Bath & North East Somerset Council

Improving People's Lives

Pre-submission Draft Local Plan (Regulation 19)

Chapter 6 – Development Management Policies

Local Plan 2025-2043

Chapter 6 Development Management Policies

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Development Management Policies

Introduction

6.1 Development Management policies set out local standards and criteria against which planning applications for the development and use of land and buildings are assessed.

6.2 Development Management policies must conform with national planning policy contained in the NPPF and the technical planning practice guidance which supports it. For the purposes of plan-making the Local Plan has been prepared under transitional arrangements and the December 2024 NPPF. The government published a revised version of the NPPF on 17th August 2026. The revised NPPF sets out both plan-making policies (which do not apply to the preparation of this Local Plan) and decision-making policies. Whilst the national decision-making policies (NDMPs) set out in the NPPF do not have statutory Development Plan status the NPPF makes it clear that any Local Plan policies, or parts of policies, that are “materially inconsistent” with the NDMPs should be given very limited weight in determining planning applications

6.3 The Council updated some Development Management policies through the adoption of the Local Plan Partial Update. A number of these policies are therefore considered up to date, and are not proposed to be amended in this Local Plan. A table listing saved policies is set out at Appendix 3.

6.4 The Development Management policies and the place and site-specific policies should be read together, as they form a single policy framework. Each allocated site has a specific policy setting out its development requirements. In addition, all relevant district-wide policies apply to allocated sites, including, but not limited to, those relating to sustainable construction, biodiversity net gain, affordable housing and sustainable transport.

Responding to Climate Change

Renewable and Low Carbon Energy

6.5 Increasing renewable and low carbon energy capacity within B&NES supports the transition to a net zero future, contributes towards national climate objectives and helps deliver the Council's Climate Emergency commitment.

6.6 The NPPF is clear that planning policies should support the transition to a low carbon future and should not require applicants to demonstrate the overall need for renewable or low carbon energy development. Substantial weight should be given to the benefits of renewable and low carbon energy generation, including its contribution to reducing greenhouse gas emissions, improving energy resilience and supporting local and national climate objectives.

6.7 Renewable and low carbon energy proposals should be assessed through a criteria-based approach, taking account of all relevant Development Plan policies and statutory considerations. Depending on the nature, scale and location of development, relevant considerations may include impacts on biodiversity and ecological networks, landscape character and visual amenity, heritage assets and their settings, residential amenity, and infrastructure constraints such as aviation safeguarding and telecommunications.

6.8 Community-led renewable energy schemes can play an important role in supporting local participation in the transition to net zero and may deliver wider social, economic and environmental benefits. The Council supports community involvement in renewable energy initiatives and proposals will be considered against the relevant provisions of this policy and other policies of the Local Plan.

6.9 Renewable energy proposals exceeding the nationally significant infrastructure thresholds will be determined in accordance with the Planning Act 2008 and relevant National Policy Statements. Whilst such proposals fall outside the scope of this policy, they will be informed by the Local Plan's objectives and evidence base.

Renewable Energy Resource Assessment and Landscape Evidence

6.10 The renewable energy approach set out in this Plan is informed by the Renewable Energy Resource Assessment Study (RERAS), prepared jointly with the West of England authorities. The study provides a technical assessment of the potential for renewable energy technologies across B&NES, taking account of environmental designations, landscape sensitivity, technical constraints and infrastructure considerations.

6.11 The RERAS presents a range of indicative scenarios showing how different technologies could contribute towards meeting future energy demand. These scenarios are illustrative rather than targets and recognise that technologies, delivery mechanisms and the evidence base will continue to evolve over the Plan period.

6.12 The Council will seek to maximise renewable and low carbon energy generation across the District. The scale and mix of provision will be informed by the latest available renewable energy resource assessment and other relevant evidence and will be monitored over the Plan period. The 300MW figure identified through the Council's earlier Climate Emergency evidence provides a reference point for this ambition rather than a fixed policy target and may be updated as technologies, energy demand and the evidence base evolve.

6.13 The Local Plan also adopts a landscape-led approach to renewable energy development, informed by the Landscape Sensitivity Assessment (LSA) for Renewable Energy prepared by LUC. The LSA assesses the capacity of different landscape character types and areas to accommodate wind energy and ground-mounted solar photovoltaic development of varying scales based on their sensitivity to change.

6.14 The LSA identifies broad areas of landscape potential and provides guidance on where renewable energy development is more or less likely to be accommodated without unacceptable effects on landscape character. It does not determine planning outcomes, but provides an important evidence-based framework to inform decision-making alongside other environmental, technical and site-specific considerations. The identification of areas of landscape

potential does not preclude proposals coming forward elsewhere in the District where it can be demonstrated that impacts can be satisfactorily addressed.

Wind Energy

6.15 The RERAS indicates that opportunities for large-scale wind energy development within B&NES are relatively limited due to landscape and environmental constraints. To support delivery and protect this limited resource, the Local Plan identifies safeguarded areas representing the most technically viable locations for wind energy development.

6.16 The purpose of safeguarding is to avoid the sterilisation of key wind energy resources and to provide clarity on locations where wind energy potential warrants further consideration. Safeguarded areas and broader areas of search indicate potential suitability only and do not imply that planning permission will be granted.

6.17 Within safeguarded areas, proposals employing different turbine scales may be appropriate where they respond positively to local landscape character and site context. The safeguarded areas are not intended to prescribe a particular turbine typology or development form.

6.18 In line with national policy, wind energy proposals may also come forward outside safeguarded areas where applicants can demonstrate that the proposed location meets the criteria used to identify suitable areas and that impacts can be satisfactorily addressed.

Solar Energy

6.19 The RERAS identifies that the solar resource is widely distributed across B&NES. Consequently, the Local Plan does not identify safeguarded areas for solar photovoltaic development.

6.20 Proposals for ground-mounted solar energy development should be informed by landscape sensitivity and capacity, agricultural land quality, biodiversity considerations, opportunities for continued land use such as grazing, and cumulative or localised impacts. The absence of safeguarded areas for solar

development does not preclude proposals from coming forward in any part of the District, subject to compliance with the policies of the Development Plan.

Policy 6.1: Renewable and Low Carbon Energy

1. General principles

In determining proposals, substantial weight will be given to the benefits of renewable and low carbon energy generation, including its contribution to reducing greenhouse gas emissions, improving energy resilience and supporting national and local climate objectives.

Applicants will not be required to demonstrate the overall need for renewable or low carbon energy.

2. All renewable and low carbon energy proposals

Proposals for all types and scales of renewable and low carbon energy development will be supported where they:

a. are appropriately located, designed and scaled in relation to their surroundings;
b. avoid, minimise or satisfactorily mitigate significant adverse impacts, having regard to:
c. Landscape character and visual amenity, including cumulative effects;
d. biodiversity, ecological networks and designated sites;
e. the historic environment, including heritage assets and their settings;
f. residential amenity, including noise, vibration, shadow flicker, glint and glare;
g. aviation, transport, telecommunications and other infrastructure constraints;
h. take opportunities, where feasible, to:
i. co-locate energy generation with energy use;
j. support decentralised energy supply systems;
k. incorporate energy storage;
l. provide for decommissioning, removal and site restoration at the end of the operational life of the development;

3. Wind energy

Wind energy development proposals will be supported where they meet the criteria in Part 2 and where:

a. they are located within areas identified as potentially suitable for wind energy development through the Renewable Energy Resource Assessment Study (RERAS) and informed by the Landscape Sensitivity Assessment (LSA); or
b. where located outside these areas, it can be demonstrated that the proposed location meets the criteria used to identify suitable areas and that landscape and other impacts can be satisfactorily mitigated, in line with national policy.

Safeguarded areas identified in the Local Plan indicate locations where wind energy potential is most technically viable and where this resource should not be

compromised by other forms of development. The identification of safeguarded areas does not allocate land for development nor imply that planning permission will be granted.

4. Solar energy

Proposals for solar energy development, including ground-mounted and building-mounted installations, will be supported where they meet the criteria in Part 2.

Ground-mounted solar energy proposals will be supported where they:

a. are located in areas with greater capacity to accommodate development, having regard to landscape sensitivity;
b. avoid significant harm to the best and most versatile agricultural land unless the sustainability benefits of the proposal clearly outweigh the loss;
c. maintain, and where possible enhance, biodiversity, soils and ecological connectivity;
d. allow for continued land use where appropriate, such as grazing.

The absence of area safeguarding for solar energy does not preclude proposals coming forward in any part of the District, subject to the criteria-based assessment set out in this policy.

5. Energy storage and balancing infrastructure

Proposals for energy storage and balancing infrastructure will be supported where they facilitate the effective integration, reliability and resilience of renewable and low carbon energy generation, including co-located and standalone facilities.

For renewable energy proposals over 1MW, applicants will be expected to demonstrate that opportunities for co-located energy storage have been considered, or to provide clear justification where this is not feasible or viable.

Energy storage and balancing proposals must be appropriately located and designed, having regard to landscape character, residential amenity, biodiversity, heritage assets, infrastructure constraints and safety considerations, including fire risk where relevant.

Balancing or generation plant that would materially increase carbon emissions, including development reliant on the direct combustion of fossil fuels, will not be supported unless it can be demonstrated that:

a. the development is temporary in nature;
b. it is required to address defined, short-term energy resilience needs; and
c. there is a clear and secured pathway for removal and site restoration.

Where biomass or fuel-based energy generation is proposed, applicants must robustly demonstrate that feedstocks will be sourced sustainably and that the proposal is consistent with climate change mitigation objectives.

Climate Adaptation and Resilience

6.21 The impact of climate change is already becoming apparent across the UK and the climate we experience at present will differ significantly from that of the future.

6.22 In general, the climate change impacts that are expected in the UK are:

- Warmer, wetter winters
- Hotter, drier summers
- Rising sea levels
- More extreme weather events

6.23 These impacts give rise to a number of hazards including, but not limited to, extreme high temperatures, drought and water stress, flood events, subsidence and soil erosion; and a number of associated risks including impacts to human health, damage and degradation to the built and natural environment, increased building energy and maintenance costs and interruption to utility services.

6.24 The effects of climate change will not be uniform; different areas will experience different impacts, and communities will have varying levels of vulnerability and need. Development in some areas may exacerbate climate change risks in the surrounding area or elsewhere in the region. For example, buildings that rely heavily on active cooling systems can contribute to urban heat island effects by releasing heat into the surrounding environment, increasing temperatures for neighbouring areas.

6.25 This policy therefore seeks to ensure that development is resilient to its impacts, while also supporting the protection and enhancement of the natural environment. It requires climate adaptation to be embedded from the earliest stages of the design process, with climate resilience demonstrably informing decisions on site location and layout, building design (including flexibility and adaptability), connectivity, water management (including flood risk and water scarcity), and the provision and long-term maintenance of supporting infrastructure and open space, with nature-based solutions used wherever possible. Together, these measures aim to deliver developments that provide

year-round comfort, support occupant wellbeing, and are designed to cope with the effects of climate change both now and over their lifetime.

6.26 All development should undertake a climate risk assessment that is proportionate to the scale of development, excluding householder applications. The assessment should form part of the overall Sustainable Construction Checklist submitted with the planning application. Adaptation and resilience must be considered from the outset and integrated into the design of the development therefore, the core of the approach should be included at principal stage, with a detailed consideration at reserved matters stage.

Assessment of climate hazards and climate risks

6.27 The assessment should identify climate change related hazards and risks affecting the development over its lifetime (100 years for residential development and 75 years for non-residential). The assessment should show that the development has been designed to be resilient to the identified risks.

6.28 The assessment should take into consideration the vulnerability of the development's present and future occupants (where known), and inhabitants of the proposal's surroundings, and local needs and opportunities relating to climate change impacts. It should consider whether the development could exacerbate climate change risks in the surrounding area (such as from additional surface water run increasing flooding). Both site and building-level adaptation measures should be set out in the climate risk assessment and included on application drawings.

6.29 Climate change hazards are climate-related physical events or trends, for example extreme high temperatures or extreme precipitation. Climate change risk is the potential for adverse consequences of a climate-related hazard, for example of human health, ecosystems, the marine environment, or impacts on the function of the built asset or impacts on the occupants. Climate change opportunities refer to the potential for a beneficial consequence, as a result of a changing climate.

6.30 In assessing climate hazards, risks and opportunities over the lifetime of a development, the climate risk assessment should take account of the latest

evidence base. For example, at the time of writing, this includes tools such as the Good Homes Alliance Early-Stage Overheating Risk Tool checklist and evidence of risk and hazards within the UKCP18 Climate Projections.

6.31 The UK Climate Change Committee has warned that expected changes to the UK climate by 2050 are largely locked in, regardless of any current pathways in place to reduce global emissions. Development proposals should reflect this level of certainty in their design and ensure development is resilient to these predicted climate conditions. Beyond this, there is a range of potential future climates that could occur, and the assessment should plan for this uncertainty, identifying thresholds and trigger points at which certain actions need to be taken. This allows for adaptation to be targeted to climate outcomes as they occur, ensuring the best allocation of resources and eventual outcomes (for example building a plant room sized to allow for future cooling needs as part of planned maintenance). This is an adaptation pathways approach. Further information to assist with the identification of relevant hazards, risks and opportunities will be provided in supporting guidance.

Vulnerability, climate hazards and climate risks

6.32 Certain groups are more vulnerable to the impacts of climate change including infants, elderly people, people with chronic physical and mental health conditions and people with extra care needs. These groups are particularly vulnerable to the risk of overheating and other heat-related illnesses. Where the occupants of a proposed development are more vulnerable to the impacts of climate change, the proposals should make it clear how this has been considered.

6.33 The climate risk assessment should include a checklist of site features affecting vulnerability to climate risks, including but not limited to overheating and more extreme temperatures, droughts and flooding. Reflecting this, it should demonstrate how the development will provide comfort, health and wellbeing of current and future occupiers and the surrounding environment over the lifetime of the development.

6.34 For all new development, the risk of overheating within the building should be assessed using the following methodologies or future replacement standards:

a. CIBSE TM52 for non-residential

b. CIBSE TM59 for residential buildings

6.35 The important component of the above methodology is that it undertakes an assessment of the development against future weather files, currently 2050 and 2080, as well as current weather files. This is key to understanding the lifetime climate risks of the development in relation to overheating. Where the analysis identifies 'fails' it should be set out what mitigation measures or changes need to be made to the design to achieve a pass. Should 'fails' be identified when applying 2080 weather files the proposal will need to demonstrate that suitable provision has been made within the design to enable appropriate mitigation measures to be added in the future, as part of normal maintenance and refurbishment programmes. Further details will be provided in the supporting guidance.

6.36 New development should seek to reduce any potential overheating and the need to cool a building through active cooling measures. Air conditioning systems are a resource intensive form of active cooling, increasing CO_2 emissions and emitting waste heat into the surrounding area, and should therefore be avoided wherever possible. By incorporating sustainable cooling into the design process, buildings will be better equipped to manage cooling needs and to adapt to the changing climate experienced over the building's lifetime, whilst not relying on other more carbon and energy intensive means.

6.37 Certain adaptation measures, particularly well-designed sustainable drainage systems, urban greening and other forms of green and blue infrastructure, can contribute to the resilience of the surrounding area. The benefits of such adaptations will be taken into consideration when assessing the adaption strategy, in accordance with other relevant local plan policies.

Green Infrastructure

6.38 Green infrastructure can provide direct adaptation benefits, such as shading, cooling and flood risk mitigation but also has benefits beyond helping places adapt to a changing climate. It can also protect and enhance biodiversity, improve visual amenity, provide green and active travel routes, improve

mental and physical health and wellbeing of individuals and local communities, provide space for food growing and improve water quality. When designing green infrastructure for climate adaptation, the provision of a wide range of multifunctional benefits will be encouraged in accordance with relevant local plan policies. A summary of the approach to green infrastructure should be included in the climate risk assessment, with the full details included in a separate Green Infrastructure Planas set out in the relevant Green Infrastructure policy.

Flood risk and drainage

6.39 A summary of the approach to flood risk and drainage should be included in the climate risk assessment, with the full details included in a separate Flood Risk Assessment as set out in the relevant policy.

Policy 6.2: Climate Adaptation and Resilience

All development should be planned, designed and managed to avoid increasing the vulnerability and risk to climate change impacts for current and future occupants and surrounding areas over the lifetime of the development. All development proposals, excluding householder applications, will need to demonstrate this through the provision of a climate change risk assessment and appropriate management of those risks, proportionate to the scale and nature of the proposal.

Outcomes:

Development and associated infrastructure will be supported, subject to other material considerations, where it is demonstrated that proposals:

a) Are resilient to the impacts of climate change including extreme temperatures, drought and water stress, wildfire, flooding, intense rainfall and high winds, for the lifetime of the development.
b) Provide comfort, and support the health and wellbeing of the present and future occupants (where known) and;
c) Do not make the surrounding area more at risk to climate change impacts, and where appropriate support identified local needs and opportunities associated with climate change and nature recovery.

Climate Risk Assessment:

To achieve the outcomes listed above climate risk assessments will include an evaluation of the proposal's context and climate risk. This should be informed by the most up-to-date climate change projections (UKCP18 or any subsequent updates) for the lifetime of the development, considering the probability and

consequences of the risks and the changing level of risk over time, with regards to building design, site and surrounding area.

The assessment must identify climate change hazards, associated risks and opportunities associated with extreme temperature, drought, wildfire, flooding, intense rainfall and high winds, where applicable to the site and proposal, in relation to:

a) The development and associated infrastructure;
b) Present and future occupants (where known); and
c) The development's surroundings that might reasonably be impacted.

