

# **Bath Western Riverside Supplementary Planning Document Adopted March 2008**

## **Appendix A: Policy Review**

### **1 Introduction**

- 1.1 This document accompanies Bath Western Riverside Supplementary Planning Document. The purpose of this document is to set out the national, regional and local policies that have particular relevance to Bath Western Riverside and underpin the SPD.
- 1.2 Where reference is made to the Bath & North East Somerset Local Plan in this document, this relates to the adopted version of the plan (October 2007). Although the draft SPD was written prior to the publication of the Local Plan Inspector's report, the issues raised by the Inspector's report were taken into account as part of the consultation process. The schedule of amendments to the SPD agreed by Council Executive in October 2006 took account of the fact that modifications to the Local Plan were proposed and delegated authority was granted at this time to make the necessary amendments to the SPD in relation to modifications to the Local Plan. These amendments have now been completed as the Bath & North East Somerset Local Plan was adopted on 18<sup>th</sup> October 2007

### **2 National Policy**

#### *PPS1: Delivering Sustainable Development*

- 2.1 The regeneration and redevelopment of BWR is expected to deliver the key principles that PPS1 sets out, particularly those that facilitate and promote sustainable and inclusive development. In addition to this, PPS1 emphasises that good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. The Council considers that, in its World Heritage Site setting, good design needs to be at the heart of the redevelopment of BWR. PPS1 adds that good design should do the following:
- Address the connections between people and places by considering the needs of people to access jobs and key services;
  - Be integrated into the existing urban form and the natural and built environments;
  - Be an integral part of the processes for ensuring a successful, safe and inclusive City;
  - Create an environment where everyone can access and benefit from the full range of opportunities available to members of society; and
  - Consider the direct and indirect impacts on the natural environment.

2.2 The regeneration and redevelopment of BWR should also meet the key objectives for design and access policies as set out in PPS1, which require that developments:

- Are sustainable, durable and adaptable (including taking account of natural hazards such as flooding) and make efficient and prudent use of resources;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public spaces as part of developments) and support local facilities and transport networks;
- Respond to their local context and create or reinforce local distinctiveness;
- Create safe and accessible environments where crime and disorder or fear of crime does not undermine quality of life or community cohesion;
- Address the needs of all in society and are accessible, usable and easy to understand by them; and
- Are visually attractive as a result of good architecture and appropriate landscaping.

*PPS3: Housing*

2.3 PPS3 was published in November 2006. The Government's strategic housing policy objectives set out in PSS3 are as follows:

- To achieve a wide choice of high quality homes, both affordable and market housing to address the requirements of the community;
- To widen opportunities for home ownership and ensure high quality housing for those who cannot afford market housing, in particular those who are vulnerable or in need;
- To improve affordability across the housing market, including by increasing the supply of housing; and
- To create sustainable, inclusive, mixed communities in all areas, both urban and rural.

*PPS6: Planning for Town Centres*

2.4 BWR's proximity to the City Centre of Bath means that PPS6 is particularly relevant. Key objectives of PPS6 are as follows:

- Promote the vitality and viability of town centres by planning for the growth and development of existing centres;

- Promote and enhance existing centres, by focusing development in such centres and encouraging a wide range of services in a good environment, accessible to all;
- Enhance consumer choice by making provision for a range of shopping, leisure and local services, which allow genuine choice to meet the needs of the entire community, and particularly socially-excluded groups;
- Supporting efficient, competitive and innovative retail, tourism and other sectors, with improving productivity;
- Improving accessibility, ensuring that existing or new development is, or will be, accessible and well-served by a choice of means of transport;
- Promote social inclusion, ensuring that communities have access to a range of main town centre uses, and that deficiencies in provision in areas with poor access to facilities are remedied;
- Encourage investment to regenerate deprived areas, creating additional employment opportunities and an improved physical environment;
- Promote economic growth of regional, sub-regional and local economies;
- Deliver more sustainable patterns of development, ensuring that locations are fully exploited through high-density, mixed-use development and promoting sustainable transport choices, including reducing the need to travel and providing alternatives to car use;
- Promote high quality and inclusive design, improve the quality of the public realm and open spaces, protect and enhance the architectural and historic heritage of centres, provide a sense of place and a focus for the community and for civic activity and ensure that town centres provide an attractive, accessible and safe environment for businesses, shoppers and residents.

