

Bath and North East Somerset Council
Examination of the Bath and North East Somerset Council Local Plan (Core Strategy and Placemaking Plan) Partial Update
Inspector: Philip Lewis BA(Hons) MA MRTPI
Programme Officer: Ian Kemp
Tel: 07723 009166
Email: ikemp@icloud.com
Address: PO Box 241, Droitwich, Worcestershire, WR9 1DW
Examination webpage: <https://beta.bathnes.gov.uk/local-plan-partial-update-ppu-public-examination>

INSPECTOR'S INITIAL MATTERS, ISSUES AND QUESTIONS

1. I am Philip Lewis, a chartered Town Planner appointed by the Secretary of State for Levelling up, Housing and Communities on 7 January 2022 to examine the soundness of the Bath and North East Somerset Council, Local Plan (Core Strategy and Placemaking Plan) Partial Update, August 2021 (the Plan), and whether it meets the requirements of the Planning and Compulsory Purchase Act 2004 (the Act) and associated Regulations.
2. My examination of the Plan commenced with my appointment and to date I have undertaken initial reading of the Plan, the evidence base documents and representations, following which I posed a number of initial questions to the Council. My letter and the Council's response are published on the examination website.
3. I have now identified the matters and issues and have posed the key questions for the examination. These are set out in this document.
4. The Plan proposed is a partial update to the adopted Core Strategy and Placemaking Plan. The changes proposed are set out in the Schedule of Changes to the Local Plan (CD-SD001). I am concerned only with the changes proposed to the adopted Local Plan by the Council. For the avoidance of doubt, the parts of the adopted Local Plan which are not proposed to be changed are not before me in this examination. Consequently, I pose no questions about parts of the adopted plan which are not proposed to be changed.
5. In drafting this document, I have also had regard to the Council's response to my initial questions and the various evidence base documents which have been published by the Council to accompany their response. I advise you to read the Council's further submissions when you prepare your statements.
6. Please read and be familiar with the accompanying Inspectors Guidance Note which sets out important details of the organisation and conduct of the

examination and the hearings, and regarding the preparation of hearing statements. I shall assume that the Guidance Note has been read by participants at the hearings.

7. It may be that some of the questions set out in this document will be answered in written statements. Consequently, I will not need to consider them further at the hearings as I would have sufficient information. The scope of specific hearing sessions will be confirmed in the agendas published on the examination website. It is important to note that written representations and oral representations carry the same weight, and I will have equal regard to views put at a hearing or in writing. Representors should only address those matters, issues and questions relevant to their original representations.
8. Any reply to my questions should be in accordance with the guidelines set out in my Guidance Note and should be sent electronically to the Programme Officer by **1700 on Monday 6 June 2022**. It is expected that hearing statements will only be submitted electronically.
9. Only those who have made representations seeking to change the Plan have a right to appear before, and be heard by, the Inspector. If you have a right to be heard, and you wish to exercise that right, you should contact the Programme Officer by **1700 on Friday 6 May 2022** indicating the appropriate Matter and the session you wish to attend (see the draft Programme). You need to do this regardless of what you may have indicated on the representation form. Please note that if you do not contact the Programme Officer by that date, it will be assumed that you do not wish to appear and be heard, and you will not be listed as a participant.

Matter 1: Procedural/legal requirements

Issue: Whether all Statutory and Regulatory requirements have been met?

Duty to Cooperate

- Q.1 Is there clear evidence that the Council has engaged constructively, actively and on an ongoing basis with neighbouring authorities and prescribed bodies in accordance with section 33A of the 2004 Act in respect of strategic matters with cross-boundary impacts considered through the preparation of the Plan?
- Q.2 What are the specific outcomes of the Duty to Cooperate?

Sustainability Appraisal

- Q.3 Is the Sustainability Appraisal (SA) adequate?
- Q.4 Has the SA been undertaken on the basis of a consistent methodology and is the assessment robust?