The assessment must also identify, where relevant:

a) The vulnerability of the development's present and future occupants to different hazards (where known);
b) Local needs and opportunities relating to climate change impacts; and
c) Whether the development is in a location that could exacerbate climate change risks in the surrounding area (including downstream in a river catchment).

Informed design and risk mitigation

Development proposals must demonstrate that they have been informed by the climate risk assessment and have been designed to mitigate risk through:

a) Layout, form, massing and orientation of the development, and impact of neighbouring buildings;
b) External hard and soft landscape design;
c) Building design and building integrated measures; and
d) Use of green and blue infrastructure.

Each mitigation measure should, where appropriate, have a corresponding plan for maintenance and adaptive management over the lifetime of the development, proportionate to the scale and nature of the proposal.

New Build Non-Residential Development

6.40 This policy requires new non-residential development to achieve net zero carbon through maximising energy efficiency, utilising sustainable heating and cooling systems and incorporating onsite renewable energy generation. Achieving net zero development by addressing both regulated emissions (heating, hot water, cooling, lighting and auxiliary energy) and unregulated emissions (appliances, equipment, etc.) collectively known as 'operational' carbon emissions, is a key part of tackling the climate emergency.

6.41 The purpose of the policy is to ensure new non-residential buildings are designed, and constructed in ways that minimise operational energy use, and greenhouse gas emissions arising from these demands, and to maximise the amount of energy that can be generated from building-integrated renewable energy technologies so that energy demand is balanced by energy generation on an annual basis.

6.42 To reflect the latest best practice, this policy uses energy use intensity (EUI) rather than CO_2 emissions as the metric for assessing compliance, as with the fall in carbon intensity of electricity, on their own emissions of carbon dioxide are no-longer a good indicator of the energy efficiency of a building.

6.43 The policy sets two energy efficiency targets, one for space heating and one for EUI, with EUI being the total amount of energy used in a building as recorded by the energy meter. To allow for difference in the size of buildings, both targets are expressed per square metre of floor area and refer to the energy used in one year. The EUI targets are adjusted according to building type, to reflect different functions and levels of use.

Energy Assessments

6.44 Proposals for new non-residential development should be accompanied by an energy assessment as part of the Sustainable Construction Checklist submitted with the planning application. The energy assessment should describe how the operational energy needs of the building or buildings will be met, and how the space heating and energy use intensity (EUI) targets set in this policy will be achieved.

6.45 The EUI and space heating demand should be calculated using the gross internal floor area (GIA) and expressed as the energy consumption per square metre of floor area (kWh/m^2). The EUI is the total energy use of the building as recorded at the consumption meter so includes regulated and unregulated energy use.

Modelling operational energy use

6.46 The assessment should include all energy use (regulated and unregulated), calculated using a methodology proven to accurately predict a building's actual energy performance.

6.47 Currently, the Council's preferred approach to modelling operational energy use is CIBSE TM54: Evaluating Operational Energy Use as Design Stage. Any change to this, and further information, will be detailed in further guidance issued.

Space heating, hot water and cooling

6.48 The energy assessment should demonstrate how the space heating demand target has been achieved.

6.49 The energy assessment should follow the below hierarchy and demonstrate how:

a) The demand for heating, cooling, hot water, auxiliary energy, lighting and unregulated energy consumption will be minimised through energy efficiency measures; then

b) The remaining heat/cooling demand will be met sustainably; then

c) On-site renewable energy generation will achieve net zero energy; then

d) Any remaining outstanding reduction in residual emissions will be achieved through accepted means of energy offsetting.

6.50 Building design (including built form, orientation, layout, and glazing ratios) should seek to optimise solar gain, that is make use of beneficial solar gain during winter months without increasing the risk of summer overheating or the need for active cooling now or in the future.

6.51 In accordance with the hierarchy above, measures to control solar gain including fixed, moveable, and seasonal shading, deeper reveals, and reduction in glazing G-values (total solar transmittance) should be applied before active cooling is considered.

6.52 Where usability issues (as described in Part O of the Building Regulations), such as noise, are stated as the reason that a development requires active cooling, then all reasonably practicable passive means of minimising cooling requirements should be applied first and a full justification as to why they were insufficient provided.

Renewable heating

6.53 Renewable heating includes ground, water and air source heat pumps, geothermal heat, heat and cooling from former mine workings, solar thermal and biomass.

6.54 The policy approach to heating systems intentionally excludes non-renewable electrical space and water heating, (such as electric resistive heating and electric immersion heaters) with a Seasonal Performance Factor (SPF) of less than 2.5, and in all cases excludes individual gas boilers.

6.55 When considering proposals for heat pumps and active cooling systems, the global warming potential of the refrigerants used will need to be taken into account in a manner consistent with the policy on embodied carbon.

Net zero energy and on-site renewable energy generation

6.56 A net zero building will generate as much energy from renewable sources as it uses in one year.

6.57 For buildings achieving net zero energy by using on-site PV there may be periods when the electricity generated by the PV system exceeds demand and vice versa. At times when supply exceeds demand, the ‘surplus’ power will be exported to the distribution network, however, as static, building-integrated battery energy storage becomes more affordable the proportion of energy used in the building is likely to increase.

6.58 The energy assessment should set out what renewable heating, renewable cooling and renewable power generation measures have been considered and which will be incorporated into the proposed specification. The assessment should show that minimum targets for electricity generation from PV have been met and that the scheme will generate sufficient energy to achieve net

zero energy. Where this cannot be achieved full justification with data and calculations should be provided.

Energy Offsetting

6.59 Net zero energy is expected to be achievable in most instances, so energy offsetting should only be considered as a 'last resort' where it is not possible to generate sufficient energy on-site to meet annual energy demand.

6.60 Where an applicant believes that net zero energy is not achievable, they will need to demonstrate why it is not possible, with full justification.

6.61 The Energy Offsetting fund established and administered by the Council and offset contributions will be collected via Section 106 agreements. Financial contributions will be spent on the delivery of new additional renewable energy generation within Bath and North East Somerset. The financial contribution cost per MWh will include an administrative charge, will be index linked and reviewed annually to reflect the costs of administrating, purchasing and installing additional solar PV. The cost and administrative charge will be included in supporting guidance listed on the Council's website. For each application the cost per MWh will be fixed at the point when the planning application is determined.

Policy 6.3: New Build Non-Residential Development

Energy hierarchy for new development

All new build non-residential development proposals will be required to:

a) Calculate and report predicted energy use intensity (EUI) using an operational energy model; and
b) Minimise energy demand for heating, cooling, hot water, lighting and power through building and site-level measures adopting a fabric first approach, and including demand response and storage measures to support energy system flexibility; and then
c) Meet its remaining heating and cooling demand sustainably as set out below; and then
d) Maximise on-site renewable energy generation to achieve an annual net zero energy balance; and then
e) If necessary, meet any outstanding balance in residual energy use through a financial contribution paid into the Council's offset fund.

Specific standards for development

New build non-residential development will aim to achieve zero operational emissions. Through the submission of an appropriate energy assessment proposed new non-residential development will demonstrate how these policy requirements will be met, including the following standards:

a) A space heating demand equal to or less than 15kWh/m^2/annum; and

A total energy use (EUI) equal to or less than the following targets, based on typology:

a) Accommodation:
    - Multi-residential shared accommodation (e.g. student accommodation and co-living): 72kWh/m^2/annum
    - Care homes: 144kWh/m^2/annum
    - Hotels: 119kWh/m^2/annum
b) Warehousing and storage:
    - Warehouses: 75kWh/m^2/annum
    - Unconditioned storage: 38kWh/m^2/annum
    - Conditioned storage: 85kWh/m^2/annum
    - Cold storage: 162kWh/m^2/annum
c) Retail food and beverage:
    - Retail food and beverage – with catering: 359kWh/m^2/annum
    - Retail food and beverage – without catering: 202kWh/m^2/annum
    - Retail – supermarket: 188kWh/m^2/annum
    - Retail – high-street and department stores: 70kWh/m^2/annum
d) Education:
    - Schools – Early Years: 49kWh/m^2/annum
    - Schools – Primary: 44kWh/m^2/annum
    - Schools – Secondary: 58kWh/m^2/annum
    - Higher education teaching facilities: 95kWh/m^2/annum
e) Leisure:
    - Leisure centres – dry: 78kWh/m^2/annum
    - Leisure centres – wet: 337kWh/m^2/annum
    - Leisure – fitness centres: 145kWh/m^2/annum
f) Offices:
    - Offices – general: 85kWh/m^2/annum
    - Offices – call centres: 127kWh/m^2/annum
    - Offices – trading floors: 145kWh/m^2/annum
g) Light industrial:
    - Light industrial units: 35kWh/m^2/annum
h) Culture and entertainment:
    - Performance spaces: 77kWh/m^2/annum
    - Collections: 58kWh/m^2/annum
    - Archives: 5kWh/m^2/annum
i) Other non-residential:
    - Science and technology: 289kWh/m^2/annum

- Data centre – low utilisation – Power Utilisation Effectiveness (PUE): 1.4
- Data centre – high utilisation – Power Utilisation Effectiveness (PUE): 1.2

Proposals must seek to maximise opportunities to generate on-site renewable energy and facilitate flexibility to enable development, where possible and in accordance with other relevant policies, to achieve all energy demands through onsite energy generation.

Where it can be demonstrated that for technical reasons it is not feasible to generate sufficient energy from on-site renewable energy technologies to match annual energy consumption and thereby achieve net zero energy, the remaining operational energy needs of the development should be met by offsetting measures as set out below.

Energy Offsetting:

Where the requirement to achieve net zero energy cannot be met through on-site energy generation measures alone, any remaining balance in annual energy demand will be offset by a financial contribution to the Council.

The financial contribution required will be a one-off payment equivalent to the cost of providing additional solar PV energy generation elsewhere in the District, over a 30-year period. The cost includes an administrative charge and is indexed linked; it will be reviewed annually and included in supporting guidance listed on the Council's website.

Heating and cooling systems:

Development will be expected to demonstrate that heating and cooling systems have been selected in accordance with the following hierarchy and in accordance with other relevant policies:

a) Where feasible connection to an existing heat network or a new heat network from the point of occupation;
b) Elsewhere, employing individual renewable heat or communal renewable heat which is fossil fuel free.

Proposals should seek to eliminate the need for cooling systems throughout the lifecycle of the development and, in instances where cooling systems are required, minimise their capacity and energy consumption in accordance with the following steps:

a) Optimise solar gain in order to minimise unwanted heat entering buildings during warmer months through measures including orientation, built-form, fixed, moveable and seasonal shading, surface finish, glazing design and G-values and insulation without penalising beneficial solar gain during the heating season; then

b) Minimise internal heat generation through energy efficient design and specification; then
c) Maximise the use of passive cooling and ventilation to manage internal temperatures; and then
d) Having minimised the need for cooling, meet any residual requirement through energy efficient mechanical ventilation and active cooling systems.

Embodied Carbon

6.62 With the decarbonisation of our energy systems, coupled with improved energy efficiency, a building's embodied carbon emissions represent a growing proportion of its whole life carbon emissions. Embodied carbon refers to the carbon emissions resulting from the extraction, processing, manufacture and transport of materials used in a building, and the emissions from the energy and water used in its production, assembly, construction and demolition. It also includes any emissions from leakage of refrigerants used in building services systems, where the refrigerant is a greenhouse gas.

6.63 It is becoming increasingly important that development considers the contribution of embodied carbon to climate change and seeks to minimise it. Reducing embodied carbon has also been shown to be mutually compatible with reducing operational energy demand. Addressing embodied carbon can provide cost-effective potential for carbon savings and cost savings above those traditionally targeted through operational savings.

6.64 Reduction in embodied carbon is also not subject to ongoing builder user behaviour in the way that operational carbon savings are. As a result, embodied carbon benefits can be more accurate and identifiable than predicted operational carbon reductions, particularly when the final occupant of the building is not known at the time.

6.65 As well as considering embodied carbon, it is important to be conscious of other embodied environmental impacts, including in the selection of materials and the global warming potential of refrigerants used in building service systems.

6.66 This policy sets targets for embodied carbon in new residential and non-residential buildings. To allow for different sizes of buildings, targets are expressed per square metre of floor area. Developers are required to calculate the embodied carbon emission using a nationally recognised assessment methodology. Emissions of greenhouse gases other than carbon dioxide are converted into carbon dioxide equivalent emissions ($CO2_e$) to allow a single target to be set for each development type.

6.67 It is important that measures to reduce embodied carbon emissions are considered and implemented alongside other policies on climate mitigation, adaptation and operational energy. If these policies are not considered together there is a risk that buildings become more vulnerable to overheating (for example through the selection of materials with a lower thermal mass combined with a reduction in air permeability) and that demand for active cooling will increase, which will in-turn lead to higher operational energy demand, energy running costs and lifetime emissions.

6.68 Emissions are produced at all stages of the development process with the majority of embodied carbon emissions being ‘upfront’, meaning they are produced at the beginning of the development cycle. Embodied carbon emissions will be different for each building and will depend on the embodied carbon of each kilogram of material specified, and the total quantity of that material used to construct the building. Embodied carbon can be reduced by selecting materials which have low embodied carbon and by reducing the quantity of materials with high embodied carbon, and by combining these approaches.

6.69 Outline planning applications should be supported by a statement setting out how an Embodied carbon assessment will be undertaken and the requirements of the policy will be met at the Reserved Matters stage. Embodied carbon assessments at Reserved Matters should account for any and all demolition works undertaken following approval of the Outline application.

Embodied Carbon Assessments

6.70 The embodied carbon assessment should be undertaken using a Council approved methodology, which is proven to accurately assess embodied carbon and should demonstrate actions taken to reduce life-cycle carbon emissions.

6.71 The current preferred methodology is the RICS Whole Life Carbon Assessment for the Built Environment. Any changes to this will be detailed in supporting guidance.

6.72 The scope should include the substructure, superstructure, finishes, fixed furniture, fixtures and equipment, building services and associated refrigerant leakage.

6.73 The following life-cycle stages as defined in BS EN 15978 Sustainability of Construction Works should be included within the assessment and reported separately and in aggregate:

a) A1-A5

b) B1-B5

c) C1-C4

6.74 The upfront embodied carbon targets refer to life-cycle stages A1-A5 and the whole life-cycle embodied carbon target refer to life-cycle stages A1-A5; B1-B5 and C1-C4.

6.75 The assessments will be expected to address a minimum of 95% of the cost associated with each of the following elements:

a) Demolition

b) Substructure

c) Superstructure

d) Internal finishes

e) Fixed furniture, fixtures and equipment

f) Building services

g) The carbon assessments do not include external works outside the building footprint.

6.76 Where the embodied carbon assessment indicates that it is not feasible to meet the targets in this policy, full justification will be required, and the assessment will be evaluated for technical quality and to determine whether appropriate actions have been taken to reduce embodied carbon throughout the projects development. Any change to this will be detailed in guidance issued by the Council.

6.77 For this policy, reference to residential development relates to all forms of residential development, including but not limited to dwellinghouses, residential-led mixed-used schemes, hotels, student accommodation and co-living accommodation.

Carbon Offset Fund

6.78 For use of the offset mechanism to be permissible, the applicant will be expected to justify and demonstrate that it is not possible to achieve the embodied carbon targets.

6.79 The Council's carbon offset fund will be spent on built environment carbon reduction projects. Details of the fund and the cost per tonne of carbon, which will be index linked, will be provided in supporting guidance listed on the Council's website.

Refrigerants

6.80 Many refrigerants used in fixed building services like heating and cooling systems are potent greenhouse gases with the potential to make significant contributions to global warming if released to the atmosphere. As appliances using refrigerants such as heat pumps become more common in buildings it is important to consider the climate impact of the refrigerants they use.

6.81 The global warming impact of refrigerants should be minimised by:

a) Minimising the mass of refrigerants used in a development by:

   i. Reducing or eliminating the need for heating or cooling systems through energy efficient design.

ii. Avoiding the use of systems that have high refrigerant change per kW capacity, such as systems that use refrigerant as the distribution medium to emitters.

b) Minimising the potential impact of the refrigerant used by selecting equipment that uses refrigerants with the lowest available global warming potential.

c) Minimising the risk of refrigerant leakage through:

i. Avoiding the use of systems that use refrigerant as a distribution medium, particularly where refrigerant is distributed to emitters.

ii. Specifying leak detection and monitoring systems in accordance with industry best practice.

iii. Regular maintenance

iv. Ensuring that installation, maintenance, decommissioning and disposal of all appliances using refrigerants is only ever undertaken by suitably qualified persons.

6.82 In major developments where heat pumps of any type (including VRF and VRV units) are proposed, the global warming impact from refrigerant leakage should be included within the embodied carbon calculation using an approved methodology (please refer to additional technical guidance for approved methodologies).

6.83 Where heat pump systems use refrigerants that have a global warming potential (GWP) of 750 or greater are specified, full justification will be required including numerical whole-life carbon modelling, comparing their use to low global warming potential refrigerants.

Policy 6.4: Embodied Carbon

All proposals, except householder applications, will be expected to show how development will minimise its embodied carbon.

In doing so, development should:

a) Prioritise the renovation or retrofit of existing structures, subject to compatibility with the other policies in the local plan;
b) Minimise the quantity of materials required to meet the buildings functional requirements;
c) Select high quality materials and systems which:

i. Have low embodied carbon, and;
ii. Minimise the need for replacement over the lifetime of the development, and;
iii. Can be reused, recycled and disposed of sustainably at end of life, and
iv. Ensure that waste reduction is 'designed-in' from project inception to completion, including consideration of the use of standardised components, modular build, and reuse of secondary products and materials;
v. Ensure that new buildings are flexible and adaptable to future uses, reducing the need for future development.