*PPS9: Biodiversity and Geological Conservation*

2.5 PPS9 contains the following objectives that are set out to specifically contribute to urban renaissance and are relevant to the redevelopment of BWR:

- Enhance biodiversity in green spaces and among developments so that they are used by wildlife and valued by people, recognising that healthy functional ecosystems can contribute to a better quality of life and to people's sense of well-being;
- Ensure that developments take account of the role and value of biodiversity in supporting economic diversification and contributing to a high quality environment.

*PPS10: Planning for Sustainable Waste Management*

- 2.6 As a significant redevelopment opportunity that has the potential to generate a considerable amount of waste, BWR needs to have regard to the following key objectives of PPS10:
- Communities are to take more responsibility for their own waste, and enable sufficient and timely provision of waste management facilities to meet their needs.
  - Ensure the design and layout of new development supports sustainable waste management.
- 2.7 PPS10 also sets out, as a decision making principle, that waste management should be considered alongside other spatial planning concerns, such as transport, housing, economic growth, natural resources and regeneration, recognising the positive contribution that waste management can make to the development of sustainable communities, and should be integrated effectively with other strategies including municipal waste management strategies.

*PPG13: Transport*

- 2.8 The main objective of PPG13 is to integrate planning and transportation in order to: promote more sustainable transport choices; promote accessibility to jobs, shopping, leisure and services by public transport, walking and cycling; and reduce the need to travel, especially by car. The redevelopment of BWR must embody this objective.

*PPG15: Planning and the Historic Environment*

- 2.9 PPG15 sets out the statutory duties and policy guidance in relation to the setting of listed buildings and Conservation Areas. PPG15 also confirms that World Heritage Site status is a material planning consideration. The location of BWR within the World Heritage Site, partly within the Bath Conservation Area and the presence of a number of listed buildings within BWR mean that the guidance in PPG15 is relevant.

*PPG17: Planning for Open Space, Sport and Recreation*

- 2.10 PPG17 sets out how open spaces, sport and recreation underpin people's quality of life, and how they can deliver the following broader Government objectives:
- Promotion of social inclusion and community cohesion – well planned and maintained open spaces and good quality sports and recreational facilities can play a major part in improving people's sense of well-being in the place they live. As a focal point for community activities, they can bring together members of deprived communities and provide opportunities for people for social interaction.

- Health and well-being – open spaces, sports and recreational facilities have a vital role to play in promoting healthy living and preventing illness, and in the social development of children of all ages through play, sporting activities and interaction with others.
- Promoting more sustainable development – by ensuring that open space, sports and recreational facilities are easily accessible by walking and cycling and that more heavily used or intensive sports and recreational facilities are planned for locations well served by public transport.

*PPS22: Renewable Energy*

2.11 PPS22 principally informs policies in local development documents, however, it advises that policies seeking renewable energy in developments:

- Should ensure that any requirement to generate on-site renewable energy is only applied to developments where the installation of renewable energy generation equipment is viable given the type of development proposed, its location, and design; and
- Should not be framed in such a way as to place an undue burden on developers.

*PPS23: Planning and Pollution Control*

2.12 PS23 deals with the issues of contaminated land and also air and water quality. All of these issues are relevant to BWR.

2.13 PPS23 states that, whilst the presence of contamination in land can present risks to human health and the environment, which might adversely affect or restrict the beneficial use of land, development presents an opportunity to deal with these risks successfully.

2.14 In terms of air quality, PPS23 states that applications for developments in areas where air quality is an issue should be supported by information to allow full consideration of the impact on the air quality of an area. PPS23 goes on to stress that development opportunities, however, should not be sterilised, and that mitigation measures should be explored, plus the role of developments in reducing the need to travel and encouraging more sustainable travel choices should also be recognised.