Q.5 Did the Council, through an iterative SA process, take into account reasonable alternatives and has sufficient reasoning been given for the rejection of alternatives?

Habitats Regulations Assessment

Q.6 Has the Habitats Regulations Assessment (HRA) been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017, and have potential combination effects in regard to sites in neighbouring areas been assessed adequately?

Local Development Scheme

Q.7 Is the Plan compliant with the Council's Local Development Scheme in terms of its form, scope and timing?

Community Involvement

Q.8 Has the Council complied with the requirements of section 19(3) of the 2004 Act with regard to conducting consultation in accordance with the Statement of Community Involvement?

Climate Change

Q.9 Are the policies of the Plan designed to secure that the development and use of land contribute to the mitigation of, and adaptation to, climate change in accordance with Section 19(1A) of the Act?

Equalities

Q.10 In what way does the plan seek to ensure that due regard is had to the three aims expressed in s149 of the Equality Act 2010 in relation to those who have a relevant protected characteristic?

Superseded policies

Q.11 Is Appendix 1 of the Plan clear in identifying the policies of the existing development plan which would be superseded by the Plan consistent with Regulation 8(5) of the Town and Country Planning (Local Planning) (England) Regulations 2012? What is meant by obsolete in 'New Table 9'?

Matter 2: Strategic Policies

Issue: Is the Plan's approach to strategic policies consistent with national policy?

Q.12 Paragraph 29a of the submitted Plan sets out that all policies in the Core Strategy and Placemaking Plan are 'strategic' policies. Is this justified and consistent with national policy as set out in the National Planning Policy Framework (NPPF)? What is the evidence that the strategic policies of the Plan are limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues)?

Q.13 The modified strategic policies of the Plan would cover the period to 2029, and consequently will not look ahead over a minimum of 15 years from adoption as per NPPF paragraph 22. What is the justification for this, and is the Plan positively prepared in this regard?

Matter 3: Housing land supply

Issue: Do the policies of the Plan identify a sufficient supply and mix of sites for the plan period?

Q.14 The Council has confirmed in its letter of 7 March 2022 (B&NES 1) that the intention of the Plan is to provide a five-year supply of housing sites on adoption. What is the evidence that there would be a five-year supply of deliverable housing sites on adoption of the Plan as per the requirements of the NPPF?

Q.15 Do strategic policies include an up-to-date trajectory illustrating the expected rate of housing delivery over the plan period as per NPPF paragraph 74?

Matter 4: Area Policies and allocations

Issue: Are the proposed policies and allocations justified, effective and consistent with national policy?

Bath

Biodiversity net gain

Q.16 Given the provisions of Policy NE3a, are the specific biodiversity net gain requirements, and the requirements for bird, bat boxes etc within the proposed allocations justified?

Policy SB8: Bath Riverside

Q.17 What is the justification for the requirement in 1) that proposals for Purpose Built Student Accommodation shall not be permitted?

Q.18 Are the assumptions for the site to deliver 564 dwellings within 5 years and 756 dwellings in the plan period (as set out in the Council's response to my initial questions) realistic and based on a robust assessment?

Q.19 What is the evidence for the need for the provision of a primary school, an early years facility and a new community hub with communal facilities to promote healthy lifestyles and community cohesion as set out in criterion 2?

Q.20 Is the Policy justified in seeking that new streets and spaces throughout the area are implemented by the developer/s and are to be in accordance with the

relevant typology as set out in the Bath Pattern Book, and that car parking provision is consistent with the Council's Transport & Development SPD when these documents do not form part of the development plan?

- Q.21 A number of policy criteria are concerned with cycling matters and there appears to be some duplication between them. Is the Policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals as per NPPF paragraph 16, and would it be effective?

Policy SB22: Locksbrook Creative Industry Hub Development requirements and design principles

- Q.22 The Policy requires that teaching space is designed and managed to be available as flexible workspace that is offered to small and medium enterprises on reasonable terms. What is meant by this, is this requirement clear and would it be effective?

