communities to the south of Bath to access.**
- 7. Finally, Combe Hay and Englishcombe Parish Councils most strongly recommend that the amended Submitted Core Strategy be approved for Development Management purposes, in order to preclude "predatory" applications for uncontrolled development.**

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STATEMENT BY BATH PRESERVATION TRUST

My name is Caroline Kay and I am the Chief Executive of Bath Preservation Trust.

We have read the Council's proposals on the Core Strategy in as much detail as is possible in the time available. We appreciate that your officers have faced a major challenge in meeting the Inspector's objections to the first submitted Core Strategy, and do not underestimate the difficulty of meeting his points. We also recognise that there is a housing need in the area, and the Council is obliged to attempt to meet it.

Bath Preservation Trust has a twofold charitable remit; for the built environment of the City of Bath, but also for the green countryside around it. So the Trust has always seen the two as integrated and interdependent, even before the inscription of the City as a World Heritage Site drew attention to the significance of the green landscape setting. It is because of this that we continue to express grave concern about the proposals before you.

The paper proposes new sites across B&NES which, together, meet the housing requirement by 100%. It does not seem to respond to the Inspector's clear steer that it is possible to fail to meet the housing need if there are sufficient constraints to outweigh the benefits (NPPF Para 14). Undoubtedly, the Inspector would set a high threshold for this, but let us look briefly at the 3 greenfield sites around Bath which are definitely proposed to be brought forward. Two are in the Green Belt. Two are within the Cotswold AONB. Two are significant bat corridors. One manages to be in the Green Belt, the AONB, the World Heritage Site and the Conservation Area - and to have flooding problems and a bat corridor. One is a school playing field, in a sensitive part of the Lansdown plateau where development will be restricted in terms of height and therefore in terms of dwelling numbers.

These may be perceived by the Council as the 'least-worst' development sites in Bath, but the statutory designations are here for a purpose. Indeed, elsewhere in the Core Strategy, it is argued that it is these designations which protect the boundaries of the City of Bath World Heritage Site and act as a buffer to ensure the City stays contained. Other amendments to the Core Strategy emphasise the weight to be given to the conservation of landscape and scenic beauty and the setting of the World Heritage Site (eg SPC 34). We would also hope that the Core Strategy emphasis on 'brownfield first' will be retained in line with NPPF para 111.

We will be responding more fully to the consultation, but we would like to have seen the environmental *benefits* of constraining housing development on the outskirts of Bath more clearly expressed. We would have liked some indication that the Council might have been prepared to contemplate not fully meeting their housing requirement, due to these constraints, under NPPF paragraph 14. After all, if we do not respect AONB, Green Belt and conservation designations for the UK's only whole-city World Heritage Site, is any green location safe?

[www.bath-preservation-trust.org.uk](http://www.bath-preservation-trust.org.uk); 01225 338727

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Thank you for the opportunity to speak this evening

I would like to urge the council to vote for the core strategy proposed this evening.

BANES is in desperate need of more affordable family and social housing, far too many of my family and friends have been forced to move out of the area due to high housing costs.

My family tree can be traced back to the early 1700's in the BANES area, but if you do not act soon, i feel there will be no family homes for my own children let alone their children to afford in the area.

The high prices on one side of the city coupled with the significant number of HMO's on the other has limited the options for far too long and will only get worse.

It is great the council are looking at Reducing the number of properties able to become HMO's through the article 4 but this will not apply to the existing hmos therefore making the need for more affordable homes to be built even greater.

If large companies such as Tesco and Sainsbury were to reduce their footprint for stores in the area there would be more room for affordable houses to be built on brownfield sites enabling lower paid residents the opportunity of owning their own home.

Finally, I would like to congratulate all councillors and council staff that took part in the bath half yesterday and also the council employees who managed to get the route clean and open so quickly.