All proposals should set out how these issues will be addressed, with major applications required to provide additional information and calculations as set out below.

Embodied Carbon Assessments

Proposals for major development will be required to include an Embodied Carbon Assessment. The assessment should use a nationally recognised embodied carbon assessment methodology, and demonstrate actions taken to reduce whole life-cycle embodied carbon emissions.

Major new development will be expected to achieve the following targets:

a) Upfront embodied carbon (RICS modules A1-A5):
   i. Residential (4 storeys or fewer): <400kg$CO2_e/m^2$
   ii. Residential (5 storeys or greater): <500 kg$CO2_e/m^2$
   iii. Non-residential: <600 kg$CO2_e/m^2$
b) Whole life-cycle embodied carbon:
   i. Residential (4 storeys or fewer): <625kg$CO2_e/m^2$
   ii. Residential (5 storeys or greater): <800 kg$CO2_e/m^2$
   iii. Non-residential: <900 kg$CO2_e/m^2$

Where it is not technically feasible to meet these targets for embodied carbon, a full justification will be required as part of the Embodied Carbon Assessment.

Any shortfall against the upfront embodied carbon targets will be offset through a financial contribution towards the Council's carbon offset fund. The financial contribution required will be a one-off payment. The cost will be reviewed annually and included in supporting guidance listed on the Council's website.

Refrigerants

In all new development with fixed building services that include a refrigerant, the global warming potential (GWP) of the refrigerants should be minimised, by designing systems to have the lowest possible refrigerant mass/charge and specifying appliances (including heat pumps, VRFs, VRVs and chillers) that use refrigerants with the lowest global warming potential available and implementing measures to minimise the risk of refrigerant leakage, and to detect refrigerant leakage.

Refrigerants and their associated impacts should be included and accounted for within the embodied carbon assessment.

Retrofit First

6.84 A significant proportion of a building's whole-life carbon emissions are locked into its fabric. Demolition, including associated waste handling and disposal, is a major and avoidable source of carbon emissions within the built environment.

6.85 Construction, demolition and excavation waste accounts for the largest proportion of waste generated in the UK. Unlike emissions associated with material manufacture, embodied carbon emissions arising from demolition and waste can often be avoided or reduced, particularly through the retention, reuse and adaptation of existing buildings and materials.

6.86 As operational carbon emissions reduce through the decarbonisation of the energy system, embodied carbon emissions form an increasingly significant proportion of whole-life carbon impacts. Embodied carbon refers to the carbon emissions associated with the extraction, manufacture, transport, construction, maintenance and demolition of building materials. While guidance on reducing embodied carbon in new development is well established, the embodied carbon reduction potential from retrofit, refurbishment and re-use of existing buildings is often overlooked. Retaining and adapting existing buildings can avoid substantial carbon emissions associated with demolition and replacement, whilst also reducing waste generation and the demand for new materials and is essential to achieving net-zero carbon objectives.

6.87 Development proposals that prioritise the retention and reuse of existing buildings will therefore be supported in principle. In relevant applications, national and local policies for the conservation and enhancement of heritage assets will also apply. Historic England provides guidance on energy efficiency and retrofit in historic buildings, whilst further locally specific guidance is contained within the Council's 'Energy Efficiency, Retrofitting and Sustainable Construction SPD'.

6.88 To ensure that opportunities for retention and reuse are fully explored at an early stage, all development proposals involving substantial demolition, defined as the removal of 50% or more of a buildings gross internal floorspace (GIA), will be required to undertake a feasibility assessment, excluding householder applications. The assessment should be prepared at the earliest opportunity and should consider the potential for retaining, adapting and reusing existing buildings. The assessment should include:

i. A review of how the building is (or has been) used and functions;

ii. Servicing information; and

iii. A technical building survey

6.89 It is expected that the findings of the assessment are used to inform the consideration of development options for the site. Where it is demonstrated that the existing use is no longer suitable or viable, the potential for alternative uses that would enable the retention of the building should be explored, provided such uses are compatible with other policies within the Local Plan. In determining proposals involving substantial demolition, the Council will consider whether the proposed development represents the most appropriate and sustainable use of the site, taking account of the evidence provided through the feasibility assessment and any alternative development scenarios that have been considered.

6.90 Where it is proposed that retrofit or reuse is not feasible due to structural or safety constraints, this must be evidenced through an independently verified structural assessment prepared by a suitably qualified engineer. Proposals relying on design or access requirements to justify demolition must demonstrate that such requirements are integral to the existing or proposed

use, cannot reasonably be accommodated within the existing structure, and are supported by relevant technical standards, operational requirements or regulatory obligations.

6.91 Where demolition cannot be justified on these grounds, applicants may rely on a whole-life carbon assessment to demonstrate that demolition and redevelopment would result in a lower overall carbon impact than retention and refurbishment options. Such assessments should be prepared in accordance with the most up-to-date RICS Whole Life Carbon Assessment methodology, incorporate projected grid decarbonisation, adopt realistic building life-cycle assumptions, and compare a range of credible development scenarios.

6.92 Demolition and redevelopment may in some circumstances deliver additional public benefits. Where applicants seek to justify demolition on this basis, they must demonstrate that the proposed benefits would exceed those achievable through lower-carbon development options identified through the feasibility assessment. It must also be demonstrated how such benefits will be secured and maintained over the long term. The scale of any net additional public benefits should be proportionate to the additional embodied carbon emissions associated with the proposed development when compared with lower-carbon alternatives.

6.93 This policy is intended to promote the retention, refurbishment and adaptation of existing buildings wherever feasible, minimise unnecessary demolition and waste generation, support the reuse and recycling of materials, and reduce embodied carbon emissions across the built environment in support of the Council's net-zero objectives.

Policy 6.5: Retrofit First

Development proposals should prioritise the retention and improvement of existing buildings over demolition and rebuild. To avoid the wastage of materials and embodied carbon in existing buildings and to avoid the creation of new embodied carbon in replacement buildings, there is a presumption in favour of repairing, refurbishing and re-using existing buildings, over their demolition, as part of an efficient use of land.

Proposals that result in the demolition of a building (in whole, or a significant part) should be accompanied by a full and robust justification for the demolition, proportionate to the nature and scale of the development.

Demolition will only be acceptable where it is demonstrated that:

a) There are significant structural issues with the existing building that would prevent it from being retained, or the building is in a state of such disrepair that it is not practical or viable to be repaired; or
b) Repairing, refurbishing or re-using the building would result in a higher whole-life carbon impact (taking account of both operational and embodied emissions), and would not represent the lowest-net-carbon solution (with reference to other relevant policies); or
c) Demolition of the building and construction of a new building would deliver additional public benefits including economic, social and environmental, that outweigh the carbon savings that would arise from the building being repaired, refurbished or re-used; or
d) Repairing, refurbishing or re-using the building could not deliver design and access requirements which secure the best use of land; meet a statutory requirement or address a justified operational need.

Where demolition is considered to be acceptable after these steps have been followed, proposals should seek all possible opportunities to integrate wider circular economy principles through the reuse of materials arising from demolition or make those materials available for wider reuse and recycling where possible.

All development proposals should, where practical, take opportunities to reduce the developments embodied carbon content through the careful choice, use and sourcing of materials.

It is recognised that repair, refurbishment or re-use may not represent the most sustainable or viable option for a site; in such cases applicants must clearly demonstrate that demolition and reconstruction is the only viable approach.

District Heating

6.94 District heating networks deliver heating and hot water to multiple buildings from a local plant. A heat network of insulated pipes buried underground is required to distribute the heat generated; these can often be installed at the same time as the other services when a site is being developed and can also be retrofitted to existing buildings.

6.95 District heat networks are widely recognised as a key mechanism for delivering cost-effective decarbonisation of heat, particularly in dense urban areas and locations with high and concentrated heat demand. By supplying heat at scale, they provide an efficient alternative to individual building-level systems and play an important role in reducing carbon emissions from the built environment.

6.96 Heat networks have a unique ability to integrate the lowest-carbon heat sources available, including large-scale renewable energy and sources of recovered or waste heat. These may include energy from waste facilities, data centres, large refrigeration systems, industrial processes, and ambient heat sources such as rivers, mine water and sewage systems. The utilisation of these sources enables heat networks to achieve significant carbon savings beyond what is typically possible through individual heating technologies.

6.97 The Government, through the Department for Energy Security and Net Zero (DESNZ), is developing a national framework for heat network zoning, including mapping to identify areas where heat networks are expected to represent the lowest-cost option for decarbonising heat. These Heat Network Zones will form a key part of the future regulatory environment and are expected to guide investment and deployment of heat networks at scale.

6.98 New development provides an important opportunity to support the delivery and expansion of heat networks. Incorporating the infrastructure necessary for connection at the design stage is generally more practical and cost effective than retrofitting buildings once construction has been completed. Ensuring developments are ‘heat network ready’ can reduce future disruption, avoid unnecessary retrofit costs and support the growth of heat network infrastructure across the district.

6.99 To facilitate future connection, developments should be designed with suitable internal and external infrastructure, including space for plant and heat interface equipment, provision of pipework routes, safeguarding of connection corridors and site layouts that enable connection to existing or future networks. Proposed development should also incorporate low-temperature heating systems to maximise compatibility with modern heat network

technologies and future low-carbon heat sources, in accordance with other relevant policies.

6.100 Applicants will be expected to demonstrate that connection to an existing or planned heat network has been considered as part of the design process. Where connection is not proposed, evidence should be provided to demonstrate why connection is not technically feasible or viable at the time of development. In such circumstances, developments should still be designed to enable future connection without requiring significant alteration to the building fabric or heating system.

6.101 The Council recognises that the availability of heat network infrastructure is likely to increase over the lifetime of the Local Plan. Development proposals should therefore avoid prejudicing the delivery, expansion or future operation of existing and planned heat network infrastructure and should safeguard opportunities for future connection wherever practicable.

Waste Heat Recovery and Distribution

6.102 Significant opportunities also exist to recover and utilise waste heat that would otherwise be discharged to the environment. Certain forms of development, including data centres, energy from waste facilities, industrial processes and large-scale refrigeration systems, can generate substantial quantities of recoverable heat which may be capable of serving nearby buildings.

6.103 Recovering and distributing waste heat can make an important contribution towards reducing carbon emissions, improving energy efficiency and supporting the development of local heat networks. Proposals for development that generates significant quantities of waste heat should therefore assess opportunities to capture, store and reuse this energy resource and maximise opportunities for its use within the development itself or neighbouring users.

6.104 Where a district heat network does not currently exist, developments generating significant quantities of waste heat should nevertheless safeguard opportunities for future heat recovery and export. This may include providing connections, safeguarding pipe routes, identifying potential nearby heat users and ensuring sufficient space is available for future infrastructure.

6.105 The development of integrated local energy systems that maximise the use of low-carbon and recovered heat sources will be supported in principle and in accordance with other relevant policies.

6.106 Certain forms of development, including data centres, industrial facilities and large-scale cooling installations, may require significant cooling capacity as part of their operation. The design of the systems used for cooling can have implications for water resources, energy consumption and climate resilience.

6.107 Proposals for development requiring large-scale cooling should therefore demonstrate that opportunities to reduce potable water demand have been fully considered. Applicants should assess the feasibility of using sustainable water sources, including recycled water, treated wastewater, harvested rainwater, where this can be achieved without adverse impacts.

6.108 Applicants should consider the water efficiency of alternative cooling technologies and the potential to integrate water reuse measures alongside heat recovery and energy infrastructure. Proposals should seek to minimise pressure on public water supplies and support the efficient and circular use of resources.

Policy 6.6: District Heating

Connection to Heat Networks

Development proposals, except householder applications, are expected to incorporate infrastructure for district heating and will be expected to connect to any existing or new heat networks that are within vicinity of the proposed development.

New development is expected to:

a) Be designed to connect to an existing or planned heat network, where one is available or will become available from the point of occupation;
b) Incorporate low temperature heating systems to ensure compatibility with heat networks;
c) Include the necessary pipework, plant space and site layout design to enable future connection without significant retrofit.

Where a connection is considered not feasible or viable, applicants must provide evidence to justify this and demonstrate that future connection remains possible and has been designed in to the development.

Waste Heat Recovery and Distribution:

Development proposals that are expected to generate significant quantities of waste heat (including but not limited to data centres, energy from waste facilities, large-scale refrigeration, or industrial processes) will be required to:

a) Assess opportunities for the capture and reuse of waste heat;
b) Provide infrastructure to enable the export of heat to adjacent developments or district heat networks;
c) Maximise opportunities for local energy recovery, including connection into existing or planned heat network infrastructure.
d) Assess opportunities to minimise potable water consumption for cooling through the use of sustainable water sources and cooling technologies.

Where a district network is not yet in place, developments will be expected to safeguard future connection routes and demonstrate how heat could be utilised by nearby users.

Low Impact Farming and Regenerative Land-based Development

6.109 Low impact farming and regenerative land-based enterprises can support sustainable rural development through local food production, biodiversity enhancement, soil improvement, climate resilience and sustainable land management. For the purposes of this policy, regenerative land-based

enterprises are those that seek to combine productive land use with the enhancement of soil health, biodiversity, ecosystem function and climate resilience through sustainable land management practices. Such approaches may include agroecology, permaculture, agroforestry, market gardening and other comparable land management practices.

6.110 While agricultural land use itself does not generally require planning permission, regenerative land-based enterprises may require associated operational development such as buildings, structures, polytunnels, composting facilities, renewable energy installations, storage or water management infrastructure. This policy provides a criteria-based framework for assessing development associated with genuine regenerative land-based enterprises, while ensuring proposals deliver environmental benefits and are appropriately integrated into the rural area.

6.111 The policy seeks to support innovative and sustainable land management approaches while ensuring that proposals are clearly linked to the productive, ecological or land management functions of the enterprise. Development should be proportionate to the scale and needs of the enterprise and demonstrate a clear purpose and environmental benefit.

6.112 Where residential accommodation is proposed in association with a regenerative land-based enterprise, proposals will be assessed against the relevant rural workers' dwelling policy and national planning policy.

Policy 6.7: Low Impact Farming and Regenerative Land-based Development

Development necessary to support a demonstrably genuine regenerative land-based enterprise will be supported where:

1. The proposal is directly related to a regenerative land-based activity, including agroecology, permaculture, agroforestry, market gardening or other comparable land management practices.

2. The development is necessary and proportionate to the productive, ecological or land management functions of the enterprise.

3. The proposal is appropriately located, designed and scaled having regard to the character of the site and its surroundings.

4. The development demonstrates a low impact approach to construction and operation and, where appropriate, makes use of existing buildings, structures or infrastructure.

5. The proposal conserves and, where practicable, enhances biodiversity, soil health, landscape character and the environmental value of the holding.

6. Applications are supported by proportionate information demonstrating:

- the nature and purpose of the enterprise;
- why the development is required;
- how the proposal supports the management and productive use of the land; and
- the environmental benefits expected to result from the proposal.

Residential accommodation associated with a regenerative land-based enterprise will be assessed against the relevant rural workers' dwelling policy and national planning policy.

High-Quality Design

Lighting

6.113 Artificial lighting can have both positive and negative effects on the environment. In addition to its more immediate impact on visual and residential amenity it can also affect the wider environment through “light spill” into the night sky which results in the phenomenon known as “sky glow”. There is currently particular concern about the impact artificial lighting is having across the District in terms of increasing levels of sky illumination and light spill from development (external and internal) which detrimentally affects local amenity and the environment including ecology, in particular European protected bat species.

6.114 The NPPF makes it clear that planning policies should limit the impact of light pollution from artificial light: ‘By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.’ The NPPG includes further guidance on the factors that are relevant in considering the implications of light pollution, including ecological impact.

6.115 Within Bath and other urban areas a high level of lighting exists and is generally accepted whilst recognising even within the urban area, important dark corridors and dark spaces do exist and these are used by, if not essential for, wildlife. The floodlighting of many historic buildings enhances the night time scene. However, badly designed lighting schemes can be just as damaging to private and public amenity as in darker rural areas. New light sources can have a disproportionate impact because of the area’s topography.

6.116 Within the open countryside external lighting is generally not acceptable. Lighting can be extremely prominent and in many cases visible over a large area and can often introduce an urban appearance to the countryside which for the most part is not lit at night.

6.117 The Council’s aim is to reduce the adverse impact of lighting installations both day and night throughout its area. In exercising control it will be mindful of the policies that apply in designated areas of ecological importance, high visual

amenity and the surrounding areas where ill designed schemes could adversely affect their character and appearance. Applicants may be required to seek professional advice to ensure that their proposals are compatible with existing lighting schemes or any further lighting guidance drawn up by the Council.

6.118 When drawing up their proposals those seeking planning permission, listed building consent, or consent under the Town and Country Planning (Control of Advertisements) Regulations should always be advised by the Guidance Notes issued by the Institute of Lighting Professionals and other relevant advice and guidance such as the Bath Lighting Strategy and in the case of historic buildings, 'External Lighting for Historic Buildings' Guidance produced by Historic England. If necessary, applicants should seek specialist technical advice from a recognised lighting firm or consultant. Plans which accompany a planning application should demonstrate how this guidance has been taken into account.

6.119 The Institute of Lighting Professionals (ILP) is currently working on updating their guidance on all the other areas of external public lighting that are not included in BS 5489. This guide will include lighting of car parks, petrol filling stations, advertising hoardings, sports centres and others and will include guidance on obtrusive light and light pollution. It will also provide details of electrical requirements, specifications and regulations for outdoor lighting.

6.120 Policy 6.8 sets out a number of general principles that apply to all proposals for artificial lighting. The Council may ask for a full technical report to accompany an application and this may be requested at the outline planning stage. It may also be necessary to prepare technical guidance to support the implementation of the policy.