Policy SB23 Weston Island

- Q.23 Is there a realistic prospect that the bus depot will be relocated within the plan period and if not, would Policy SB23 be effective and is it justified?
- Q.24 What is the evidence that the existing employment uses such as those within sites SB3 and SB6 would be likely to relocate to the site? Would the Plan be effective in facilitating this?
- Q.25 Is the Policy justified in seeking that proposals respond the restrictions on lightspill from development set out in the Waterspace Design Guidance (June 2018) "Protecting Bats in Waterside Development" when this document is not part of the development plan?

Policy SB14 Twerton Park

- Q.26 Should the Policy be amended to remove the duplicated words in the sentence prior to criterion 1 so as to make it effective?
- Q.27 What is the indicative dwelling capacity for the site and what is the evidence that the Policy is either deliverable or developable as per the definitions in the NPPF?
- Q.28 The Policy in criterion 9 refers to a masterplan for the site. In regard to the provision of a masterplan, is the Policy clearly written and unambiguous so it is evident how a decision maker should react to development proposals as per NPPF 16, and would it be effective?
- Q.29 Is the Policy justified in seeking that cycle improvements should be in line with the West of England Local Walking and Cycling Infrastructure Plan when this document is not part of the development plan?

Policy SB18 – Royal United Hospital

- Q.30 Which designated and non-designated heritage assets may be affected by the proposed allocation, what is the significance of such heritage assets, and how

may their significance be affected by the proposal? Would the Policy be effective in conserving the significance of any affected heritage assets?

- Q.31 What is the specific justification for the transportation requirements set out in criterion 8 and would they be effective?
- Q.32 Is the Policy justified in seeking parking in line with the parking standards in the Transport and Development SPD when this document is not part of the development plan? What is the evidence which underpins the potential requirement for contributions to a residents parking zone?

SB24 Sion Hill Bath – site allocation

- Q.33 What is the justification for the development of the site with around 100 apartments, would this be effective and is the proposed allocation viable and deliverable with the policy requirements?
- Q.34 What is the specific justification for the transportation requirements set out in criterion 10, and would they be effective?

SB25 St Martin's Hospital

- Q.35 What is the evidence that the proposed allocation would be deliverable or developable in terms of the NPPF within the plan period?
- Q.36 Which designated and non-designated heritage assets may be affected by the proposed allocation, what is the significance of such heritage assets and how may their significance be affected by the proposed allocation? How would the proposed allocation affect the Paupers Burial Ground and how may that affect the deliverability of the allocation? Would the Policy be effective in conserving the significance of any affected heritage assets?
- Q.37 What is the specific justification for the transportation requirements set out in criterion 11 and would they be effective? Should criterion 11b be corrected to refer to St Martin's Garden Primary School?
- Q.38 What are the parking standards referred to in criterion 12 and would the Policy be effective in this regard?

SB19 The University of Bath at Claverton Down (including the Sulis Club) and consequential changes to Policy B5 Off-campus student accommodation and teaching space

- Q.39 What is the justification for the overall scale and mix of development proposed by Policy SB19?
- Q.40 What is the justification for the land uses listed in paragraph two of criterion 1?
- Q.41 What is the justification for the stated heights of buildings set out in criteria 2, 3, 4, 5 and 6, and would these be effective?
- Q.42 Are the proposed changes to sport and recreation provision consistent with paragraph 99 of the NPPF and would they be effective?

- Q.43 Would the Policy be effective in conserving and enhancing the landscape and scenic beauty of the Cotswold Area of Outstanding Natural Beauty, and enhancing the natural and local environment in terms of landscape effects?
- Q.44 Is the scale and extent of the development proposed in the AONB 'limited' as per NPPF paragraph 176?
- Q.45 What is the justification for the requirement for a completely recyclable 3G pitch and natural crumb in part 8 of the Policy?
- Q.46 Is the Policy justified in seeking parking in line with the parking standards in the Transport and Developments SPD when this document is not part of the development plan?

