



FoBRA comments on Local Plan Options Consultation document November 2018

General

There are some encouraging signs that issues about student housing, HMOs, short-term lettings and hotel growth are recognised, but FoBRA believes the policy response generally is uneven and still inclines to accommodate the market rather than determining what is in the balanced interests of the city and its residents. The proposed overall approach is too strongly market driven, while noting the acute housing shortages and other stresses this causes. The continuing reduction of local authority funding no doubt contributes to this disappointing response.

Vision Statement

As discussed with Planning Officers on 20 November it was surprising to note that the document contains Vision statements for Keynsham (p59), North Keynsham (p71) and Somer Valley (p118), but there is no Vision for Bath, the most important urban centre in B&NES and a World Heritage Site. While this may not have been an oversight, and we were re-assured that the new Local Plan would indeed include an appropriate vision statement, we still believe that even the draft document should include one.

The Core Strategy and the PMP include what is called a Vision for Bath (para 10 of the consolidated PMP, July 2017 (copy at Annex)). However, this is less a vision statement than a series of policies comprising the Spatial Strategy, and it also makes no mention of transport as a key enabler of an improved public realm. We suggest a Vision statement on the following lines:

Vision for Bath

Bath's natural, historic and cultural assets, which combine to create a unique sense of place of international significance, will be conserved and enhanced to maintain the city's key competitive advantage and unique selling point as a high quality environment, to live, grow a business, visit and invest.

Bath will be a beautiful city in a green setting, with vibrant public spaces, a historic centre free of all but essential traffic, clean air, good mobility and excellent transport infrastructure.

4.3 Housing Provision

4.3.3 Key Challenges.

FoBRA agrees that there is a need to bring forward a suitable mix of housing types and sizes but would propose that the Local Authority introduces more robust policies within the Local Plan to encourage developers to adhere more closely to the MHCLG optional regulations and space standards. While it is accepted that the policy must be based on

evidence of local need and that viability is not compromised, Bath surely has this evidence, and viability must always be challenged assiduously. The introduction of stricter guidelines for room space standards similar to Parker Morris, as is achieved for example in London, Bristol and Southampton, should deter developers from building rabbit hutches. Although it is recognised that space standards are driven by central government, Local Authorities can strengthen these to suit. It defies logic that developers of affordable housing have to adhere to space standards but market housing does not.

The JSP requires 300 extra dwellings to be created in Bath. FoBRA's position, supported by the 2018 Visitor Accommodation Study, is that over 1000 properties have already been given over to short-term lets, which surely dwarfs the increase in dwellings that is required. However, Para 4.3.2 also acknowledges, without seeking to quantify it, that growth in HMOs and Short Term Lets is placing increased pressure on the housing stock. Para 4.3.3 which highlights the challenge of how to manage the growth in the use of dwellings as Short Term Lets, is a step forward, but is too weak: The Local Plan should emphasise stopping this growth or rolling it back rather than simply managing it.

Universities and Student Accommodation

4.4 University Growth & Student Accommodation

4.4.1 The current policy which seeks to steer additional student bed spaces to university campuses is patently not working.

4.4.2 It is agreed that the ongoing demand for HMOs is due to the fact that they generally provide cheaper accommodation than PBSA. It is also due to the fact that PBSA provision has not matched university expansion.

4.4.3 FoBRA agrees that a clear strategy is needed to accommodate university growth and has been calling - in vain - for a Student Housing Policy for years, if not decades.

4.4 Houses in Multiple Occupation (HMOs)

4.4.1 The B&NES HMO SPD is not fit for purpose in that the 10% threshold is flawed, being based on Census Output Areas rather than say a circle of 100m radius centred on an HMO application site. This has been the subject of inconclusive separate meetings and correspondence with the Cabinet Member for Development and Planning Department officers.