Policy 6.8: Lighting

1. Proposals for artificial lighting will only be permitted where:
   a) they would not give rise to an unacceptable level of illumination into the sky, open countryside, urban areas or villages;
   b) it can be demonstrated that additional lighting on site will have no detrimental impact on visual and residential amenity, the historic environment or local ecology;

c) any adverse impact of lighting proposals in all new development, including light spill and energy use, is minimised through design or technological solutions (including the use of SMART lighting techniques) or by controlling the hours of use;
d) safety is not compromised in low lit or dark public areas.

2. Development will be expected to retain or improve the darkness of rivers, watercourse or other ecological corridors and in particular to protect or provide a functional dark route for European protected species. 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 GN08 Bats and Artificial Lighting in the UK (ILP, 2023).
3. Lighting in public areas should be designed to a suitable level of illumination in accordance with BS 5489-1 2020 and where appropriate, ensure consistency with Bath Lighting Strategy and other relevant guidance and where necessary the hours of operation will be controlled by the use of conditions.

Publications and websites providing further information, advice and guidance lighting specifications (not exhaustive):

- Bats and Lighting in the UK, Bat Conservation Trust, 2008 http://www.bats.org.uk/data/files/bats_and_lighting_in_the_uk__final_version_version_3_may_09.pdf
- Guidance Notes for the Reduction of Obtrusive Light GN01:2021 (Institute of Lighting Professionals) https://theilp.org.uk/resource/gn01-ilp-guidance-note-1-the-reduction-of-obtrusive-light-2021.html
- UK Road Lighting Standards: http://www.ukroads.org/ukroadlighting/scripts/standards.asp
- Institute if Lighting Professionals (ILP) https://www.theilp.org.uk/resources/free-resources/
- Society of Light and Lighting http://www.cibse.org/society-of-light-and-lighting-sll/lighting-publications
- Bath Lighting Strategy (part of the Pattern Book)
- Bath waterside development – guidance on the protection of bats https://beta.bathnes.gov.uk/policy-and-documents-library/bath-waterside-development-guidance-protection-bats
- Bats and artificial lighting in the UK https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/
- Dark skies in the AONB Position Statement https://www.mendiphillsaonb.org.uk/wp-content/uploads/2020/12/Dark-Skies-in-the-Mendip-Hills-AONB_statement-Final-Dec-2020.pdf
- Cotswolds Conservation Board Position Statement Dark Skies and Artificial Light https://www.cotswoldsaonb.org.uk/wp-content/uploads/2019/03/Cotswolds-Dark-Skies-Artificial-Light-Position-Statement.pdf

Landscape

Conserving and Enhancing the Landscape and Landscape Character

6.121 The District has a distinct character which is cherished by residents and visitors. Recognition of the special characteristics of cultural, social and environmental significance often referred to as 'the sense of place' or 'spirit of the place' is an important objective when considering development proposals. New development will be expected to reinforce the local landscape character and make a positive contribution to views.

6.122 Key areas, characteristics and features of particular value to the distinct landscape character of Bath and North East Somerset comprise:

i. Designated areas including:
   a. The City of Bath World Heritage Site and its setting
   b. Mendip Hills and Cotswolds National Landscapes
   c. Registered Historic Parks & Gardens
   d. Conservation Areas
   e. Historic parks and gardens of local importance
ii. Aspects of landscape character and associated characteristics listed in the table below
iii. Networks of green spaces and environmental features

6.123 Some of the key elements which contribute to the District's distinct character are listed in the table below.

Key factors which contribute to the District's distinct character

This list is not intended to be fully comprehensive.

1. **NATURAL FACTORS** including:
   - distinct landform / geomorphology / geology particularly that which helps to define a place such as river valleys / drainage patterns,
   - plateaus, skylines (treed, farmland or open space) and ridge lines, distinctive hills such as at Kelston Roundhill or Farmborough Common, and areas of coal bearing rocks;
   - river corridors and natural water bodies including associated trees, woodland, farmland and open space;
   - natural landmarks;
   - distinct land cover or natural habitat including landscapes important for wildlife such as traditional flower-rich meadows, wetlands, trees and woodlands.

2. **CULTURAL AND HUMAN FACTORS** including:
    - man-made landmarks and distinctive landscapes modified by human activity such as coal batches;
    - historic earthworks;
    - follies;
    - water bodies including ponds, lakes and canals including associated trees, woodland, farmland and open space;
    - copses, orchards, tree-lines and woodlands;
    - parkland and parkland trees;
    - historic landscapes and distinctive historic hedgerow patterns and field and ditch systems;
    - disused quarries, railway lines, coal canals and other industrial archaeological features;
    - settlements and distinctive settlement patterns strongly associated with underlying or surrounding landscape and natural resources; the designed or incidental landscape associated with or forming the setting of heritage assets;)
    - culturally / historically significant landscapes such as landscapes associated with literature, art or historical events;
    - landscapes associated with events such as fairgrounds, traditional village greens;
    - greenways and other ancient routes;
    - landscapes with specific landscape quality, condition or aesthetic qualities.
3. **VISUAL AND PERCEPTUAL FACTORS** including:
    - special views, viewpoints and visual characteristics (e.g. sequential views);
    - open spaces within settlements which are visually distinctive and attractive in themselves or which are visually important to the local character of the settlement or local area;
    - tranquillity;
    - landscapes with significant associations:
    - significant perceptual factors such as colour, texture, form and pattern.

For more detail refer to ‘An Approach to Landscape Character Assessment’ (Natural England) October 2014 and other guidance and best practice examples.

6.124 Proposals for new development should demonstrate an understanding of the wider landscape context including identifying important landscape, heritage and ecological assets on and surrounding the site and should take account of what the community considers as valued landscape characteristics and features. Proposals should include an assessment of the landscape and visual effects to a level commensurate to the scale of likely effects using the

Guidelines for Landscape and Visual Impact Assessment, 3rd edition (2013) or any subsequent updated guidelines and best practice. Applicants are expected to make full use of available guidance and documents including existing landscape character assessments and relevant planning guidance, management plans, conservation area appraisals and neighbourhood plans (see list at the end of the section).

6.125 Green space is a key contributor in enhancing the sense of place and the quality of the environment and will be expected to be incorporated into development proposals in order to enhance landscape character and biodiversity, to provide sustainable public access and to provide other landscape benefits such as shading and shelter.

6.126 The purpose of Policy 6.8a is to protect, conserve and enhance the character and quality of the landscape of the District.

6.127 The Cotswold and Mendip Hills National Landscape Management Plans set out the managing body's policy for the management of the National Landscape, also known as Areas of Outstanding Natural Beauty (AONB,and the carrying out of their functions in relation to it. The Countryside and Rights of Way (CRoW) Act 2000, Section 85, as amended by the Levelling-up and Regeneration Act (LURA) 2023, places a statutory duty on all relevant authorities to seek to further the statutory purposes of National Landscapes when discharging any function in relation to, or affecting land within them. These purposes include conserving and enhancing the natural beauty of these landscapes.

POLICY 6.8a: CONSERVING AND ENHANCING THE LANDSCAPE AND LANDSCAPE CHARACTER

1. Development will be permitted where it:
    a. conserves or enhances local landscape character, including valued non-designated landscapes, landscape features and local distinctiveness
    b. incorporates green space within the scheme that positively contributes to creating a high quality environment by enhancing landscape character and biodiversity and providing sustainable public access and other landscape benefits
    c. is demonstrated that the whole scheme, including hard landscape and planting proposals, will contribute positively to the local area including

reference to relevant existing landscape assessments supplemented by any additional assessments

d. conserves or enhances important views particularly those to significant landmarks and features and take opportunities to create new local views and vistas.

2. Development should seek to avoid or adequately mitigate any adverse impact on landscape.
3. Proposals with potential to impact on the landscape / townscape character of an area or on views should be accompanied by a Landscape and Visual Impact Assessment undertaken by a qualified practitioner to inform the design and location of any new development.
4. Great weight will be afforded to conserving and enhancing landscape and scenic beauty of National Landscapes, and with particular reference to their statutory purpose and special qualities.

Nature Conservation

Habitat Regulation Assessments and Internationally Designated Sites

6.128 Bath & North East Somerset contains component parts of both the Bath and Bradford-on-Avon Bats Special Area of Conservation (SAC) and the North Somerset and Mendip Bats SAC. The district also contains the Chew Valley Lake Special Protection Area (SPA). These sites are of international importance for biodiversity and benefit from the highest levels of protection under the Habitats Regulations. Development must therefore be planned and delivered in a manner that protects these sites, avoids likely significant effects and ensures that their ecological integrity is maintained. Saved Local Plan Policy NE3 seeks to ensure that development which would adversely effect the SACs or SPA is not permitted.

Bat SACs

6.129 The Council has prepared Bat SAC Guidance to support the application of Local Plan policies, including Policy NE3, and the Habitats Regulations in relation to the Bath and Bradford-on-Avon Bats SAC and the North Somerset and Mendip Bats SAC. The guidance has been developed using the best available scientific evidence and reflects established approaches used by neighbouring authorities. It is supported by publicly available GIS mapping and habitat assessment tools.

6.130 The guidance focuses on the protection of functionally-linked habitat associated with SAC populations of Greater Horseshoe Bat, Lesser Horseshoe Bat and Bechstein's Bat. It addresses impacts on foraging habitat, commuting routes and wider habitat networks that are essential to maintaining the favourable conservation status of SAC bat populations. The guidance promotes the application of the mitigation hierarchy, requiring impacts to be avoided wherever possible before mitigation or compensation measures are considered.

6.131 To support consistent decision-making, the guidance identifies Greater Horseshoe Bat, Lesser Horseshoe Bat and Bechstein's Bat Consultation

Zones, representing areas where SAC bats are most likely to occur and where development may have the greatest potential to affect functionally-linked habitat. These zones are subdivided into Bands A, B and C, reflecting the relative importance of habitat and its proximity to key roosts. Band A encompasses the most sensitive areas, including Juvenile Sustenance Zones around maternity roosts; Band B identifies where supporting habitat of particular importance to the wider bat populations is most likely to occur; and Band C identifies where habitat with the potential to support commuting and foraging activity may occur.

6.132 Development proposals within the Consultation Zones will be expected to demonstrate that impacts on functionally-linked habitat have been appropriately assessed and addressed. Depending on the scale, location and nature of a proposal, this may require ecological surveys and the provision of habitat mitigation or compensation. The guidance includes a Habitat Evaluation Procedure (HEP), which provides a consistent method for assessing habitat losses and determining the quantity and type of replacement habitat required to ensure no net loss of functionally-linked habitat for SAC bat populations. The guidance will inform site allocations, master planning and development proposals across the district, helping to ensure that growth is planned and delivered in a way that protects functionally-linked habitat and avoids adverse effects on the integrity of the SACs.

Chew Valley SPAs

6.133 Chew Valley Lake SPA supports internationally important populations of overwintering Northern Shoveler and is also of national importance for a range of other migratory bird species including waders, terns, warblers and hirundines. Recreational activities can affect waterbirds through disturbance associated with human presence, dog walking and water-based recreation.

6.134 At Chew Valley Lake, recreation is carefully managed through existing arrangements that regulate sailing and fishing activity and through the zoning of activities to protect the most sensitive parts of the lake. Public access is largely focused on a network of permissive paths around the north-western side of the lake.

6.135 Natural England has advised that the current evidence base does not justify a strategic recreational mitigation approach for Chew Valley Lake equivalent to that adopted for some other internationally designated sites. Instead, potential recreational impacts should be considered on a proportionate, site-by-site basis, focusing particularly on development proposals within walking distance or a short drive of the SPA.

6.136 In assessing potential effects, consideration will be given to the scale of development proposed, accessibility to the lake, the availability of alternative greenspace and opportunities to provide on-site open space and informal recreation. The Council's Greener Places Plan, Green Infrastructure policies and Green Infrastructure standards support the delivery of accessible and attractive green infrastructure as an integral part of new development.

6.137 Many site allocations include areas of natural and semi-natural green infrastructure that support recreation, climate resilience, nature recovery and health and wellbeing objectives. For allocations closest to the SPA, additional site-specific measures may be required to ensure that recreational pressures do not adversely affect the integrity of the site. Site allocations in proximity to the SPA therefore provide appropriate open space, green infrastructure and recreational opportunities to help meet the needs of future residents and reduce the likelihood of increased recreational pressure on the lake

6.138 Together, the Bat SAC Guidance, Local Plan policies and site-specific mitigation measures provide a framework for ensuring that growth is planned and delivered in a manner that avoids adverse effects on the integrity of internationally designated sites. This framework will inform site allocation, masterplanning and planning applications, ensuring that impacts on functionally-linked habitat, recreational pressures and other potential effects are appropriately identified, assessed and addressed, whilst supporting the sustainable growth of the district.

Biodiversity Net Gain

6.139 Paragraph 187d) of NPPF 2024 sets out that ‘planning policies and decisions should contribute to and enhance the natural and local environment by ...

minimising impact on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.'

6.140 Section C776a of 'Biodiversity Net Gain: Good Practice Principles', published by the Construction Industry Research and Information Association (CIRIA) in partnership with the Chartered Institute of Ecology and Environmental Management (CIEEM) and the Institute of Environmental Management and Assessment (IEMA), states that: 'Enhancing biodiversity is integral to sustainable development, and Biodiversity Net Gain is an approach to embed and demonstrate biodiversity enhancement within development. It involves first avoiding and then minimising biodiversity loss as far as possible and achieving measurable net gains that contribute towards local and strategic biodiversity priorities.'

6.141 The Environment Act 2021 aims to improve air and water quality, tackle waste, improve biodiversity and make other environmental improvements. As of April 2024, it became a mandatory requirement for all new development, unless exempt, to deliver a 10% increase in biodiversity. Biodiversity Net Gain (BNG) is the achievement of measurable gains for biodiversity through new development and occurs when a development leaves biodiversity in a better state than before development. The Council's BNG policy will require development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

6.142 The level of growth required over the plan period in Bath and North East Somerset will place increasing pressure on land that supports the District's internationally important species. It will also require the release of areas of Green Belt, where nature recovery is a particular priority. In addition, a greater proportion of the district falls within Local Nature Recovery Strategy (LNRS) focus areas compared to the wider region, meaning that securing biodiversity gains in Bath and North East Somerset will make an important contribution to regional nature recovery. In this context, the Council is committed to securing meaningful biodiversity gains through development and will encourage proposals to exceed the statutory minimum 10% Biodiversity Net Gain where this is feasible, viable and consistent with the mitigation hierarchy.

6.143 The Council's BNG policy reflects mandatory BNG measures, including use of Defra's statutory Biodiversity Metric for most developments, and its Small Sites Metric for use on small development sites, in some circumstances (such as where no priority habitat, protected species, or off-site mitigation is involved). These (or any subsequent or agreed equivalent versions) provide the methodology for the BNG calculation. The Council will also seek use of the '10 BNG Good Practice Principles Biodiversity Net Gain: Good practice principles for development' (© CIEEM, CIRIA, IEMA, 2016). The calculation and BNG assessment must be set out in a Biodiversity Gain Plan, including data and maps showing habitats affected and proposed. The Biodiversity Gain Plan must be approved by the Council before development can commence, so applicants are encouraged to submit a Biodiversity Gain Plan at the earliest opportunity, preferably at the planning application stage.

6.144 BNG can be delivered on-site, off-site, or via the statutory biodiversity credits scheme. The Biodiversity Gain Hierarchy, which Local Planning Authorities must take account of when approving the Biodiversity Gain Plan, emphasises that BNG must be provided on-site wherever possible. Registered off-site biodiversity units will only be considered where it can be demonstrated that all reasonable opportunities to achieve measurable net gains on-site have been exhausted, or, where it can be demonstrated that greater gains can be delivered off-site with improvements clearly shown to be deliverable and consistent with the Local Nature Recovery Strategy (LNRS). As a last resort, where on-site or off-site gain is not possible, statutory biodiversity credits can be purchased with permission from the Local Planning Authority.

6.145 Proposals for off-site BNG will be expected to demonstrate how they positively contribute to the delivery of recommended measures for habitat creation and enhancement identified in the West of England LNRS, the successor to the WENP Nature Recovery Network referred to in Saved Policy NE5, and to areas of significance for local nature recovery, including through the enhancement, buffering or linking of protected sites. Where there is evidence of deliberate neglect or damage to any of the habitats and species on a site before an application, their deteriorated condition will not be taken into consideration and the ecological potential and or previously recorded habitats

of the site will be used to decide the acceptability of any development proposals.

6.146 Certain types of development are exempt from mandatory BNG as set out in the Biodiversity Gain Requirements (Exemptions) Regulations 2024, or the latest available version thereof. Before submitting an application, applicants should check whether the development may be exempt. Any exempt application must be accompanied by a BNG Exemption Statement.

Policy 6.9: Biodiversity Net Gain (BNG)

Development will only be permitted where a Biodiversity Net Gain of at least 10% is demonstrated and secured in perpetuity (at least 30 years).

Subject to the following requirements:

1. The latest statutory DEFRA metric is used to quantify the biodiversity value of the site pre-development, post-development after application of the mitigation hierarchy and for any off-site areas proposed for habitat creation or enhancement both pre- and post-development.
2. That the assessment be undertaken by a suitably qualified and/or experience ecologist and is submitted together with baseline and proposed habitat mapping in a digital format with the application.
3. A biodiversity gain plan will be required, detailing how the post-development biodiversity values of the site and any supporting off-site provision will be secured, managed and monitored in perpetuity.
4. Any off-site habitats used to achieve BNG must be a registered biodiversity gain site and well located to maximise opportunities to contribute to local nature recovery and Local Nature Recovery Strategy measures.