Policy SB26: Park and ride sites

- Q.47 Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Would it be effective to deliver the multi-modal transport interchanges without altering the boundaries of the Green Belt?
- Q.48 Was the Green Belt Assessment undertaken on the basis of a clear methodology consistent with national planning policy for protecting Green Belts?
- Q.49 Is the site selection methodology for sites to be released from the Green Belt robust?
- Q.50 Have all realistic alternatives to releasing land from the Green Belt been considered?
- Q.51 In terms of paragraph 138 of the Framework, have the proposed alterations to the Green Belt boundaries taken account of the need to promote sustainable patterns of development and are they consistent with the Local Plan strategy?
- Q.52 In overall terms, having regard to the principles established in Calverton, (Calverton PC v Nottingham CC [2015] EWHC 1078 (Admin)) what are the exceptional circumstances for the proposed alterations of the boundaries of the Green Belt to accommodate the proposed multi-modal transport interchanges which cannot be accommodated outside of the Green Belt?
- Q.53 Consistent with NPPF paragraph 142, how would the impact of removing land from the Green Belt be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land?
- Q.54 Is criterion 1 of the Policy clearly written and unambiguous, so it is evident how a decision maker should react to development proposals in not setting out the appropriate uses for the multi-modal transport interchanges?
- Q.55 What is meant by criterion 4 and would it be effective, given the extent of land proposed to be removed from the Green Belt?

Keynsham

Policy KE2B: Riverside and Fire Station site

Q.56 Criterion 1 refers to the provision of B1 office floorspace. Given the amendments to the Use Classes Order in September 2020, would this be effective?

Deletion of Policy KE3B: Safeguarded Land at East Keynsham

Q.57 The explanatory text to the adopted Core Strategy and Placemaking Plan states that Policy KE3B safeguards land at East of Keynsham for development beyond the end of the plan period. What is the justification for the proposed allocation of this land now, and is the allocation of the land consistent with national policy as expressed in paragraph 143 of the NPPF?

Policy KE3C: East of Keynsham

Q.58 Is criterion 1 which states that development proposals will deliver residential development of around 210 dwellings in the plan period justified?

Q.59 What is the evidence that 210 dwellings would be delivered by 2029?

Q.60 What is the evidence that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree as per NPPF paragraph 110?

Q.61 What effects would the transport mitigation package have on the viability and the deliverability of the proposed allocation?

Q.62 Are the Policy requirements for the provision of infrastructure and other facilities justified and would they be effective?

Policy KE3d: East of Keynsham Safeguarded Land

Q.63 Is criterion 1 which states that development proposals will deliver residential development of around 70 dwellings in the plan period justified?

Q.64 What is the evidence that 70 dwellings would be delivered by 2029?

Q.65 What is the evidence that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree as per NPPF paragraph 110?

Q.66 What effects would the transport mitigation package have on the viability and the deliverability of the proposed allocation?

Somer Valley

Policies SV2 Midsomer Norton Town Centre Strategic Policy, Policy SSV2 – South Road Car Park and Policy SSV4: Former Welton Manufacturing site

- Q.67 What is the justification for the deletion of the proposal for the redevelopment of South Road Car Park with a retail led mixed use development?
- Q.68 What is the justification for the proposed allocation of a retail store of approximately 1,300 square metres at the Former Welton Manufacturing site outside of the town centre?
- Q.69 Is the proposed allocation of a food store consistent with national policy as set out in paragraph 86e of the NPPF, and would Policy SSV4 be effective in ensuring that the proposed store would be well connected to the town centre?
- Q.70 Would the Policy be effective in ensuring that existing businesses and facilities would not have unreasonable restrictions placed on them as a result of development permitted after they were established consistent with the agent of change principle set out in paragraph 187 of the NPPF?