4.4.2 FoBRA welcomes additional HMO licensing from January 2019.

4.7 (and 4.15) - Visitor Accommodation

This understates the adverse impact of the rapid growth of short-term lettings, including large 'party' or 'group' houses. As FoBRA understands it, some 1000 properties in Bath are now operating as short-term rentals, which means that they have been removed from the domestic renting market. Thus has at least two important effects:

- It is far more difficult for B&NES to achieve its aim of increasing long-term housing availability. Para 4.3.3 states that the JSP calls for 300 additional homes to be provided in the city, but the Council is already starting 1000 down.
- The lack of housing in the city has a direct effect on transport. People who work in Bath but are unable to find accommodation in the city add to the already high levels of commuting, adding to the traffic congestion and air pollution in Bath.

Therefore, FoBRA believes that the Council needs to take a more robust approach and proposes:

para 4.7.2 second bullet, amend as follows:

- There has been rapid growth in the short-term letting of residential properties, which has reduced the existing housing stock. The shortage of accommodation for people working in Bath also adds to the already high levels of commuting, exacerbating the severe problems of traffic congestion and air pollution in Bath.

para 4.7.2 third bullet, amend as follows:

- Short-stay bookings through various booking platforms such as Air B&B are impacting on traditional B&B/Guest House sector and some short term let properties (particularly 'group houses') are causing issues including noise and nuisance to the neighbouring properties.

There really is no question that some of these party houses cause disturbance to the neighbouring residents.

para 4.7.3 third bullet, amend as follows:

- Control the number of short term residential letting properties. In the case of 'group houses', use planning control to close down properties that are established as being operated in contravention of residential (C3) use.

The Council has recently ordered one such property in Greenway Lane to close, based on evidence of the abuse of residential use.

Transport

Purpose and Scope of the Options Document

1.3.4, p5. This states that B&NES Council will be consulting on options for transport routes associated with the Strategic Development Locations; transport improvements related to the Somer Valley Enterprise Zone; and improvements to Keynsham High Street. The Bath Transport Strategy has yet to be implemented; why is there no reference to consultation on implementing the Bath Transport Strategy?

Proposed amendment: add at end of second sentence: "and the implementation of the Bath Transport Strategy."

FoBRA notes that there is detailed discussion of road and transport options for these the strategic location of Keynsham, Woodstock and the Somer Valley but, disappointingly, none for Bath.

Paragraph 4.8, p31. This fails to capture the scope of the current policy for transport in Bath, as set out in the adopted Core Strategy and supporting documents:

B&NES Core Strategy, 2014, page 51 paragraph 2.17b

"The intention is that *the centre should be predominantly car-free* by the end of the period covered by the Core Strategy, 2029."

Bath Transport Plan, 2014 – Vision statement

"Bath will enhance its unique status by adopting measures that promote sustainable transport and *reduce the intrusion of vehicles, particularly in the historic core*. This will enable more economic activity and growth, while enhancing its special character and environment and improving the quality of life for local people".

B&NES Placemaking Plan, 2017, page 26, paragraph 82

"The delivery of the [Bath transport] strategy is essential to enable the city to meet its growth objectives and to improve the quality of life within the city. Its delivery will work towards the creation of *a city centre that is free of all but essential traffic*, and which provides an environment that is attractive for businesses and visitors on which the city's economy relies, as well as for those who live and work in Bath".

B&NES Public Realm and Movement Strategy (PRMS), 2010, p4

"The strategy puts forward a series of measures to *address traffic movement within and around the centre of the city* in order to establish a network of beautiful new and reclaimed public spaces [and] successful streets."

If these statements no longer represent B&NES Council's policy, that would represent a major change to the current adopted Core Strategy, which should be made clear and the Council's reasons for proposing to change the strategy fully explained and justified. On the assumption, however, that Council policy on transport in Bath remains unchanged, we propose that the Local Plan should include a policy in the Sustainable Transport series drawing together these references, on the following lines:

BTH/ST Transport policy for Bath

Policy approach: To create a city centre free of all but essential traffic, which provides an environment that is attractive for the businesses and visitors on which the city's economy relies, as well as for those who live and work in Bath. Good access will be maintained by sustainable alternatives to the private car including improved facilities for walking and cycling, improved public transport and expanded and improved park-and-ride. The Bath Transport Strategy will be implemented, which will in turn enable the full implementation of the Bath Public Realm and Movement Strategy.