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***\*NB – This is the document that went into the meeting and which was amended at the meeting – details of the final resolutions are contained within the minutes***

## **B&NES CORE STRATEGY REPORT FOR COUNCIL 4<sup>TH</sup> MARCH 2013**

### **COMPOSITE RECOMMENDATION**

**2.1** That the Council:

**(A) Notes the errata to the Council report listed in Schedule 1 attached, and**

**(B) Agrees;**

- (1) that the Core Strategy should be amended to enable an increase of around 10,200 jobs and 12,700 homes, including around 3,100 affordable homes, in B&NES between 2011 and 2029 as set out in Annex 1,
- (2) (i) that each of the locations listed in Table 8 of Annex 1 are considered for identification for development in the Plan period,
  1. Land adjoining Odd Down
  2. Land adjoining Weston
  3. Extension to MoD Ensleigh
  5. Land adjoining East Keynsham
  6. Land adj. south west Keynsham (south of K2)
  7. Land at Whitchurch
  8. Somer Valley area
  9. Rural Areas

(ii) the necessary planning requirements in Table 10,
- (3) the proposed changes to the following Core Strategy Policies as set out in Annex 2;
  - (i) B1(8): The Recreation Ground, Bath
  - (ii) CP.4: District Heating
  - (iii) CP.9: Affordable Housing,
  - (iv) CP.11: Accommodation needs of Gypsies, Travellers and Travelling showpeople
- (4) the Schedule of Proposed Changes to the Submitted Core Strategy in Annex 3, subject to any amendments arising from (1), (2), and (3) above,

- (5) that the Schedule of Proposed Changes in (4) above is published for consultation in accordance with the consultation strategy in Annex 5 4, along with the other locational options considered in Annex 1 but rejected,
- (6) that the Schedule of Proposed Changes in (4) above is forwarded to the Inspector for his consideration along with a schedule of all the comments received,
- (7) that the amended Core Strategy is approved for Development Management purposes, and
- (8) that delegated authority is granted to the Divisional Director for Planning and Transport Development to make minor changes to the Core Strategy in consultation with Cabinet Member for Planning and Homes to ensure clarity, consistency and accuracy across the Plan.

## SCHEDULE 1

### ERRATA TO CORE STRATEGY COUNCIL REPORT 4/3/13

- Deleted text shown as strikethrough
- Added text underlined

#### GENERAL

Wherever the Placemaking Plan is referred to in the report, include reference also to Neighbourhood Plans

#### COVERING REPORT

**Page 2** Recommendation (5): that the Schedule of Proposed Changes in (4) above is published for consultation in accordance with the consultation strategy in Annex ~~5~~ 4, along with the other locational options considered in Annex 1 but rejected,

#### ANNEX 1

**Page 9** Para 3.12 ..... An even lower 3 yr trend (~~2028~~ 2019-21) is evident but has been has been discounted from further analysis. The moderate migration .....

**Page 15** Para 4.7 .....housing and the overwhelming benefits of Bath as the most sustainable location for new development amount to the ~~the~~ exceptional circumstances need to release land from the Green Belt. However this can .....

#### TABLE 6: LOCATIONAL ASSESSMENTS

##### Odd Down

- **Page 21** 2nd to last bullet under Social/Economic – ~~Development at this scale would support the provision of a new primary school on site or could facilitate the potential expansion of existing schools.~~ Development of this scale may not be sufficient to support the provision of a new primary school on site. There may be potential for meeting primary education needs by increasing capacity at existing primary schools in the area. An appropriate solution would need to be agreed with the Education Authority (to more accurately reflect the level of development proposed)
- **Page 21** Last bullet point under Environmental - Within Flood Zone 1 and passes the sequential test. It also provides flexibility to respond potential brownfield delivery issues. ~~However, there is existing surface water flood issues in Weston and a mitigation scheme is currently being developed in partnership with the EA. Potential to upgrade the scheme to ensure new development is safe without increasing the risk to elsewhere in Weston. (Text included in error)~~

##### Land at Hicks Gate

- **Page 29** 2<sup>nd</sup> bullet point under *Delivery* - Adjoins Bristol City Council's contingency site, and unless their site comes forward, development here would **not** be feasible as it would be isolated from existing facilities and poorly integrated into the existing urban area (*word omitted*).