Policy SSV9 – Old Mills Industrial Estate

- Q.71 What is intended by ‘the development of some retail, food and drink units (use classes E(a), (b) and hotel (use class C1), and is the Policy clearly written and unambiguous so it is evident how a decision maker should react to development proposals as per NPPF paragraph 16?
- Q.72 Is Policy SSV9 consistent with national policy as expressed in paragraph 86e of the NPPF? What is the evidence as to the potential effects on the vitality and viability of nearby town centres?
- Q.73 Is the location of the proposed retail uses consistent with Policy ST1: promoting sustainable travel and healthy streets?

Policy SSV22 Former Paulton Printworks

- Q.74 What is the justification for the provision of an early years facility on land parcel 3, how would it be delivered/funded and what if any effect would this requirement have on the viability of the proposed allocation?
- Q.75 What is the justification for the detailed landscaping requirements on land parcels 1 and 2?

Matter 5: Other District Wide Development Management Policies

Issue: Are the individual policies clear, justified and consistent with national policy and will they be effective?

Table 1C – Designated Neighbourhood Areas Housing Requirement

Q.76 Is the Plan consistent with paragraph 66 of the NPPF which includes that strategic policies should set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations? What is the justification for the proposed housing requirements for the designated neighbourhood areas set out in Table 1C, and would these be effective?

Policy CP1 Retrofitting existing buildings

Q.77 What is the justification for requiring Houses in Multiple Occupation to achieve an Energy Performance Certificate “C” rating and would this be effective?

Policy CP3 Renewable Energy

Q.78 What is the current installed capacity of renewable energy and heat supplies available in the district?

Q.79 The Policy appears to identify where in principle wind and ground mounted solar PV energy developments of certain scales would be acceptable. Is the policy sufficiently clear that it is setting out a staged approach in respect of the acceptability of renewable energy development, and that further detailed site-specific assessment is required at the application stage, and would it be effective?

Q.80 Is the submitted Plan clear and would it be effective in identifying within which areas wind and ground mounted solar energy developments would be acceptable in principle, or not?

Q.81 Having regard to the wind energy and solar PV development sizes typologies considered in the Landscape Sensitivity Assessment Renewable Energy Development report (CD-RCC004), is the Plan sufficiently clear and would it be effective in identifying what scale of renewable energy development would be acceptable in principle and where?

Q.82 Would the Policy be effective in the consideration of wind and ground mounted solar PV energy proposals in the Green Belt where elements of many renewable energy projects will comprise inappropriate development?

Q.83 Is the Policy consistent with national policy as set out in NPPF paragraph 117 and consistent with the statutory purposes of AONBs in regard to renewable energy development in an AONB?

- Q.84 What is the justification for the requirements for community benefit, and an option of 5% community ownership in commercial led energy schemes with a capacity of over 5MW, in wind energy criterion 1f)? Is this a land use planning matter and is it consistent with the tests for planning obligations as set out in NPPF paragraph 57 and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010?
- Q.85 Would wind energy criterion 2c) be effective in:
- safeguarding the living conditions of residents from the potential effects of wind energy development?
 - safeguarding telecommunications services/microwave transmissions?
 - Regard to construction impacts, including access, sourcing of aggregates and concrete batching and grid connection infrastructure in so far as it falls within the land use planning regime?
- Q.86 What is the justification for the requirement for applications for energy plant utilising virgin plant feedstocks to robustly demonstrate that the feedstock will be sourced sustainably? Would this be effective?

Policy SCR6 Sustainable Construction Policy for New Build Residential Development

- Q.87 What is the justification for the requirement for new residential dwellings to demonstrate a space heating demand less than 30kWh/m²/annum, total energy use less than 40kWh/m²/annum, and on-site renewable energy generation to match the total energy use, with a preference for roof mounted solar PV?
- Q.88 Are the cost assumptions arising from Policy SCR6 in the viability assessment for the Plan robust, realistic and justified? What, if any, effect would the requirements of Policy SCR6 have on meeting the other policy requirements of the Plan, such as affordable housing? What would the effect of the Policy be on the deliverability of new homes?
- Q.89 How do the proposed energy use requirements compare to the (transitional) requirements as currently set out in Part L of the Building Regulations?
- Q.90 What is the justification for seeking a financial contribution where the use of onsite renewables to match total energy consumption is demonstrated to be not technically feasible or economically viable? Is this element of the Policy consistent with paragraph 57 of the NPPF and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010, and would it be effective?
- Q.91 The Written Ministerial Statement of 15 December 2021 sets out that the new overheating standard is a part of the Building Regulations and is therefore mandatory and there will be no need for policies in development plans to duplicate this. In this context, what is the justification for the requirement for applications for 50 dwellings or more to demonstrate that the CIBSE TM59 overheating target has been met in the current climate, and a strategy