Opportunities to secure Biodiversity Net Gain on householder and other exempted developments will be supported.

Trees and Woodland Conservation

6.147 Trees are an important part of our natural life support system; they have a vital role to play not just in the sustainability of our urban and rural areas, but as an important component of Green Infrastructure. They benefit:

a) The local economy – creating potential for employment, providing a sustainable source of compost, biofuels and the raw materials for businesses, encouraging inward investment, bringing in tourism and adding value to property.
b) The local environment - reducing the effects of air pollution by removing sulphur dioxide, ozone, nitrogen oxides and particulates, and reducing

storm water run-off and soil erosion, acting as carbon sinks and producing oxygen; reducing energy consumption through moderation of the local climate by providing shelter and shade and reducing glare, reflection and wind speeds. They can also provide screening and privacy or emphasise views and architecture, as well as providing significant and in some cases irreplaceable wildlife habitat.

c) The health and wellbeing of our communities – by providing shade from harmful ultra-violet radiation and improving the visual quality of our landscape and our sense of wellbeing. Studies have shown that the calming effect of trees can reduce stress levels and improve recovery time after surgery. Trees and woodlands also provide opportunities for recreation and education.

6.148 The Trees and Woodland Conservation Policy seeks to protect the District's trees and woodland from the adverse impact of development by setting out criteria against which proposals will be assessed.

6.149 Applicants will be expected to refer to the best practice guidance in the latest British Standard, currently BS 5837 (Trees in Relation to Design, Demolition and Construction) which provides recommendations on assessing the quality and contribution of trees on and adjacent to sites, and BS 8545 (Trees from Nursery to Independence in the Landscape).

6.150 Proposals should demonstrate that retained and new trees have sufficient space (including rooting environment and separation from built form and services) to reach maturity and full life expectancy, in accordance with BS 5837, BS 8545, and other relevant arboricultural standards and guidance current at the time of application.

6.151 Tree planting should also avoid monocultures and provide a diverse mix of genera and species to support resilience to climate change and pests and diseases.

Context

6.152 Many of the trees in the urban areas of the District are in a critical condition and there is little or no replacement planting for over-mature trees in decline. Infill development has often reduced the space available for planting large tree species, which is not conducive to them reaching maturity and full life expectancy, and new tree planting takes many years to mature even with optimum growing conditions. Climate change and pests and diseases present

further challenges. The management and retention of significant trees is, therefore, pressing.

6.153 The Council has a duty under the Town and Country Planning Act 1990 to ensure trees and woodland are preserved wherever it is appropriate. The Council protects trees and woodlands through TPOs, as appropriate. There is also a level of protection afforded to trees in Conservation Areas. There are, however, many trees of value that may not be protected under these designations, including ancient woodland and ancient or veteran trees which are considered irreplaceable habitats (Paragraph 193c; NPPF, 2024).

Policy 6.10: Trees and Woodland Conservation

1. Development will only be permitted where:
    a) it seeks to avoid any adverse impact on trees and woodlands of wildlife, landscape, historic, amenity, productive or cultural value; and
    a) it includes the appropriate retention and new planting of trees and woodlands; and
2. It is demonstrated that retained and newly planted trees (including street trees where relevant) are the most appropriate trees for their location by:
    a) providing a diverse mix of genera and species appropriate to the site and local landscape character; and
    b) ensuring sufficient above and below ground space, and appropriate separation from buildings, utilities and highways, so that trees can achieve their mature size and normal life expectancy without future undue pressure for pruning, removal or other constraint; and
3. If it is demonstrated that an adverse impact on trees is unavoidable to allow for appropriate development, compensatory provision will be made in accordance with Tree Replacement Standards in the Planning Obligations Supplementary Planning Document..
4. Development proposals directly or indirectly affecting ancient woodland and ancient trees or veteran trees will not be permitted.

Green Infrastructure

6.154 The Council is committed to urban greening and securing multifunctional green infrastructure in the district to restore nature, provide climate resilience, create healthy places to live and attract investment. The green infrastructure policy is key to optimising multifunctional green infrastructure within development and making sure that it is managed, maintained and monitored to provide benefits and services for the long term.

6.155 In applying this policy to major developments, applicants will be expected to calculate Urban Greening Factor (UGF) target scores using Natural England's UGF methodology, as set out in their Green Infrastructure Framework, which measures urban greening through a set of weighted surface cover types. This includes natural and semi-natural vegetation; street trees; hedgerows; amenity grasslands including formal lawns; food growing, orchards and allotments; sustainable drainage features; green roofs and walls. The UGF is intended to operate alongside Biodiversity Net Gain and open space requirements as a complementary mechanism for securing multifunctional green infrastructure within development, helping to increase urban greening, support habitat creation and ecological connectivity, improve climate adaptation and resilience through measures such as shading, cooling and flood risk mitigation, and improve the quantity, quality and accessibility of green infrastructure delivered on-site.

6.156 Major developments will also need to produce a Green Infrastructure Plan that must be approved by the Council before development can commence.

6.157 The use of the Environmental Benefits from Nature Tool to assess environmental impacts and benefits, and use of other standards such as Building with Nature to support compliance with the policy will be encouraged.

Context

6.158 The NPPF (2024) defines Green Infrastructure (GI) as ‘a network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic,

health and wellbeing benefits for nature, climate, local and wider communities and prosperity.'

6.159 GI can embrace a range of spaces and assets that provide environmental and wider benefits. It can, for example, include parks, playing fields, other areas of open space, woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and 'blue infrastructure' such as streams, ponds, canals and other water bodies (PPG Natural Environment; Paragraph: 004 Reference ID: 8-004-20190721).

6.160 GI opportunities and requirements need to be considered at the earliest stages of development proposals, as an integral part of development and infrastructure provision, and taking into account existing natural assets and the most suitable locations and types of new provision (PPG Natural Environment; Paragraph: 008 Reference ID: 8-008-20190721).

6.161 The draft Design and Placemaking Planning Practice Guidance (2026) sets out how well-designed places should be achieved in practice. In accordance with the guidance, development should deliver well located, high-quality and attractive public spaces (including open spaces and spaces for physical activity) that are accessible to a range of users and connected by safe, convenient routes.

6.162 Open spaces should integrate and complement GI, including where it serves a distinct function such as protecting and enhancing wildlife and habitat connectivity.

6.163 GI will require sustainable management and maintenance if it is to provide benefits and services in the long term. Arrangements for funding need to be identified as early as possible, and factored into the design and implementation, balancing the costs with the benefits.

6.164 Local community engagement can assist with management and tailoring provision to local needs (PPG Natural Environment; Paragraph: 008 Reference ID: 8-008-20190721).

6.165 Depending on individual circumstances, planning conditions, obligations, or the Community Infrastructure Levy may all be potential mechanisms for

securing and funding GI (PPG Natural Environment; Paragraph: 008 Reference ID: 8-008-20190721).

Green Infrastructure in Bath and North East Somerset

6.166 At a sub-regional level, B&NES has adopted the West of England Joint Green Infrastructure Strategy 2020-2030 (JGIS). The West of England JGIS sets out priorities for delivering a planned and managed network of green and blue spaces to support health and wellbeing, nature recovery, growth and climate resilience across the West of England. The Council works with regional partnerships including the West of England Nature Partnership and Bristol Avon Catchment Partnership to support delivery of these regional ambitions.

6.167 The GI Framework for Bath and North East Somerset includes the Greener Places Plan 2025 to 2035 and the Greener Places Investment & Delivery Plan 2025 to 2030. The Greener Places Plan 2025 to 2035 promotes understanding of what GI is, the multiple benefits it provides, and how to deliver it where it is needed most, for people and nature. The Greener Places Investment & Delivery Plan 2025-2030 identifies actions to deliver the Greener Places Plan to achieve the vision for Bath and North East Somerset and contribute to the delivery of regional strategies and plans.

Policy 6.11: Green Infrastructure

1. The integrity, multifunctionality, quality and connectivity of green infrastructure (GI) will be protected, enhanced, and actively managed. Opportunities will be taken to connect, improve, and extend the network, ensuring that both existing and new green / blue spaces and natural features are planned as a key mechanism for nature recovery, climate adaptation and resilience, and as an integral component of creating healthy and sustainable communities.
2. Development proposals that deliver high-quality and multifunctional GI will be supported. Development must:
    a) safeguard existing landscape features, habitats, green / blue spaces and natural features, while creating and strengthening networks at site, settlement, and wider landscape scales, where appropriate;
    b) optimise multifunctional benefits including enhancing biodiversity and ecological networks; supporting climate adaptation and resilience, managing surface water and flood risk and promoting health, wellbeing, and inclusive access to high-quality greenspace; and

c) reflect and enhance local distinctiveness, natural and historic environment features, and settlement patterns, and contribute positively to placemaking and visual amenity.

3. Major development should seek to achieve the following Urban Greening Factor (UGF) target scores, using UGF as a design tool to inform the layout, landscape strategy and integration of multifunctional GI from the earliest stage of design:
   a) 0.3 for major commercial development
   b) 0.4 for all major residential development on previously developed land (including purpose-built student accommodation and co-living accommodation)
   c) 0.5 for all major residential development on greenfield land (including purpose-built student accommodation and co-living accommodation)
4. Where the relevant UGF target score is not achieved, the applicant should provide a proportionate explanation setting out how the proposal has maximised urban greening having regard to the nature of the development, site-specific constraints, viability, design quality, heritage, access, amenity, drainage and other relevant planning considerations.
5. Proposals for major developments must be accompanied by a Green Infrastructure Plan, which must include:
   a) a plan of the existing green / blue spaces and natural features within and around the development site;
   b) a demonstration of how green / blue spaces and natural features have been incorporated into the scheme to connect, improve, and extend the network;
   c) a summary of how the proposals take account of the Local Nature Recovery Strategy and the creation and restoration of wildlife rich habitats; and integrate with Biodiversity Net Gain, where appropriate;
   d) details on the approach to GI for climate adaptation and resilience including shading, cooling and flood risk mitigation, in accordance with the Climate Adaptation and Resilience Policy; and
   e) at full application stage, an outline of stewardship arrangements for not less than 30 years to cover maintenance, management, and funding arrangements with full details to be secured by legal agreement as required

Open Space

6.168 The Council are committed to providing a thriving network of open spaces for communities that are inclusive, safe, and rich in nature and wildlife, ensuring they contribute to people's health and wellbeing and respond to the Ecological and Climate Emergencies. Reducing inequalities in access, improving quality

and value, and ensuring provision meets the needs of local communities are priorities for the Council.

6.169 The open space policy is key to ensuring new development is providing access to a network of high-quality open spaces to meet the local needs arising from new development, informed by the Bath and North East Somerset Open Space Assessment and the standards set out in Appendix 2. The protection of existing open space, sports and recreational buildings and land, formal and informal play space and allotments is addressed through relevant national policy, and Saved Policies LCR5 and LCR8.

Context:

6.170 The NPPF (2024) defines open space as ‘all open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity’; and paragraph 103 recognises that access to a network of high-quality open spaces is important for the health and wellbeing of communities and can deliver wider benefits for nature and support efforts to address climate change.

6.171 The Planning Practice Guidance (PPG) states that open space should be taken into account in planning for new development and considering proposals that may affect existing open space, and that Local Planning Authorities are responsible for assessing need for open space and opportunities for new provision in their areas (PPG Open space, sports and recreation facilities, public rights of way and local green space; Paragraph: 001 Reference ID: 37-001-20140306).

6.172 Open spaces should be designed to be welcoming, safe, accessible and inclusive for all. Development should minimise physical, social and psychological barriers to access and use, ensuring that spaces are easy to reach, navigate and enjoy for people of all ages, abilities, backgrounds and circumstances. Design should promote safety, comfort and confidence through measures such as clear routes, good visibility, natural surveillance and inclusive design.

Open Space Assessment

6.173 The Bath and North East Somerset Open Space Assessment provides the evidence base for planning open space provision across Bath and North East Somerset to 2043. It assesses the existing quantity and accessibility of open spaces, as well as future open space needs and deficiencies, gaps in provision or surpluses in current and future provision. The Assessment informs development proposals by setting appropriate local quantity and accessibility standards for accessible open space, provision for children and teenagers, and food growing space; supports a 'no net loss approach' and helps ensure new development contributes to inclusive, multifunctional open spaces that support recreation, health and wellbeing, biodiversity, climate resilience and local character.

Policy 6.12: Open Space

1. Development must provide, protect, and enhance a multifunctional network of open spaces that meets the recreational, health and wellbeing needs of existing and future communities, while contributing to the wider green infrastructure network, nature recovery and climate adaptation and resilience.
2. Major residential development will be required to provide open space in accordance with the quantity and accessibility standards as set out at Appendix 2.
3. Open space must be planned as an integral structuring element of development, not as incidental space, with clear arrangements secured for future maintenance, management and monitoring to ensure continued quality and value.
4. Development will be required to provide the open space necessary to meet the needs arising from the development on-site, in accordance with the policy above. Only where it can be demonstrated that on-site provision is not feasible or appropriate will equivalent off-site provision or a financial contribution towards its delivery be accepted.

Green Belt

6.174 Green Belts are designated primarily in order to prevent urban sprawl by keeping land permanently open. As such they help to shape patterns of urban development, protect the countryside and provide opportunities for outdoor sport and recreation.

6.175 Whilst Green Belts remain an important element of national planning policy the December 2024 NPPF establishes key changes to Green Belt policy. Firstly, there is an expectation that, if the need for development cannot be met in any other way, Green Belts will be reviewed through Local Plans in order to identify whether land should be released from it for development. Secondly, the 2024 NPPF introduces the concept of 'grey belt'. The definition of and criteria for identifying land as 'grey belt' are set out in the NPPF and NPPG. In assessing whether land should be released from the Green Belt for development through Local Plans, previously developed sites and non-previously developed 'grey belt' land should be considered first.

6.176 Land should only be released from the Green Belt for development if 'exceptional circumstances' are demonstrated. As set out in chapter 1 and the relevant sub-area chapters it is considered that 'exceptional circumstances' exist within B&NES to justify removing land from it for development. The exceptional circumstances are set out in supporting evidence. In identifying the land to be released from the Green Belt for development during the Local Plan period the need to identify safeguarded land to meet longer term development requirements as required by national policy has also been considered. It is considered that there is no scope to identify safeguarded land associated with any of the areas where land will be released from the Green Belt. Other than the land releases and site allocations identified no further releases from the Green Belt are justified.

6.177 The revised general extent of the Green Belt is set out on the Key Diagram supporting Policy 1.1 and the revised detail boundaries where land is released are defined on the Policies Map (see Appendix).

6.178 The NPPF sets out 'golden rules' that should be met either where land is released from the Green Belt for development or on land within the Green Belt through a planning application. The 'golden rules' that should be met are summarised as:

a. affordable housing – increased contribution or proportion of 15% above requirements elsewhere up to a cap of 50%
b. necessary improvements to local or national infrastructure; and
c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good

quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces

6.179 As set out above through this Local Plan it is proposed to release land from the Green Belt to enable both strategic and non-strategic development in sustainable locations. The infrastructure required to support strategic development and the associated financial burden on development is significant. As such it is not viable for such sites to deliver an uplift in affordable housing and therefore, as set out in the relevant site allocation policies 40% affordable housing is sought in line with Policy 6.14.

6.180 Development of sites within the Green Belt proposed through a planning application is not generally subject to such significant infrastructure requirements. Therefore, in line with the 'golden rules' set out in the NPPF an increased proportion of affordable housing, at 50%, will be sought on such sites.

6.181 The 'golden rules' requirements relating to improvements to local infrastructure and the provision of new or improved accessible green space will be applied to all sites, both those on land released from the Green Belt through the Local Plan (and as set out in the relevant site allocation policy) and development proposed on Green Belt land through planning applications (see Policy 6.13 below).

6.182 The NPPF outlines that most other forms of development are 'inappropriate development' in the Green Belt and this will not be permitted unless very special circumstances can be demonstrate by the applicant. Exceptions to 'inappropriate development' are also set out in the NPPF.

Policy 6.13: Green Belt

The general extent of the Green Belt is set out on the Key Diagram. The detailed boundaries including those for excluded villages are defined on the Policies Map. The openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy.

Development on large sites (as defined in Policy 6.14) within the Green Belt will be required to meet the 'golden rules' set out in national policy as follows:

a. provide 50% affordable housing in accordance with the provisions of Policy 6.14

b. demonstrable necessary improvements to local or national infrastructure; and
c. the provision of new, or improvements to existing, green spaces that are accessible to the public (subject to also the provisions of Policies 6.11 and 6.12)

Building Strong and Vibrant Communities

Meeting Housing Needs

Affordable Housing

6.183 This policy sets out when affordable housing provision will be required and the proportions which will be sought. This includes defining the level of affordable housing that is appropriate taking account of evidence in relation to local housing need and viability.

6.184 Bath & North East Somerset is one of the least affordable places to live in the UK. According to data from the Office of National Statistics in 2025, the region had one of the highest affordability ratios in the country, with average homes selling for 10.4 times average earnings.

6.185 This unaffordability creates significant issues, including a high number of households on the social housing waiting list and a large number of households in temporary accommodation as well as negative impacts on economic growth. The Council's Economic Strategy details the impact of a lack of affordable housing, explaining that it threatens the vitality of local businesses and the social sustainability of towns and villages, as well as creating a significant barrier to attracting talent for local jobs and can contribute to employees relocating to areas with cheaper housing.

6.186 In order to understand the local housing market and assess current and future housing requirements and need the Council commissioned a Local Housing Needs Assessment (LHNA) which was published in September 2025. The September 2025 LHNA used the government's standard method figure of housing need of around 27,000 homes over the Local Plan period as the starting point and identified existing and related future need for affordable housing. The standard method figure of around 27,000 exceeds housing needed as a result of projected population and household growth. In 2026 an addendum to the LHNA was prepared.