Paragraph 4.8.1 quotes selectively from the Bath Transport Strategy, omitting its main aim, and fails completely to capture the aspiration set out in adopted Council policies radically to reduce traffic in Bath and transform the city centre. Amend on the following lines:

"4.8.1 Current Policy:

- Our aim is to create a city centre that is free of all but essential traffic.
- This will be accomplished by implementing the Bath Transport Strategy, which in turn will enable the full implementation of the Bath Public Realm and Movement Strategy. The Bath Transport Strategy sets out a range of measures, including:
 - A walking/cycling strategy to make Bath the UK's most walkable city.
 - Improved accessibility for people with mobility impairments.
 - A parking strategy to support economic growth but at the same time reducing the amount of off-street spaces within the city centre.
 - A traffic management plan for the city.
 - More use of public transport to reduce the number of cars entering the city, including expanded and improved Park and Ride provision.
 - Better management of Heavy Goods Vehicles within the city.
- In parallel we will implement the Clean Air Plan for Bath."

Paragraph 4.8.3 Amend to read as follows:

"4.8.3 Key challenges:

- To implement the Bath Transport Strategy and reduce traffic in Bath, particularly in the historic core, while maintaining good connectivity and access for residents, businesses, people working in Bath, and visitors.
- To improve air quality.
- To undertake transport and access improvements and major capital infrastructure projects to facilitate growth in housing numbers and jobs, while minimising the adverse effect of traffic.
- To balance the need for new development with minimising traffic congestion and making places more accessible by sustainable modes of transport.

- To deliver phased expansion of the existing Park and Ride sites and new Park and Ride provision, firstly to the east of the city.
- To manage parking provision within the city. The PMP set parking standards for various uses but the standards for Residential, Purpose Built Student Accommodation and Houses in Multiple Occupation need to be reviewed. (Please see Chapter 8)
- The JSP requires the Local Plan to identify and allocate strategic development sites in North Keynsham and Whitchurch, an additional 300 homes in Bath, plus non-strategic sites to accommodate around 700 homes. The transport implications for the city will be carefully considered in assessing potential development sites."

paragraph 4.10.2 Add to start of list of key priorities:

- Reduce the volume of traffic, especially in the historic core.

4.15 Visitor Accommodation

While paragraph 4.7.3 also recognises that hotels aggravate the scarcity of land in the city. Para 4.15.2 suggests that the allocation of city centre sites for development for other higher priority uses such as residential and offices is a means by which further city centre hotel development can be managed. Policy BTH 3 (p35) proposes not to specify hotel bedroom growth targets in the Local Plan policy and not to identify or allocate sites for further hotel development. This is good in principle, but the hotel business is assiduous in seeking out sites and pursuing their development vigorously. There is no consideration of the fundamental question, how many visitors do we actually want, and do we wish to place a limit on the quantity of visitor accommodation?

4.15.1 states there is no short-term need for further hotel development but then refers to the Visitor Accommodation Study that says there is likely to be some limited 'market' capacity for budget hotels after 2021. 2021 is 'short-term' in FoBRA's view. This study also reflects the impact of recent hotel development on the existing Guest House businesses, not to mention AirBnBs, so is there truly a need for more budget hotels?

4.16 Bath's Universities

4.16.2 FoBRA agrees that further PBSAs should only be allowed on campus and should be affordable. It is generally accepted that communities become unbalanced when either HMOs represent 10% of households in the immediate area (e.g. within 100m) OR occupants of HMOs and/or PBSAs represent 20% of the local population. As such, PBSA (including existing) should certainly be included in the HMO cap (10% proportion) referred to.

FoBRA strongly agrees that a condition of permitting further university academic/research space must be that additional student accommodation is provided on-campus. An unsuccessful attempt to achieve this was made by FoBRA with the recent major planning application for the new University of Bath School of Management.

All further demand for student accommodation in Bath should be met by the universities on-campus. It is noted from Diagram 12 (p.45) that the University of Bath proposes to build between 744 and 930 additional campus bed spaces over the plan period while from Table 1 (p.40) it can be deduced that it expects student numbers to increase by more than this number. Increases in student numbers in any one year should be capped to the number of additional campus bedspaces provided beyond the current provision. The daily transportation of thousands of students from the city to the university campuses and back contributes very significantly to Bath's pollution and congestion problems.