submitted to show how overheating can be mitigated in the future climate, and is this consistent with national policy?

Policy SCR7 Sustainable Construction Policy for New Build Non-Residential Buildings

- Q.92 What is the justification for major development achieving a 100% regulated operational carbon emissions reduction from Building Regulations Part L 2013?
- Q.93 How does the Policy requirements compare to the (transitional) requirements as currently set out in Part L of the Building Regulations?
- Q.94 Are the cost assumptions arising from Policy SCR7 in the viability assessment for the Plan robust, realistic and justified? What would the effect of the Policy be on the deliverability of non-residential buildings?
- Q.95 Are the references to BREEAM in the explanatory text paragraphs 107g and i justified?

Policy SCR8 Embodied Carbon

- Q.96 What is the justification for the size thresholds for the application of the Policy, and the requirement that an Embodied Carbon Assessment that demonstrates a score of less than 900kg/sqm of carbon can be achieved within the development for the substructure, superstructure and finishes?
- Q.97 What effect would policy SCR8 have on the delivery of new buildings?

Policy CP4 District Heating

- Q.98 Would the requirement in Policy CP4 that development will be expected to incorporate infrastructure for district heating, and will be expected to connect to existing systems where and when this is available, unless demonstrated that this would render development unviable, be effective in reducing carbon emissions, and is the requirement justified in the context of the aims of the Plan?

New Policy SCR9 Electric vehicles charging infrastructure

- Q.99 The approved document supporting Part S of Schedule 1 to the Building Regulations 2010 takes effect on 15 June 2022. Given the changes to the Building Regulations does the Policy serve a clear purpose and would it be effective?
- Q.100 Is the requirement for the provision of on-street charging of electric vehicles where off-street parking is not provided justified, and would it be effective?
- Q.101 Is it intended that the Transport and Development Supplementary Planning Document will set out land use policy for parking standards? If so, why are these not set out in this Plan consistent with paragraph 107 of the NPPF?
- Q.102 What is meant by an abnormally high local electric grid infrastructure connection cost?

Policy D8: Lighting

Q.103 Is the Policy justified in seeking that lighting must be designed to protect wildlife habitats following best practice as set out in current guidance including B&NES 2018 Waterspace Design Guidance and Bats and Lighting in the UK given that these documents do not form part of the development plan?

Policy NE3: Sites, Habitats and Species

Q.104 Is Policy NE3 consistent with national policy as set out in the NPPF in regards to the proposed requirements for biodiversity?

Q.105 Are the changes to the policy as set out in the Schedule of Errata necessary for soundness?

Policy NE3a Biodiversity Net Gain

Q.106 What are the implications of the Environment Act 2021 for the Policy?

Q.107 Is the Policy justified in not setting out a transition period for the implementation of the requirement for Biodiversity Net Gain?

Q.108 What is the justification for requiring biodiversity net gain from minor development, which may be exempted development by the Environment Act 2021?

Policy NE5: Ecological Networks and Nature Recovery

Q.109 Is the representation of the Nature Recovery Networks as set out in Annex 1 a reflection of that shown on the Policies Map?

Policy NE1: Development and green infrastructure

Q.110 Would the requirements for green infrastructure be effective, such as where it may not be possible to provide new connections between existing and/or new linear wildlife habitats?