6.187 The LHNA 2026 Addendum assessed the mix of housing, including affordable housing, required based on Local Plan requirement for around 22,000 new

homes over the plan period. The Addendum identifies a requirement for around 8,800 affordable homes over the plan period (equivalent to around 489 affordable homes per year). The wider LHNA evidence base also identifies a need for 1,800 self-contained specialist homes for older people, comprising both housing with care and housing with support.

6.188 Informed by the LHNA Addendum the Council's affordable housing tenure mix will comprise 70% social rent and 30% affordable home ownership. Reflecting identified housing need, this split prioritises genuinely affordable housing for households in the greatest need, particularly those on the Council's Homesearch register. Shared ownership will be the Council's preferred affordable home ownership tenure, providing an affordable route into home ownership for households unable to purchase suitable housing on the open market.

6.189 Evidence of need for affordable forms of housing for those that aspire to home ownership is corroborated by the Council's Economic Strategy, which notes there is a need for housing for workers in the local economy to ensure that living and working in B&NES is attractive and accessible for all.

6.190 The delivery of affordable housing in rural areas is critical to sustaining the social, economic and environmental vitality of villages and smaller settlements. Affordable housing to meet identified local needs will be provided in accordance with the Council's District-wide Spatial Development Strategy for supporting sustainable communities, alongside other relevant Local Plan policies, including the Council's approach to Rural Exception Sites (including via saved Policy RA4).

6.191 In terms of the housing within the Cotswold National Landscape, The Cotswold National Landscape Management Plan 2025-2030 highlights, under development priorities, that 'Housing delivery in the Cotswolds National Landscape should be focused on meeting affordable housing requirements, particularly housing that is affordable in perpetuity such as social rented housing.'

6.192 Similarly, The Mendip Hills AONB Management Plan 2025-2030 states that 'A number of villages have identified a need for affordable housing to support rural communities.'

6.193 The LHNA demonstrates that there is a housing need for a mix of affordable housing types by bedroom size. Although the LHNA Addendum identifies a need for one and two-bedroom homes, it also evidences a significant requirement for larger family housing, estimating a need for 1,224 homes with four or more bedrooms. This level of need would be equivalent to an average of 68 larger family homes per year if delivered evenly across the period.

6.194 That need is supported by waiting list data (March 2026) which shows that in the three previous three years (2022 to 2025) only 9 four-bedroom homes became available for waiting list applicants and no five or six bedroom properties.

6.195 The affordable housing policy set out below seeks to deliver housing that is genuinely affordable in Bath & North East Somerset and that helps ensure that development is sustainable and inclusive and supports mixed and balanced communities.

6.196 The main source of delivery for affordable homes, without grant funding, will be on sites for market housing through planning policy. The Council will seek to maximise additional affordable housing through public sector subsidy via grant funding, or other forms of investment. This includes sites delivering 100% affordable housing and additional affordable housing over and above planning requirements on market led sites.

6.197 The NPPF sets out 'Golden Rules' for Green Belt development relating to affordable housing provision, including that a higher level of affordable housing should be sought. The Council will apply the 'Golden Rules' as set in national policy and will require a greater proportion of affordable housing, at 50%, on sites in the Green Belt that are proposed for development through a planning application (see also Policy 6.13). For strategic sites that are released from the Green Belt and allocated for development through the Local Plan the Council will seek 40% affordable housing. This takes account of the

infrastructure costs relate to these sites and the associated financial contributions from developers.

6.198 Affordable housing delivered through Local Plan policies may only be occupied by people eligible for, and in need of affordable housing, who are unable to afford to buy or rent an appropriate property locally on the open market and who fulfil the criteria for affordable housing as laid out in the Council's Allocations Policy as amended from time to time.

6.199 The definitions for affordable housing are set out in the NPPF.

6.200 Further supporting explanation in relation to this Affordable Housing Policy is set out in the Council's Planning Obligations Supplementary Planning Document Interim Update February 2026 and other guidance.

6.201 Other Local Plan policies detail the Council's approach to affordable housing for Build to Rent (Policy 6.15), Purpose Built Student Accommodation (Policy 6.18) and Co-Living (Policy 6.16).

Policy 6.14: Affordable Housing

1. Large sites

Affordable housing will be required as on-site provision in developments of 10 dwellings or more or 0.5 hectare and above (the lower threshold applies). The affordable homes will be provided without public subsidy.

The affordable homes must be provided on site as part of the same development.

All sites of self-contained dwellings will be subject to this policy including where care and/or communal facilities are provided as part of the development.

The affordable housing requirements for Build to Rent, Purpose Built Student Housing and Co-Living developments will be subject to specific policy requirements set out in individual policies in this Local Plan.

The level of affordable housing will be dependent on the type of site and type of development, with the following minimum thresholds applying:

Site type	AH % requirement
Large sites - Residential dwellings regardless of use class (and therefore not confined to C3 use class) comprising all residential accommodation that provides a dwelling or accommodates a household. It excludes temporary accommodation for homeless people.	40%
Large sites - As above, where located within the Somer Valley (defined for the purposes of this policy as the parishes of Midsomer Norton, Westfield, Radstock, Paulton, Farrington Gurney and Peasedown St John).	30%
Large sites - As above, for flatted only developments	20%
Green Belt land (see Policy 6.13)	50%
Housing for older people	20%
Build to rent (see Policy 6.15)	20%
Purpose built student accommodation (see Policy 6.18)	Requirement will be via a financial contribution.
Co-Living (see Policy 6.16)	Requirement will be via a financial contribution.

Where the affordable housing requirement results in a fraction of a dwelling this must be rounded up to a whole dwelling.

2. Small sites

Residential developments on small sites from 2 to 9 dwellings within the Cotswold National Landscape, Mendip Hills National Landscape and designated rural areas as defined in the NPPF must provide either on-site provision or an appropriate financial contribution towards the provision of affordable housing.

The target level of affordable housing for these small sites will be 20%.

This must be on-site delivery unless clear evidence is provided showing why this is not achievable (this should be agreed with housing and planning officers at an early stage) or the Council itself expresses a preference for a financial contribution.

3. Tenure of affordable housing

The types of affordable housing tenure are defined in the NPPF, other forms of affordable housing will not be accepted.

The tenure split will be expected to be for 70% of homes to be for social rent and 30% of homes to be provided as affordable home ownership.

In exceptional circumstances, where it is demonstrated that an alternative tenure mix is required, the tenure mix will be agreed in liaison with the Council's Housing Enabling Team. In determining an appropriate alternative mix, regard will be had to local housing need, site-specific characteristics and delivery considerations, informed by the latest LHNA, other relevant housing needs surveys commissioned by the Council from time to time, the Council's housing waiting list, rural housing needs surveys, and other evidence approved by the Council.

Affordable home ownership

The Council expects shared ownership to be provided as the default form of affordable home ownership. This reflects the Council's view that shared ownership, through lower equity shares and rents, is the most affordable home ownership tenure and best able to meet local needs

If First Homes are delivered, this will form part of affordable home ownership delivery and shall be at a 30% discount to market price and sold at a price, after the discount has been applied, of no more than £250,000, or the amount as updated by government guidance.

First homes exception sites

The Council will support First Homes exception sites, where evidence of unmet need is demonstrated through a housing needs survey and the Council has agreed that the First Homes tenure is required in the locality.

4. Property size and mix

Residential developments delivering on-site affordable housing should provide a mix of affordable housing units and contribute to the creation of mixed, balanced and inclusive communities. The size and type of affordable units will be determined by the Council to reflect the identified housing needs derived from the latest LHNA, the Council's housing waiting list and rural housing needs surveys

and other evidence approved by the Council, in liaison with the Housing Enabling team.

The Council will aim for at least 60% of the affordable dwellings to be family accommodation with a proportion meeting the housing need for larger households through the provision 4/5 bedroom dwellings.

5. Space standards

All new build affordable homes will, at a minimum, comply with the Nationally Described Space Standards.

Further information about accessibility standards for affordable housing can be found in Policy 6.19: Housing Accessibility Standards.

6. Viability

Based on the Local Plan Viability Assessment, developments are expected to be viable, with no requirement for public subsidy to support the provision of the affordable housing.

The price paid for land is not a relevant justification for failing to accord with relevant policies in the plan. Landowners and site purchasers should consider this when agreeing land transactions.

In exceptional circumstances, if an applicant can demonstrate special challenges which justify the need for a viability assessment at application stage, this must be informed by robust evidence and a comprehensive viability appraisal and be undertaken and set out on an 'open book' basis. It must clearly demonstrate the highest level of affordable housing that can viably be achieved by the development. The viability assessment must be independently evaluated by the Council at the applicant/developer's expense.

In considering affordable housing viability within the proposed development, the following considerations will be taken into account to maximise the affordable housing provision:

- Whether grant or other public subsidy can be obtained and how this can be utilised to achieve policy compliance. If available such funding must be sought.
- The tenure and size/mix of the affordable housing to be provided.
- Whether there are exceptional build or other development costs not foreseen in the Local Plan.

The Council will weigh up these factors and any other relevant facts to determine an outcome it considers to be acceptable.

Where an application fails, following the financial viability assessment, to provide the full affordable housing policy requirement, an effective review mechanism will be included in the S.106 Agreement aimed at achieving a greater level of policy compliance over the lifetime of the development if this proves viable.

This will take the form of an early, mid or late stage viability review where a scheme is delivering less affordable housing than the target required by this policy. The review stage(s) will depend on the type of scheme and the individual site circumstances and suitable triggers will be included in the S.106 Agreement. The viability review will be substantially in the same form and with the same requirements as an initial viability assessment. The reviews will be at the developer's/applicant's expense.

7. When on-site provision cannot be achieved

In exceptional circumstances where on-site provision cannot be achieved, the Council will consider the use of alternative mechanisms to secure the full affordable housing requirement.

Financial contributions (commuted sums) will only be accepted in the following circumstances:

- Where it has been demonstrated by the applicant/developer that on-site provision is physically impracticable;
- On-site provision is not viable and has been demonstrated by the applicant/developer and has been independently validated in line with the requirements of this Policy;
- The Council decides a preferred outcome for the affordable housing is achieved through off-site provision;
- The outcome still supports mixed and balanced communities.

The Council has set out the calculation for determining financial contributions in Appendix 1. This will be updated for inflation under the Housing Services Charging Policy, or subsequent iteration.

8. Sub-division and phasing/adjoining land

Where it is proposed to phase development or sub-divide sites, or where only part of a site is subject to a planning application, the Council will take account of the whole of the site when determining whether it falls above or below the thresholds set out above.

Where the gross number of dwellings (including conversions and changes of use) proposed falls below policy threshold, the Council will consider whether the site reasonably has capacity to provide 10 or more dwellings that would trigger a requirement to contribute towards affordable housing. This is to ensure that applicants/developers do not circumvent the policy requirement by artificially subdividing sites or through an inefficient use of land.

Applications will be refused where it is deemed by the Council that the developer/applicant has artificially suppressed the site delivery, density or housing type to avoid the affordable housing contribution.

9. Delivery

Affordable housing will be delivered in accordance with the Council's Housing Strategy/Plan or equivalent.

Affordable housing should be integrated within a development and should not be distinguishable from market housing.

Affordable housing should be provided in small clusters, dependent upon site size and should not share boundaries, within or across separate phases of development.

On all large sites affordable housing should be developed at the same time as the market housing and where development is multi-phased a Phasing Plan must be submitted as part of the affordable housing Masterplan.

10. Ensuring affordable homes remain affordable

The Council's intention is to provide affordable housing which remains at an affordable price in perpetuity for future eligible households and will use appropriate clauses in the S.106 Planning Agreement to secure this.

In the event of any sales or staircasing affecting affordable housing delivered through this policy then an arrangement must be made to recycle the receipts/subsidy for the provision of new alternative affordable housing located elsewhere within Bath and North East Somerset, and as guided by the Council.

11. Housing for older people and specialist housing

Housing for older people and specialist housing will be required to provide a minimum of 20% on-site affordable homes without public subsidy. This provision will apply to all developments of self contained housing for older people including specialist housing and will be required to provide policy-compliant affordable housing regardless of use class.

Use of financial contributions

6.202 Financial contributions towards affordable housing secured from development will be used to meet the housing objectives set out in the Council's Housing Strategy/Plan.

6.203 Any such amount will contribute to a fund to assist in the delivery of additional affordable housing. These funds may be used to support schemes that would otherwise not be viable, increase the amount of affordable housing in a scheme beyond the grant free position (up to a maximum of 50%), increase the proportion of larger family homes, assist in the funding of older people's or supported housing, to improve the quality of affordable housing products on offer or in other efforts to deliver affordable housing.

Affordable housing led development and additionality

6.204 On sites allocated solely for affordable housing, or where only affordable homes are proposed, there is no requirement to deliver a percentage of homes without public subsidy where the threshold is exceeded.

6.205 Additional affordable housing (up to 100% of the total homes) on market schemes over and above the threshold as set out in this policy will also be supported, provided that the homes, in both case, meet identified need, contribute to mixed and balanced communities and the requirements of the Council's Planning Obligations Supplementary Planning Document Interim Update February 2026 and other guidance.

Vacant building credit

6.206 The proportion of affordable housing will apply to all new residential units, and any demolished properties will not be 'netted off'.

6.207 Vacant building credit does not apply to:

- vacant buildings which have been partly abandoned, the whole building must be vacant to apply for Vacant Building Credit. The onus will be on the applicant to demonstrate that a building is vacant.
- to major development on land within or released from the Green Belt, to which the 'Golden Rules' apply.

6.208 The Council judges a building to be vacant in the following circumstances:

- It has not been in continuous use for any six months period during the last three years up to the date the planning application is submitted.
- The site has not been vacated for the purposes of redevelopment;
- There is no interest in using the existing buildings on site, those having been marketed with reasonable terms and conditions throughout the period of vacancy;
- There are no extant permissions to use the site for alternative uses
- There are site specific barriers to the re-occupation or redevelopment of the site that mean it would remain vacant in the absence of Vacant Building Credit.

6.209 Evidence that any referenced building is not an 'Abandoned Building' or vacated solely for the purpose of redevelopment will be required. The onus will be on the applicant to demonstrate this. The factors the Council will take into account include:

vi. the physical condition of the building;

vii. the length of time that the building had not been used;
viii. whether it had been used for any other purposes; and
ix. the owner's intentions

Build to Rent

6.210 Build to Rent (BtR) is purpose-built housing intended for long-term rental occupation and typically comprises homes that are 100% rented out. BtR may form part of a wider multi-tenure development, provided it is located on the same site as, or is contiguous with, the wider scheme. The Council supports the delivery of high-quality BtR developments in sustainable locations with good access to public transport, services and facilities, as a means of increasing housing choice and housing supply.

6.211 National planning policy recognises BtR as a distinct form of housing delivery and requires a minimum affordable housing contribution, typically secured through Affordable Private Rent homes provided at a rent at least 20% below the prevailing market rent.

6.212 Whilst national policy establishes a minimum discount of 20% from market rent, the Council does not consider that this will necessarily provide a genuinely affordable housing option for households in local housing need. Consistent with the Council's approach to affordable rent set out in the Planning Obligations SPD, the Council will seek, where viable, to secure a greater level of discount to improve affordability.

6.213 In determining an appropriate level of affordability, the Council will have regard to Local Housing Allowance rates and scheme viability. Where evidence demonstrates that larger discounts are deliverable without compromising the overall viability of the development, the Council will seek rents that are closer to, or aligned with, Local Housing Allowance levels.

6.214 This approach ensures that affordable housing delivered through BtR developments makes a meaningful contribution towards meeting local housing needs, whilst remaining consistent with national policy and the Council's wider affordable housing objectives.

Policy 6.15: Build to Rent

Built to Rent developments will be permitted where:

1. A minimum of 20% of homes within the development are provided as Affordable Private Rent homes.

2. Affordable Private Rent homes are secured in perpetuity and let at rents that are at least 20% below the equivalent prevailing market rent, inclusive of service charges and any other mandatory fees.

3. To ensure that Affordable Private Rent homes are genuinely affordable to households in housing need, the Council will seek, where viable, rent levels that exceed the minimum national discount requirement of 20%. Where viability allows, the Council will seek rents that are closer to, or aligned with, Local Housing Allowance levels.

The requirements of this policy will be applied having regard to scheme viability, with applicants expected to demonstrate through an independently assessed viability appraisal where full compliance cannot be achieved. Where viability constraints are proven, the Council will seek the maximum reasonable level of Affordable Private Rent provision.

In exceptional circumstances where an off-site financial contribution is agreed, the contribution will be calculated in accordance with the Council's adopted commuted sum methodology set out in Appendix 1 and applied to the relevant number of affordable dwellings.

Co-Living

6.215 Co-living, or large-scale shared accommodation, is a relatively new model of housing comprising of private studio bedspaces with access to shared communal facilities. They are not defined in the Use Class Order, falling under a ‘sui generis’ use class.

6.216 The design of co-living schemes and on-site facilities provided can differ, but some general characteristics of the co-living model include:

a) A single management regime and operator, providing residents with concierge and management services (including room cleaning and/or bedding and linen changing services).
b) Rent typically inclusive of all bills and access to services.

c) A central focus on community living, including a management approach that aims to encourage use of the communal areas to facilitate engagement and a sense of community.