2.15 With regard to water quality, PPS23 sets out the complimentary role of planning and pollution control measures, including the key role of the Environment Agency.

*PPG24: Planning and Noise*

2.16 PPG24 sets out detailed guidance regarding the assessment of noise generating and noise sensitive development. In setting out guidance, in

the form of Noise Exposure Categories (NECs), for the assessment of development proposals for new dwellings in environments affected by existing noise sources, PPG24 sets out that the availability, or otherwise, of quieter sites is a consideration, but stresses that effective mitigation is essential.

*PPS25: Development and Flood Risk*

- 2.17 Planning Policy Statement 25 (PPS25) sets out Government policy on development and flood risk. Its aims are to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas of highest risk. Where new development is, exceptionally necessary in such areas, policy aims to make it safe, without increasing flood risk elsewhere, and, where possible, reducing flood risk overall.

3 Regional Policy Guidance for the South West (RPG10)

- 3.1 As part of the Development Plan, RPG10 provides a regional spatial strategy, sets out a broad development strategy for the period to 2016 and beyond, and provides the spatial framework for strategies and programmes. RPG10 promotes a sustainable development pattern, sets out a sequential approach to the location, and aims to minimise the need to develop on greenfield sites and to travel. The RPG concentrates growth at the Principal Urban Areas (PUAs), of which Bath is one.
- 3.2 In setting out principles for future development (Policy VIS2) RPG10 states that local planning authority policies should ensure that, within this sequential approach, land is used efficiently, with well designed development taking place at as high a density as possible commensurate with a good living and working environment, and should ensure good design and reduce parking requirements. These principles also require the conservation and enhancement of environmental assets and the promotion of good quality design, including good building design, quality landscape and urban spaces and a mixture of complementary uses.
- 3.3 Bath falls within the Northern sub-region where RPG10 (Policy SS3) aims to strengthen the role of PUAs and foster urban renaissance in order to achieve a more sustainable pattern of development; to encourage appropriate housing, employment, retail and social facilities in sustainable locations in order to reduce social exclusion; and to develop and improve sustainable urban and inter-urban transport networks.
- 3.4 RPG10 adds that new development in PUAs should be a positive force for change, and should facilitate regeneration and restructuring, particularly of pockets of disadvantage in urban areas or imbalances of housing and jobs and help provide a high quality urban environment.
- 3.5 RPG10 also sets out that existing land allocations should be reappraised where alternative uses would help create mixed and balanced

communities, particularly in centres with a buoyant economy and a high demand for housing. RPG10 states that this will help to provide significant opportunities to achieve urban renaissance and to maintain or develop a critical mass of residents to support services such as new or enhanced public transport provision.

- 3.6 Policy SS8 of RPG10 deals specifically with Bath. The supporting text to Policy SS8 describes Bath as an important regional centre, and stating that it has a vibrant economy that it fulfils an important role as a business, cultural and shopping centre. The World Heritage Site designation is also recognised. It goes on to state that a balance needs to be struck between preserving and enhancing Bath's unique architectural, historic and landscape quality and encouraging and accommodating sustainable development. In order to achieve this, and to achieve wider urban renaissance objectives and a high quality of design and living, RPG stresses that, in this area of national and international importance, optimum use needs to be made of any opportunities for residential and mixed use development.
- 3.7 RPG10 adds that it will also be important to maintain a broad economic base and identify an adequate range of employment sites, and that car-based traffic needs to be reduced as it currently detracts from the unique environment of Bath.
- 3.8 These regional objectives, and the role that Bath as a PUA has to play, form the context to the regeneration and redevelopment of BWR.
- 3.9 The Regional Spatial Strategy for the South West will replace RPG10 on its adoption.