Policy GB2 Development in Green Belt Villages

Q.111 Policy GB2 states that new buildings in villages in the Green Belt will not be permitted unless it is limited to infilling and the proposal is located within the defined Infill Boundary. Is this consistent with paragraph 149 of the NPPF which lists specific exemptions where new buildings are not inappropriate in the Green Belt, or the judgement of the Court of Appeal in Julian Wood v The Secretary of State for Communities and Local Government, Gravesham Borough Council [2015] EWCA Civ 1519?

Q.112 What is the justification for the specific village boundaries as shown on the Policies Map?

Policy H2: Houses in multiple occupation

Q.113 Is the Policy justified in seeking to control houses in multiple occupation (HMO) within areas of high concentration of HMO, and requiring exemptions from achieving an Energy Performance Certificate "C" rating where that can't

be achieved, as defined in the Houses in Multiple Occupation SPD when that document does not form part of the development plan?

Q.114 What is the justification for HMOs achieving an Energy Performance Certificate "C" rating?

Policy H2A: Purpose built student accommodation

Q.115 Is the assessment of the accommodation needs for students undertaken for the Plan robust?

Q.116 Is the Plan positively prepared in terms of meeting the accommodation needs of students and would it be effective in meeting the identified housing need of students in the plan period?

Q.117 What is the justification for the policy requirement that need for additional student accommodation of the type and in the location proposed, should be evidenced by a formal agreement between the developer and a relevant education provider for the supply of bed spaces created by the development, and would it be effective?

Q.118 What is meant by 'the internal design, layout and size of accommodation and facilities are of an appropriate standard' in criterion b)vi?

Policy H7 – Housing accessibility

Q.119 Are the percentage requirements proposed for accessible housing provision for affordable and market housing justified?

Q.120 Given the findings of the Bath HMA Strategic Housing Market Assessment: Volume II is the application of the Policy as proposed to student housing justified? Is the proposed amendment to the Policy as set out in the Schedule of Errata necessary for soundness?

Policy LCR6: New and replacement sports and recreational facilities

Q.121 What is the justification for the requirement for a management plan to be submitted with an application for a new artificial grass pitch?

Policy ED1B: Change of use and redevelopment of office to residential use

Q.122 Is the requirement in part 1 relating to listed buildings consistent with national policy as set out in paragraphs 201 and 202 of the NPPF?

Policy ED2A: Strategic and other primary industrial estates

Q.123 What is the justification for continued retention of the identified areas as Strategic and Other Primary Industrial Sites?

Policy ED2B: Non-strategic industrial premises

Q.124 The protection of non-strategic industrial premises through Policy ED2B is proposed to be strengthened. What is the justification for this?

Policy ST1: Promoting sustainable travel and healthy streets

Q.125 Is the Policy justified in seeking that transport proposals align with relevant area-specific transport strategies, plans, policy documents, local guidance and the current adopted Joint Local Transport Plan, and the B&NES Transport and Development SPD, when these documents do not form part of the development plan?

Policy ST2: Sustainable transport routes

Q.126 What is the robust evidence for safeguarding of former railway land for sustainable transport purposes as per paragraph 106c of the NPPF?

Policy ST2A: Active Travel Routes

Q.127 Is the Policy justified in seeking appropriate enhancements to active travel routes in line with guidance set out in the Transport and Development SPD, when this document is not part of the development plan?

Policy ST3: Transport Infrastructure

Q.128 Is the requirement in part 5 of the Policy that schemes which propose increases in traffic capacity will also be required to incorporate commensurate improvements to the sustainable transport network justified and consistent with national policy for planning conditions and obligations as set out in paragraphs 56 and 57 of the NPPF, and Regulation 122(2) of the Community Infrastructure Levy Regulations 2010?

Policy ST7 Transport requirements for managing development

Q.129 Is the Policy justified in seeking schemes to accord with the Transport and Development SPD, such as in respect of parking standards, when this document is not part of the development plan?

Q.130 Is the proposed setting of parking standards through the Transport and Development SPD rather than this Plan consistent with national policy as set out in the NPPF?

Philip Lewis

INSPECTOR