6.217 The LHNA (September 2025 Draft) projects that there will be significant growth in one-person households and couples without children in B&NES between 2025-2043. Co-living schemes are often marketed towards young professionals seeking all-inclusive rental packages, and sociable living arrangements. They are not typically restricted to any particular user group, and can serve various demographics, with examples of schemes in the UK where intergenerational living is observed. They can also provide an additional housing option for single person households who cannot or choose not to live in HMOs or conventional Use Class C3 housing. A locally specific co-living policy is necessary to ensure that future co-living proposals respond to specific issues and challenges present in B&NES.

Space Standards

6.218 The size of co-living private units tend to fall under 37m2, the minimum size for a one-person, one-bedroom dwelling in the Nationally Described Space Standards (NDSS). Local Plan saved Policy D6 requires development to allow for provision of adequate and usable private or communal amenity space and defensible space. Given the generally small size of the private spaces within co-living schemes, it is therefore important to ensure that the communal amenity spaces are of sufficient quantity and quality to ensure that the overall residential amenity is acceptable.

6.219 In order to ensure the private and communal amenity space provides acceptable living conditions for future residents, the Council will apply an aggregated approach to co-living space standards, taking account of both private and communal areas. The aggregated space provided in co-living schemes must be in line with or above the NDSS, and will be calculated as follows:

Average private unit size (m2)

+ Indoor amenity space per occupant (m2)

+ Outdoor amenity space per occupant (m2)

= Total amenity space provision (m2)

6.220 To allow for the provision of adequate and usable private space, the Council will expect private studios / bedspaces to be a minimum of 25 sqm for a single occupancy room. Exceptions to the minimum standard may be considered on a case-by-case basis where innovative approaches to design and exceptional communal amenity spaces ensure that high levels of amenity for all residents are proposed.

6.221 Examples of indoor and outdoor shared amenity spaces the Council will and will not consider as part of the commuted sum are outlined in the Co-Living Position Statement.

Student Occupancy

6.222 The Council have a specific saved policy, Policy H2A, relating to the provision of purpose-built student accommodation (PBSA), which seeks to ensure that PBSA is provided either:

a) On campus; or

b) Off campus, if provided:

   a. In association with a university via a nomination agreement; or

   b. To 2nd or 3rd year students who would otherwise reside in HMOs in the city.

6.223 In order to meet the needs of 2nd or 3rd year students who would otherwise reside in HMOs, PBSA developments must meet the requirements of such students with regards to type of accommodation. These students generally have a preference to live as a household with friends, at a cost level similar to renting a HMO. Such accommodation is likely to comprise cluster flats with shared facilities, whereas studio accommodation is considered to be too expensive for these students, and is not therefore supported by policy.

6.224 As co-living schemes are mostly provided as studios, at a price point significantly higher than student cluster flats and HMOs within the city, co-

living accommodation is not considered an appropriate type of accommodation to meet the needs of student occupiers.

6.225 As such, the Council's co-living policy will restrict the occupation of co-living developments by student occupiers, through the use of a planning condition or legal agreement. There will be flexibility to allow occupation by part-time or postgraduate student occupiers.

Affordable housing contributions

6.226 Policy 6.14 requires developments of 10 or more dwellings, or 0.5 hectare and above (the lower threshold applies), to provide on-site provision of affordable dwellings, unless evidence is submitted to show that such provision would be unviable.

6.227 It is established in planning legislation that a dwelling refers to a unit of residential accommodation which provides the facilities needed for day-today private domestic existence.

6.228 Co-living schemes generally provide studio accommodation which comprise the facilities required for single person occupancy, comprising a bed, seating, bathroom facilities, and a small kitchen or kitchenette. It is therefore appropriate that co-living accommodation contributes to affordable housing provision within the District.

6.229 However, co-living accommodation is not considered to provide a suitable form of affordable housing in itself, as the accommodation does not often meet minimum housing space standards, and also presents issues with regards to the ability to access and maintain mixed tenures within a single building owned and managed by a single entity.

6.230 As such, an off-site financial contribution is required in lieu of on-site provision. The calculation to be used in calculating the commuted sum is as follows:

- Total floor space of proposed co-living units (including indoor communal amenity space) to be divided by NDSS space requirement for 1-bed 1-person dwelling (currently 37 sqm) to calculate the equivalent number of dwellings.

- The equivalent number of dwellings will then be multiplied by 20% to calculate the relevant number of affordable dwellings.
- The resulting affordable dwelling figure is then assessed against the B&NES Commuted Sum formulae annexed to Appendix 1.

Policy 6.16: Co-living

A co-living proposal will only be supported where residents will be able to access frequently-used services easily and safely by walking, wheeling, and public transport, it provides adequate living space and facilities, and is supported by a management plan (secured by means of a planning condition) which shows how the development will be managed and maintained to ensure its continued quality. Development proposals must also:

- Demonstrate that the aggregated space standard is in line with or above the NDSS guidelines. Private studios / bedspaces must be a minimum of 25 sqm for a single occupancy room. Dual occupancy rooms are acceptable and will be expected to be larger than single occupancy units;
- Be provided exclusively for non-student occupiers, with the exception of up to 20% occupancy by part-time or postgraduate student occupiers. This will be secured by means of a planning condition or legal agreement; and
- Deliver a cash in lieu contribution towards conventional C3 affordable housing.

Houses in Multiple Occupation

6.231 A House in Multiple Occupation (HMO) is a house or flat which is occupied by three or more unrelated people who share facilities such as a kitchen or bathroom. HMOs are an important part of the local housing market, particularly within Bath, providing affordable accommodation for student, professionals and migrant workers among others.

6.232 In July 2013, the Council introduced a city-wide Article 4 Direction to control the future growth and geographic spread of HMOs, which operates together with the Houses in Multiple Occupation Supplementary Planning Document (SPD). In response to the Article 4 Direction, a change of use from Class C3 residential to Class C4 HMO now requires planning permission across Bath.

6.233 Additional Licencing arrangements are also operated within specific parts of Bath which work alongside Mandatory Licencing to ensure that required management standards are met.

6.234 The HMO SPD introduced a threshold approach to prevent over concentrations of HMOs in certain areas of Bath. Council monitoring indicates that since the updated HMO threshold approach was implemented, HMO creation has increasingly occurred in parts of Bath where market housing is relatively more affordable, including the wards of Twerton, Southdown and Odd Down.

6.235 National policy requires Local Planning Authorities to plan for the size and type of homes needed for different groups, including families, and the September 2025 LHNA identifies a substantial need for 3 bed market homes over the Plan period.

6.236 Council monitoring shows that 3-bedroom, Class C3 dwellings have historically formed a significant proportion of permitted HMO conversions; and a significant proportion of 3-bedroom C3-to-HMO conversions have historically occurred in parts of Bath where market housing is relatively more affordable. Policy 6.17 therefore includes a criterion to help retain 3-bed, Class C3 homes within these wards.

Policy 6.17: Houses in Multiple Occupation

Proposals for the change of use from residential (C3) to a small HMO (C4) or large HMO (sui generis) will be refused where the proposal would result in the loss of an existing 3-bedroom (as originally constructed) C3 dwelling within the Wards of Twerton, Southdown, and Odd Down (as defined on the Policies Map).

Where this criterion does not apply, proposals will be assessed against the remaining criteria. Proposals for:

- Change of use from residential (C3) to small HMO (C4) in Bath;
- Change of use from residential (C3) to large HMO (Sui Generis) Districtwide;
- Provision of new build HMO District-wide;
- Change of use from other uses to HMO District-wide; and
- Intensification of small HMO (C4) to large HMO (Sui Generis) District-wide will be refused if:

i. the site is within an area with a high concentration of existing HMOs (having regard to the Houses in Multiple Occupation Supplementary Planning

Document, or successor document), as they will be contrary to supporting a balanced community;

ii. The HMO is incompatible with the character and amenity of established adjacent uses;

iii. The HMO significantly harms the amenity of adjoining residents through a loss of privacy, visual and noise intrusion;

iv. The HMO creates a severe transport impact;

v. The HMO does not provide a good standard of accommodation for occupiers;

vi. The HMO property does not achieve an Energy Performance Certificate "C" rating unless one or more of the following exemptions applies:

a) The cost of making the cheapest recommended improvement would exceed £10,000 (including VAT).
b) Where all relevant energy efficiency improvements for the property have been made (or there are none that can be made) and the property remains below EPC C.
c) Where the proposed energy efficiency measures are not appropriate for the property due to potential negative impact on fabric or structure.
d) Where the minimum energy performance requirements would unacceptably harm the heritage significance of a heritage asset.

vii. The HMO use results in the unacceptable loss of accommodation in a locality, in terms of mix, size and type;

viii. The development prejudices the continued commercial use of ground/lower floors. Where a new build HMO is proposed, development should be consistent with other relevant Local Plan policies and guidance relating to new build residential accommodation.

ix. A condition restricting the number of occupants may be attached to permissions where deemed necessary to ensure that no further intensification will occur without additional assessment.

Affordable Housing in Purpose Built Student Accommodation

6.237 The overall strategy for Purpose Built Student Accommodation is saved at policy H2A in the Local Plan Partial Update.

6.238 Purpose Built Student Accommodation (PBSA) development occupies land that could otherwise deliver general housing, including on-site affordable housing. As on-site affordable housing is not feasible within PBSA schemes, the Council will require a commuted sum in lieu of on-site provision for all PBSA developments.

6.239 For the purposes of this policy, one equivalent dwelling is equal to 2.4 student bedspaces. The number of equivalent dwellings will be calculated by dividing

the total number of student bedspaces by 2.4. The affordable housing requirement will then be calculated by applying 20% to the resulting number of equivalent dwellings and multiplying that figure by the Council's adopted affordable housing commuted sum rate for PBSA developments.

Policy 6.18: Affordable Housing in Purpose Built Student Accommodation

All PBSA developments will be required to pay a commuted sum in lieu of on-site affordable housing provision.

Housing Accessibility Standards

6.240 The B&NES Corporate Strategy 2023-2027 overriding purpose is to improve people's lives with principles focusing on prevention and preparing for the future. As set out in Planning Practice Guidance Housing for older and disabled people, 'Accessible and adaptable housing enables people to live more independently, while also saving on health and social costs in the future. It is better to build accessible housing from the outset rather than have to make adaptations at a later stage – both in terms of cost and with regard to people being able to remain safe and independent in their homes.' (Paragraph: 008 Reference ID: 63-008-20190626).

6.241 Paragraph 135 within the NPPF (2024) sets out that 'Planning policies and decisions should ensure that developments… create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users…' Footnote 51 clarifies this paragraph setting out that 'Planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties.'

6.242 The Bath & North East Somerset Local Housing Need Assessment (September 2025) sets out the evidence base to housing accessibility requirements within Bath and North East Somerset. Paragraph 5.70 sets out 'a minimum of 3% of homes that comply with Requirement M4(3) Wheelchair User Dwellings' and that 'As Government has proposed that all new homes should comply with Requirement M4(2) Accessible and Adaptable Dwellings as a minimum whenever it is practical to do so, it would seem reasonable for

the Council to also require this subject to site-specific factors and viability.' The proposed accessibility requirements were incorporated into the Local Plan viability testing, which assessed development viability on the basis of 97% M4(2) and 3% M4(3) provision. The Council considers that this approach strikes an appropriate balance between deliverability and the need to increase the supply of accessible and adaptable homes, having regard to local evidence on ageing, disability, prevention and health and social care outcomes. Whilst planning policy sets out the requirements for accessibility standards through the Local Plan, requirements are implemented under Building Regulations - The Building Regulations 2010 Access to and use of buildings Approved Document M Volume 1: Dwellings. Standards include:

- M4(1) Category 1: Visitable dwellings
- M4(2) Category 2: Accessible and adaptable dwellings
- M4(3) Category 3: Wheelchair user dwellings

6.243 If it is agreed at the planning stage that a specific development warrants flexibility in the application of the accessible housing standards M4(2) and M4(3), affected dwellings would be required to satisfy the mandatory building regulations requirements of M4(1) under Building Regulations.

6.244 For the purposes of this policy, residential development includes all forms of residential accommodation where Building Regulations under Approved Document M: Volume 1 (dwellings) apply.

6.245 M4(2) and M4(3) dwellings should be secured via planning condition to allow the Building Control body to check compliance of a development against the optional Building Regulation standards.

Policy 6.19: Housing Accessibility Standards

To provide suitable housing that meets the needs of different groups in the community, including disabled people, older people and families with young children, new residential development must ensure that:

A minimum of 3% of all dwellings be constructed to Building Regulations Part M4(3) wheelchair user dwellings.

All remaining dwellings be constructed to Building Regulations Part M4(2) accessible and adaptable dwellings.

In exceptional circumstances, factors such as vulnerability to flooding, site topography and where the provision of a lift to dwelling entrances may not be achievable, may determine a reduced requirement in terms of Building Regulation M4(2) and M4(3) accessibility standards.

Gypsies, Travellers & Travelling Showpeople

6.246 The Government's 'Planning Policy for Traveller Sites' (PPTS) should be read in conjunction with the NPPF, aligning planning policy for Travellers with housing. This requires the Council to demonstrate a 5-year supply of deliverable sites and, where possible, a 10-year supply of developable sites.

6.247 The Council undertook a refreshed Gypsy and Traveller Accommodation Assessment (GTAA) in 2025 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 PPTS.

Gypsy and Traveller Pitch Needs (2025-2043)

6.248 The most recent GTAA identified 35 Gypsy and Traveller pitches in Bath & North East Somerset; a current and 5-year need for ten additional pitches meeting the Planning Definition; and a need for a further eight pitches between 2030 and 2042. The GTAA confirmed that there is no need for additional formal public transit provision in Bath & North East Somerset at this time.

6.249 Most of the need identified over the Plan period arises from existing sites due to concealed/doubled up households and teenage children who will need a pitch of their own. The GTAA highlighted the 5-year need is predominantly from the public site at Carrswood View. The remaining 5-year need is for only three pitches on two private sites, with a further two pitches needed in the future. Assessment shows that the 5-year need could be met through intensification on the existing private sites. Applications for the potential provision of these three additional pitches will be determined against the criteria-based policy below.

6.250 Further interviews were conducted in July 2026 with the families living at Carrswood View to provide the Council with an up-to-date picture of the need

arising from the site; now identifying a current and 5-year need of twelve pitches and a future need of four pitches meeting the Planning Definition. This means that the total need for pitches across the District is for 21 pitches (fifteen pitches in the first 5-years and the remaining five being future need).

6.251 The 2026 assessment of need has identified that the majority of the need arising from households living on Carrswood View is from two extended Irish Traveller Households that currently occupy four pitches on the site - that is current/5-year need for (eleven pitches and a future need for three pitches. The recent interviews show that the extended Irish Traveller Households would be prepared to move to a new site elsewhere in B&NES. The interviews also showed that the other households living on the Carrswood View site (and from which a current/5-year need for an additional two pitches arises) would not be prepared to move from Carrswood View.

6.252 Following extensive investigations by the Council, and the previous conversion of 3 of the former 5 transit pitches to permanent pitches, it is concluded that there are no further opportunities to intensify, reconfigure, or expand the site at Carrswood View. The 2 remaining transit pitches need to be retained to address the needs of transient households moving through Bath and North East Somerset.

6.253 The Council also undertook a targeted Call for Sites between 17 December 2025 and 11 February 2026, aimed at Gypsy and Traveller communities, representative organisations and site operators. No sites were submitted for consideration as public traveller accommodation. The Council also assessed all potentially suitable sites owned by the Council across the District. No suitable Council owned sites for the provision of additional gypsy and traveller pitches have been identified.

6.254 As a result, no suitable and available sites have been identified for allocation in this Pre-Submission Draft Local Plan to meet the objectively assessed need for traveller pitches in the first five years of the plan period. In preparation for Local Plan submission (anticipated Late December 2026), the Council will continue to undertake further work to ascertain whether any sites for traveller

pitches could be identified within existing private sites in B&NES or on strategic allocations.

6.255 The Council has also engaged with neighbouring authorities under the Duty to Cooperate to explore whether any of the identified need within B&NES could be accommodated outside the District. To date, no neighbouring authority has indicated an ability to assist in meeting this need primarily because of the significant number of pitches they need to allocate to meet need within their respective authority areas. In the meantime, proposals for additional pitches will continue to be determined through the Local Plan's criteria-based policy approach.

Criteria-based Policy

6.256 Planning applications for further pitches which meet other and longer-term needs will be guided by the criteria set out in this policy and may take the form of either the intensification of existing sites, or the provision of new sites. Planning Policy for Traveller sites clarifies that for a site to be considered deliverable it must be available and offer a suitable location for development now, and be achievable and viable with a realistic prospect it can be delivered within 5 years.

6.257 Planning Policy for Traveller sites states that Traveller sites should be guided towards making effective use of previously developed, untidy, or derelict land; and development in the open countryside, away from existing settlements or outside areas allocated in the Development Plan, should be strictly limited. It is recognised, however, that some rural areas may be suitable for Traveller sites, providing the scale does not dominate the nearest settled community and avoids placing an undue pressure on local infrastructure.

6.258 Any proposed sites inside settlement boundaries would be considered against policies applying generally to residential development. Provision is more likely to be made outside such boundaries and will be guided by Policy 6.20.

6.259 Paragraph 16 of the PPTS states that: ‘inappropriate development is harmful to the Green Belt and should not be approved, except in very special circumstances. Traveller sites (temporary or permanent) in the Green Belt are

inappropriate development unless the exceptions set out in Chapter 13 of the National Planning Policy Framework apply.'

6.260 The criteria in Policy 6.20 provides a framework for assessing applications for Gypsy and Traveller and Travelling Showpeople accommodation to ensure that new sites are appropriately located, deliver safe and suitable living environments, and integrate effectively with existing communities, whilst minimising impacts on the natural and built environment.