### Land at Whitchurch

- Page 30 1<sup>st</sup> bullet point under Social/Economic - Not within Bath Strategic Housing Market Area and development likely to relate better to Bristol rather than Bath for the jobs market and local facilities therefore not well located to address the needs of B&NES (*omission*)

## TABLE 10: DEVELOPMENT REQUIREMENTS

### Extension to MOD, Ensleigh

- Page 41 Delete bullet point 13 which repeats bullet point 3.

### Land adjoining Odd Down, Bath;

- Page 42 Delete bullet point 16 which repeats 4<sup>th</sup> bullet point
- Page 42 Amend numbering of Odd Down planning requirements

### Land adjoining Weston, Bath

- Page 43 Delete bullet point 12 which duplicates 18

### Land Adjoining South West Keynsham

- Page 44 Add new final bullet point - Road improvements to improve access from the location to the wider road network, especially the A37, to alleviate traffic through Keynsham town centre.

### Land at Whitchurch;

- Page 45 Be developed comprehensively as part of a Masterplan, reflecting best practice as embodied in 'By Design' (or successor guidance), ensuring that it is well integrated with ~~Keynsham~~ Whitchurch, with excellent pedestrian and cycling access and connectivity to local centres, other facilities and services, and to green infrastructure
- Page 46 Bullet point 4 should read: Mitigation of landscape impact by ~~extending the community woodland and~~ providing additional structure planting and improving hedgerows.
- Page 46 Add new final bullet point: Ensure public transport accessibility to Bristol, Keynsham and other local facilities and services, such as Hengrove Community Hospital.

## ANNEX 2

**Page 9** Amend para before Policy CP11 as follows:

..... need which updates the West of England Gypsy and Traveller Accommodation Assessment undertaken in 2007 for the Bath & North East Somerset area. This establishes the level of need for five, ten and fifteen year supply of sites in accordance with Planning Policy for Traveller Sites. The report has identified the need for 28 permanent and 5 transit



pitches, and 40 Travelling Showmen's yards. Showpeople plots to be provided for the period 2012 - 2027.

## ANNEX 3

### Page 17 Para 2.03

.....Elsewhere, suburban development took place at Weston and Larkhall and ~~new such~~ neighbourhoods ~~development~~ were connected to the centre by the Bath Electric Tramway.

### Page 19 Vision for Bath. Third paragraph.

.....Where possible the built environment will evolve in a more energy and resource efficient manner and renewable and sustainable energy, appropriate to the Bath context will be will be introduced. Alongside measures to mitigate and adapt to climate change and to pursue a reduced carbon economy, ~~the diversification and growth of a low carbon economy are the key changes that are sought for Bath.~~ The delivery of new housing on brownfield sites is a vital component of the vision and will help to create a more sustainable relationship between the city's labour and job markets and support Bath's economic potential.

### Page 46 (Para 2.44 Policy Sustainable transport corridor)

The disused rail line between Brassmill Lane and Windsor Bridge, Bath is safeguarded as a Sustainable Transport route for non-motorised forms of transport (with the exception of mobility scooters). It will provide a high quality and safe cycling and pedestrian route through to Western Riverside that extends the Bristol to Bath Railway path, the Two Tunnels Greenway....." (words omitted)

### Page 183 Amend Table 9 as follows:

Strategic Objective	Policy	Indicator	Quantification of Objective Target
1. Pursue a low carbon and sustainable future in a changing climate	<b>CP1</b>  Retrofitting existing buildings	<ul style="list-style-type: none"> <li>Number of residential and non-residential properties that install photovoltaic cells annually (as registered with LABC)</li> <li><u>Number of residential and non-residential properties that install solar thermal panels annually (as registered with LABC)</u></li> <li>Number of properties installing cavity insulation annually (as registered with LABC)</li> </ul>	<u>Annual increase in the number of residential and non-residential properties that have installed photovoltaic cells the measures in the Indicator column, in line with annual targets in the HECA Strategy.</u>

		<ul style="list-style-type: none"> <li>• <u>Number of residential dwellings installing solid wall insulation annually (as registered with LABC)</u></li> <li>• Number of residential dwellings installing double glazing annually (as registered with LABC)</li> </ul>	
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