FoBRA agrees that there should be no further release of Green Belt land.

4.16.4 Table 1 should be expanded to show the individual contributions to bedspace demand made by each of Bath's two universities. FoBRA notes that 124 student HMOs could be needed by 2025 if no further PBSAs are built and (from Table 1) that this number

would increase to 264 by the end of the plan period (but see 4.16.6 below). This simply emphasises the need to ensure that further university expansion is matched by the provision of new campus accommodation in parallel.

4.16.5 FoBRA is unaware of any recent 'Topic Paper on the Universities' and requests a copy.

4.16.6 FoBRA notes that UoB is forecasting up to 1.0% growth per annum beyond 2022/23 yet the draft Local Plan assumes that numbers are maintained at the 2022/23 level through to the end of the plan period. Based on previous actual vs forecast historical UoB student numbers, FoBRA strongly suggests that the Local Plan assumes the higher growth rate of 1.0% during this period. This would very significantly change the assumed 'Cumulative additional bedspaces needed from the 2018/19 baseline' (Table 1) from 1,054 to 3,422 or, in terms of HMO demand, from 264 to 855.

4.16.10 FoBRA is pleased to note that 'there may be sufficient capacity on the Claverton Campus to accommodate forecast further growth for both academic space and student accommodation'. As stated above, planning permission for future academic space must be conditional on providing campus accommodation for all additional student numbers in any given year. UoB Masterplans have traditionally been very much a snapshot of the maximum that might be built rather than what will be built. For example, the extant UoB Masterplan includes up to 2,500 bedspaces, of which only 1,000 have materialised to date.

4.16.12 As discussed above, fewer PBSAs are planned for the UoB Claverton Campus (between 744 and 930) than the projected increase in student numbers assuming zero UoB growth beyond 2022/23. If a more realistic 1% p.a. growth is assumed (as discussed above), this shortfall could be as high as 3,422 bedspaces by the end of the Plan period. It is therefore highly unlikely that enough additional PBSAs will be built on the Claverton campus to 'free-up' accommodation for occupation by BSU students as suggested.

4.16.13 For the reasons given above, FoBRA strongly agrees that it would be appropriate, indeed essential, to '*prioritise new student accommodation development on campus, rather than making provision elsewhere in the city*', as suggested here.

4.16.14 FoBRA strongly agrees with the statement that: '*where this would lead to increased numbers of students it is proposed that an application for new academic/teaching space must be supported by the provision of additional equivalent student accommodation on campus*'.

BTH4 Proposed Policy Options for student accommodation and University and academic & research space. For the reasons discussed above, FoBRA proposes that Option 3 should be deleted, and prefers Option 1 over Option 2.

4.17 Affordable Student Accommodation

FoBRA agrees with BTH5 Proposed Policy approach for affordable purpose built student accommodation. For the reasons given above, all such accommodation should be provided on campus.

4.18 Large-scale purpose-built shared living

The B&NES HMO SPD is not fit for purpose in that the 10% threshold is flawed, being based on Census Output Areas rather than say a circle of 100m radius centred on an HMO application site. Neither does it take into consideration the effect of nearby PBSA. FoBRA agrees with BTH6 Proposed policy approach: for large-scale purpose-built shared living.

4.19 University of Bath

4.19.4 FoBRA is broadly in agreement with Diagram 12 which indicates potential campus development areas. It particularly endorses the concept of decked parking (which it has long called for) and potential development areas being generally sited away from

neighbouring residential areas. However, the decked car park planned just north of The Avenue (centre of Diagram 12) will need to be carefully designed to minimise the effects of noise, light and pollution on residences to the south.

4.19.6 FoBRA considers that a definition of the 'appropriate capacity of the campus' is well overdue, not only in respect of the continued pressure on the Green Belt and Cotswolds AONB, but also in terms of the effect on pollution and traffic congestion of daily transporting thousands of students between city and campus, and the effect on Bath's housing availability, particularly demand for HMOs and PBSAs. This 'appropriate capacity' should be set urgently, and before UoB's upper forecast of long-term 1.0% p.a. growth (para.4.16.6) is agreed. Subject to these comments, FoBRA agrees with BTH7 Proposed policy approach for Bath University Claverton campus and considers itself to be one of the 'key stakeholders' referred to in this paragraph.