#### 4 Joint Replacement Structure Plan

- 4.1 Policies from the Joint Replacement Structure Plan (JRSP), which was adopted in September 2002, have been "saved" under the Local Development Framework of Bath & North East Somerset Council. Together with RPG10, the JRSP provides part of the policy underpinning this SPD.
- 4.2 Policy 6 of the JRSP and the supporting text are specific to Bath. Para 2.57 of the JRSP states that opportunities for regeneration and for maintaining and creating mixes of uses that reinforce the historic character and sustainability of Bath will be realised, particularly within and adjacent to the City Centre, but that these should not displace traditional patterns of development or generate large increases in traffic. The JRSP goes on to say that the redevelopment of former employment sites such as Western Riverside will be important in achieving a mix of residential, employment and other uses which will help meet the job requirements of the surrounding sub-region and the rising demand for new housing.
- 4.3 The JRSP states that the precise mix of uses and the scale and form of development will be determined in the Local Plan. This is a key role of the

SPD Spatial Masterplan, in amplifying the requirements of Policy GDS.1 of the Bath & North East Somerset Local Plan.

5 Bath & North East Somerset Local Plan

- 5.1 Bath Western Riverside is allocated as a site for redevelopment by virtue of Policy GDS1 (Site B1) of the Bath & North East Somerset Local Plan.
- 5.2 The Bath & North East Somerset Local Plan is a District-wide Local Plan that sets out the Council's planning policies and proposals up to 2011. The Bath & North East Somerset Local Plan was adopted on 18<sup>th</sup> October 2007.
- 5.3 Policy GDS1 sets out the following general requirements for all sites allocated for development:
- Public transport services and infrastructure provision where current levels are insufficient to meet needs of site (Policy T24).
  - Satisfactory safe access (Policy T24).
  - To facilitate ease of movement, and improve access to surrounding facilities and services, developments should be integrated and well connected to their surroundings. A choice of pedestrian, cycle and vehicular routes should be provided which create safe, secure and attractive environments (Policy D2).
  - Building design to maximise energy conservation (Policy ES2).
  - Sensitive building design and layout with appropriate landscape design and planting that responds to the physical context of the development (Policy D4).
  - Taking account of archaeological and nature conservation interests on or near the site (Policies BH11-13 and NE6-12).
- 5.4 Policy GDS1 also sets out the following requirements for all sites involving residential development:
- Provision of new and/or contribution towards proposed or existing educational, community and recreational facilities including outdoor sports field and children's playing space (Policies CF2, SR3 & SR6) at a level directly related in scale and kind to the need generated by site.
  - Provision of affordable homes in line with Policy HG8 and site thresholds set in the Reasoned Justification. Provision should be integrated with general needs housing in such a way that it secures a mix of dwelling size, type and affordability avoiding concentration of only affordable housing.
  - The site specific development requirements set out in Policy GDS1 that relate to BWR, as Site B1 of Policy GDS.1, are dealt with in more detail within the main SPD document.
- 5.5 Other Key Local Plan policies: D.2, D.4, BH.1, BH.2, BH.6

*Bath Western Riverside Supplementary Planning Guidance*

- 5.5 The existing Supplementary Planning Guidance for BWR was adopted in July 2003. The SPG provides a brief for the masterplanning exercise that has resulted in the draft SPD. The BWR SPD replaces the BWR SPG.

*Statement of Community Involvement*

- 5.6 The Council has now adopted the statutory Statement of Community Involvement and this sets out clear guidance on how the Council will consult the community in the determination of planning applications.

6 World Heritage Management Plan

- 6.1 The Management Plan provides a framework to conserve and sustain the outstanding universal values of the City of Bath World Heritage Site. The Plan sets out why Bath is a World Heritage Site and highlights the main issues facing the city's management as a World Heritage Site.

- 6.2 The Plan also sets out a number of objectives covering these issues, including development and managing change, which forms the main framework for approaching development within the World Heritage Site. Two of the key objectives (though not all relevant to development) are:

6.3 Objective 11

The Local Authority and other agencies involved in the management of the World Heritage Site should not permit any development that would be detrimental to the World Heritage Site and its setting, and developers should prepare high quality development schemes, taking into account the values of the World Heritage Site and the ability of the Site to accommodate change.

6.4 Objective 12

Contemporary architecture of outstanding quality should be encouraged where appropriate, to enhance the values of the World Heritage Site and all new development should be integrated into the existing character of the location, considering and understanding the values of the wider World Heritage Site, and enhancing the presentation and use of the public realm.