4.20 Bath Spa University

4.20.2/3 FoBRA agrees with the aspiration of consolidation, as far as possible, of BSU's existing estate onto its Newton Park campus to encourage more sustainable patterns of transport and allowing the possible release of other sites in the city for alternative uses. However, FoBRA does not support the suggestion that the campus should be removed from the Green Belt and therefore supports only Option 1 of BTH8 Policy Options for Bath Spa University Newton Park Campus.

4.21.1 Amend as follows:

"4.21.1 The Core Strategy and the Bath Transport Strategy emphasise the need to reduce traffic volumes, especially in the city centre. This will require reducing car dependency and promoting alternative, sustainable, modes of transport in order to make places more accessible and help create healthier environments for all. This is also necessary in order to mitigate and manage the transport implications of accommodating additional economic growth and housing in the City, as well as improving air quality."

4.21.2 Add at end:

"..., although the impact of the CAZ on congestion will dissipate rapidly as all but a few of the vehicles on the road become compliant."

4.21.3 Amend as follows:

"4.21.3 The B&NES Parking Strategy recognises that setting appropriate levels of parking provides an important policy control on the volume of traffic entering the city. The Bath Transport Strategy calls for reduced off-street public parking capacity in central areas. Parking control will be used to limit traffic generated by new development in the city, particularly those acting as trip attractors, in order to discourage additional vehicle trips being made into the congested central area."

8.6 Regeneration of Social Housing

The surrounding explanation to Development Management Policy DM4 titled 'Proposed Policy approach options for the regeneration of Social Housing' suggests that the Council proposes a tightening up of the existing policy to protect social housing from being lost through the argument of lack of viability. However, while Option 1 states:

'Where the redevelopment /regeneration of areas of social housing is supported it is required that there will be no net loss of affordable housing subject to social balance considerations.'

Option 2 concludes '...social balance and viability considerations. The consideration of viability must take into account the cost of repairing or refurbishment of the existing properties.'

It seems, therefore, that Option 2 would fail to achieve the objective of tightening up the policy. As it states in para 8.6.5 (see below), the revised NPPF promotes an approach of viability being tested at the plan-making stage to ensure Local Plan policies are deliverable – so viability should not need to be tested in determining individual planning applications. **‘This would suggest that the Local Plan Policy itself should not explicitly reference viability testing.’**

FoBRA therefore concludes that Option 1 should be chosen.

R G Kerr, Chairman

Final, 5th Jan 19

"The Vision (see para 2 of these comments)

What the spatial strategy is seeking to achieve:

Bath's natural, historic and cultural assets, which combine to create a unique sense of place of international significance, will be conserved and enhanced to maintain the city's key competitive advantage and unique selling point as a high quality environment, to live, grow a business, visit and invest.

The scope further to improve Bath's environmental quality will form the foundation of efforts to boost the city's profile as a more competitive and economic centre. The realisation of a range of development opportunities within the Central Area and Enterprise Area will greatly improve the city aesthetically and also enable Bath to position itself as a more entrepreneurial, innovative, creative and business friendly place. Economic development and productivity will therefore be stimulated and facilitated, whilst simultaneously upgrading inherited townscape.

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 introduced, alongside measures to mitigate and adapt to climate change and to pursue a reduced carbon economy, The delivery of new housing is a vital component of the vision and will help to create a sustainable relationship between the city's labour and job markets and support Bath's economic potential.

The need for more housing will enable the regeneration of many areas within the city. Where development is needed on the edge of Bath it will be positioned, master planned and designed to sustain the 'significance' of Bath's heritage assets and the integrity of its landscape setting. Parallel investment in public transport infrastructure and walking and cycling routes will keep the city moving and enable more sustainable travel choices to be made.

Bath's already strong identity as a therapeutic place will be enhanced by boosting its performance as an enjoyable city for leisure, recreation and shopping with a vivacious cultural scene and a highly valued green infrastructure network."