Policy 6.20: Gypsies, Travellers & Travelling Showpeople

Planning permission will be granted for Gypsy and Traveller and Travelling Showpeople accommodation where proposals meet the following criteria:

a) The site is suitably located to allow access to local community services and facilities, including shops, schools and health facilities, and employment opportunities
b) Satisfactory means of access can be provided and the existing highway network is adequate to service the site
c) The site is large enough to allow for adequate space for on-site facilities and amenities including play provision, parking and manoeuvring, as well as any live/work pitches if required to enable traditional lifestyles
d) The site should mitigate any identified unacceptable adverse impacts on the character and appearance of the surrounding area through the good use of design and landscaping
e) Adequate services including utilities, foul and surface water and waste disposal can be provided as well as any necessary pollution control measures
f) There is no unacceptable impact on the amenities, health and well-being of occupiers of the site or on neighbouring occupiers as a result of the development
g) The site should avoid areas at high risk of flooding and have no adverse impact on protected habitats and species, nationally recognised designations, landscape designations and heritage assets and their settings and natural resources
h) The scale of the development does not dominate the nearest settled community nor place undue pressure on the local infrastructure
i) The site is not inappropriate development in the Green Belt, or if it is, very special circumstances exist.

Self-Build and Custom House Building

6.261 The National Planning Policy Framework requires local planning authorities to plan for a mix of housing based on the needs of different groups in the community, including people wishing to commission or build their own homes. The Council maintains a Self-build and Custom Housebuilding Register and will have regard to identified demand when preparing and implementing planning policy. Self-build and custom housebuilding can contribute to housing choice, design diversity and the delivery of high-quality homes.

Policy 6.21: Self-Build and Custom House Building

Proposals for self-build and custom housebuilding will be supported where they:

- contribute towards meeting identified demand for self-build and custom housebuilding; and
- are appropriately located, designed and scaled having regard to the character of the site and its surroundings and other Local Plan policies.

For the purposes of this policy, self-build and custom housebuilding will have the same meaning as set out in relevant legislation.

Meeting Local Community and Recreational Needs

New and Replacement Sports and Recreational Facilities

6.262 The NPPF highlights the importance of having access to high quality open spaces and opportunities for sport and recreation. Also necessary are planning policies and up-to-date assessments of the needs for open space, sports and recreation. These identify specific needs and quantitative or qualitative deficits or surpluses of open space, sports and recreational facilities in the local area.

6.263 Policy 6.12 sets out the policy on open space and Open Space standards are listed in Appendix 2. This has been informed by the councils Open Space Assessment.

6.264 Two other key documents which will help inform decisions are:

- The Playing Pitch Strategy covers both natural and artificial grass pitches. The document will seek to ensure that there is a good supply of quality playing pitches and playing fields to meet the needs of the local community.

- The Built Facilities Strategy which reviews supply and demand data for swimming pools, sports halls and fitness suites.

6.265 Both strategies are emerging documents and are expected to be finalised as the local plan is adopted. Policy 6.22includes a requirement for major developments to provide or contribute to the provision of new sports facilities.

6.266 Policy 6.22sets out the parameters within which proposals for new or replacement sport or recreational facilities will be acceptable and to ensure that a satisfactory level of new facilities or contributions towards the upgrade of existing facilities, including open space, is secured. All new residential development will be required to contribute to the provision of additional sport and recreational facilities to a level at least commensurate with the additional population generated by that development.

6.267 Within the region there is an insufficient supply of youth play space, parks and recreational grounds across all area profiles. Difficulties maintaining natural turf and a shortage of available space has amplified the growth in artificial

alternatives. Since the late 1970s when artificial alternatives gained popularity, technologies have advanced and third generation (3G) pitches are being employed with the backing of Sport England and the Football Association among other sporting bodies. Artificial pitches are useful mainly due to their ability to withstand inclement weather and provide significant benefits supporting active lifestyle and well-being by allowing people to play and exercise longer especially in winter.

6.268 3G pitches are constructed using longer pile artificial grass with a rubber crumb infill. These crumb granules are typically styrene butadiene rubber (SBR) originating from shredded waste tyres. Even though the Construction (Design and Management) Regulations 2007 place additional duties on those designing artificial pitches to eliminate or reduce hazards and risks during design, there are some concerns regarding impact on people's health resulting from exposure to contaminated granular material and through the contamination of soil and water. Investigations are ongoing by the European Chemicals Agency (ECHA) to determine whether crumb infill poses a risk to the health of those using third generation sports pitches. Users are advised to follow the safety recommendations made by the ECHA.

6.269 The NPPF states that planning policies and decisions should aim to avoid new and existing developments contributing to land contamination, soil degradation and water pollution. Policy PCS1 embodies the 'precautionary principle' toward the healthy functioning of environmental systems. Development will only be permitted provided a management plan is submitted in accordance with policy6.22. This principle also applies to public safety and the health risks associated with exposure from playing on these surfaces. Users should follow the safety recommendations made by the European Chemical Agency (ECHA).

POLICY 6.22: New and Replacement Sports and Recreational Facilities

1) New or replacement sport and recreational facilities, or improvements and extensions to existing facilities, will be permitted within or adjoining a town or settlement, provided:

a) it complements the existing pattern of recreational facilities

b) it is accessible by sustainable transport modes

2) New or replacement sport or recreational facilities elsewhere will only be permitted where:

a) the proposal, either by itself or together with other existing and/or proposed recreational facilities, does not have an unacceptable impact on landscape character or areas of ecological interest; and

b) the re-use or adaptation of existing buildings is not practical or viable, and they are of a scale appropriate to the location and recreational use; and c) if an ancillary facility is proposed, it is well-related to the attraction it serves.

3) In all cases:

a) the proposal would not give rise to significant adverse environmental conditions including the impact of air, noise, soil, water quality and light pollution and be detrimental to public safety and the amenities of local residents; and

b) vehicle access and on-site vehicle parking would be provided to an appropriate standard; and

c) adequate access to and between the facilities would be provided for people with disabilities.

4) Major residential development will be required to provide or contribute towards playing pitches, sports facilities and associated infrastructure where additional demand is generated by the development. Contributions may be secured towards new provision, improvements to existing facilities, enhanced community access arrangements and supporting infrastructure, in accordance with the priorities identified in the adopted Playing Pitch Strategy, Built Facilities Strategy or successor documents and other relevant evidence of need

A management plan should be submitted with an application for a new artificial grass pitch. The management plan should outline the materials used and should consider potential sources of pollution from the installation phase through to end of life, including disposal. This includes both chemical and solid wastes including microplastics. Adequate remediation measures must be implemented and reported to ensure any identified potential harm can be suitably mitigated.

Safeguarding land for Cemeteries

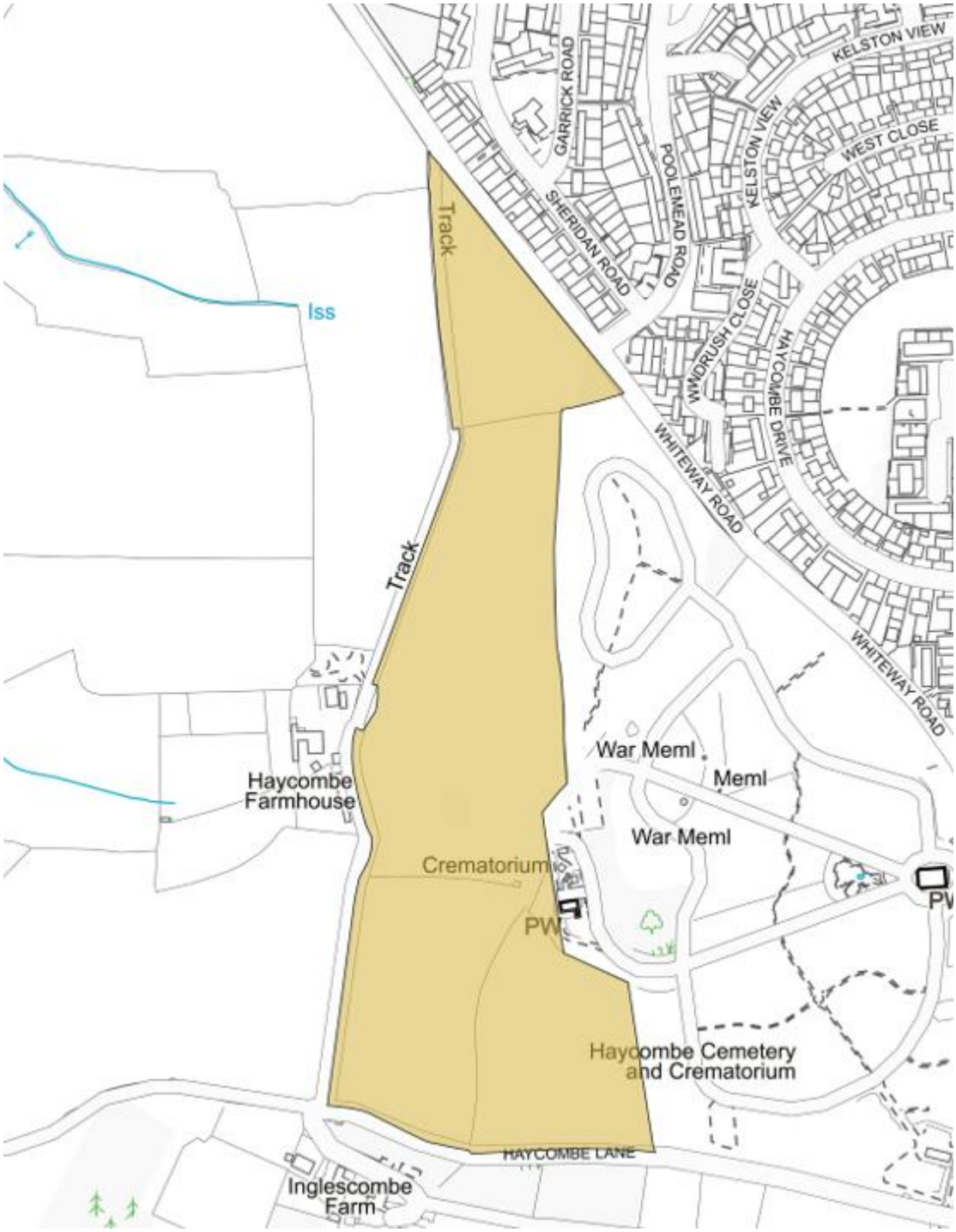
6.270 The Council owns and manages the Haycombe Cemetery, on the edge of Bath, and Harptree Cemetery and is responsible for the maintenance for 30

closed cemeteries. Others are owned and managed by the Town and Parish Councils or Parochial Church Councils.

6.271 Land has been safeguarded in the previous Local Plan for extensions to cemeteries identified to ensure future needs are met at Haycombe Cemetery and the cemetery at Eckweek Lane. Land to meet these needs continues to be safeguarded under Policy 6.23and is defined on the Policies Map. An extension to Haycombe cemetery has been implemented and now further land is needed to meet demand. It is proposed that this additional land is also safeguarded under Policy 6.23 and shown on the Policies Map.

6.272 Haycombe cemetery is within the Green Belt. The NPPF confirms that provision for cemeteries in the Green Belt is not ‘inappropriate development’ providing it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

6.273 Haycombe cemetery is located within the World Heritage Site Boundary. Therefore, any extension to the cemetery would require the submission of a Green Infrastructure Plan to ensure adequate screening.



Policy 6.23: Safeguarding Land for Cemeteries

Land as defined on the Policies Map will be safeguarded for extensions to cemeteries at Haycombe, Bath and Ashgrove Cemetery, Eckweek Lane, Peasedown St John.

Any application to extend Haycombe cemetery shall be accompanied by a Green Infrastructure plan to ensure adequate screening within the World Heritage Site.

A Prosperous Economy

Economic Development

Office Development and Protection of Offices

6.274 The Council's Economic Strategy seeks to create a more prosperous, sustainable and inclusive economy by ensuring sufficient space for businesses to invest, grow and innovate. Supporting the provision and retention of high-quality office accommodation is central to this objective and aligns with national policy, which places significant weight on supporting economic growth and productivity.

6.275 Evidence indicates that B&NES requires a significant amount of additional office floorspace over the Plan period, with the majority of this need arising in Bath. However, changes to the Use Classes Order and the introduction of Class E have increased the flexibility for changes between commercial uses, while permitted development rights continue to create pressure for the conversion of office buildings to residential use in some areas.

6.276 The office market is also being reshaped by tighter energy efficiency Regulations and changing occupier expectations. Many older office buildings face challenges in meeting 'Minimum Energy Efficiency Standards', and accommodating modern infrastructure requirements. Market evidence points to a continuing 'flight to quality', with occupiers consolidating into high-quality, energy-efficient workplaces with good access to transport interchanges and amenities. As a result, lower-quality office stock may face increasing pressure for refurbishment, redevelopment or alternative uses, while demand for modern Grade A office space is expected to strengthen.

6.277 Policy 6.24 therefore supports the provision, enhancement and intensification of office floorspace in sustainable and accessible locations, particularly in Bath, Town Centres, and on allocated office sites. It seeks to ensure that B&NES can meet identified office needs over the Plan period by encouraging investment in high-quality, energy-efficient and flexible workspace, while resisting the unnecessary loss of existing, allocated or committed office

floorspace. The policy allows for the release of office premises where robust evidence shows that they are genuinely unsuitable for continued office use, there is no reasonable prospect of demand, and suitable alternative premises are available locally. This ensures that genuinely obsolete or unviable office stock can be managed flexibly, while safeguarding office floorspace that remains important to the local economy.

Policy 6.24: Office Development and Protection of Office Floorspace

Office Development:

1. Proposals for new office development, including enhancement and intensification, will be acceptable in principle within city and Town Centre boundaries shown on the Policies Map and on sites specifically allocated for office development.
2. Where necessary and justified, planning conditions or obligations may be used to ensure that permitted office floorspace remains in office use, including by limiting the use to Class E(g)(i) or its equivalent.

Protection of Office floorspace:

3. Development proposals that would result in the loss, change of use or redevelopment of land or premises used, last used, allocated or committed for office purposes will only be permitted where robust evidence demonstrates that all of the following criteria are met:
    a. the office floorspace is of poor quality; and
    b. the floorspace is no longer suited to current or future office occupier needs; and
    c. there is a lack of demand for office use; and
    d. there is a supply of available alternative premises in the locality, suitable for any displaced existing occupiers or potential occupiers looking for premises in the locality.
4. As part of the assessment of proposals, applicants will be expected to provide evidence of site information (as relevant) including access considerations, Energy Performance Certificate (EPC) rating, maintenance costs, the cost and feasibility of upgrading the floorspace, and rental information.

Strategic and Locally Significant Industrial Sites

6.278 Paragraph 85 of NPPF (2024) requires significant weight to be given to supporting economic growth and productivity. To these ends, the Council's Economic Strategy seeks to support a prosperous, sustainable, and inclusive

economy by ensuring a sufficient supply of employment land and premises for established, growing and emerging sectors. Evidence identifies a substantial need for additional industrial and warehousing floorspace across B&NES.

6.279 Despite this need, monitoring data from past years shows a significant net loss of industrial floorspace within the District. There is demand to convert or redevelop industrial sites and premises to higher value uses such as residential. Opportunities for development in Bath for new industrial space are limited and at the same time, demand for industrial and distribution space has increased.

6.280 To support economic growth within the District and ensure that sufficient industrial and warehousing land is retained to meet future employment needs, the Council has designated Strategic and Locally Significant Industrial Sites across the District, as listed in Appendix 3, and identified through the Employment Land Review and on the Policies Map. These sites are to be retained for industrial and warehousing premises and are able to accommodate a wide range of sectors including Research and Development (R&D), creative industries, health and life sciences and a variety of general industry (Class E (g)(ii),(iii) and B2 uses, together with warehousing/ last mile logistics (Class B8). Proposals for renewal, intensification and enhancement of these designated areas will be supported.

6.281 Policy 6.25 protects Strategic and Locally Significant Industrial Sites because they are key locations for industrial, warehousing, distribution and related employment uses. The policy supports renewal, intensification and enhancement where this strengthens the employment function of these sites and helps meet current and future business needs. It resists the unnecessary loss or fragmentation of industrial and warehousing land and premises where this would reduce operational capacity, undermine access or servicing arrangements, or prejudice the continued operation of employment uses. This ensures that the District's most important industrial locations are safeguarded to meet identified employment needs over the Plan period.

Policy 6.25: Strategic and Locally Significant Industrial Sites

1. Proposals for light industrial, heavy industrial, warehousing (classes E(g)(ii),(iii), B2, B8), and builders' merchants will be acceptable in principle within Strategic and Locally Significant Industrial Sites.
2. Development involving the loss of industrial and distribution floorspace/land will only be permitted if it is for a use referred to at 1. above; and would not have an adverse impact on the operation of the remaining premises, site.

   (Refer to Appendix 3 for a list of the designated Strategic and Locally Significant industrial sites to be protected)

Undesignated Industrial and Warehousing Sites

6.282 There are a number of existing industrial and warehousing sites that have not been specifically designated as Strategic and Locally Significant Industrial Sites. Some of these sites perform an important role in supporting local employment, economic growth and the needs of businesses, while many smaller sites also serve local communities and can help reduce commuting distances through their proximity to residential areas.

6.283 In light of the demand for conversion to higher value uses, the Council aims to strengthen the protection of these undesignated industrial and warehousing sites. The policy provides protection for undesignated industrial and warehousing sites in the Bath urban area where despite there being high demand for industrial and logistics space, there is significant pressure to convert premises to higher value uses such as residential and the opportunities to provide new sites are constrained by environmental designations and limited land availability. The Council seeks the renewal and intensification of these existing sites for employment uses. Limited enabling development may be acceptable to support viability, provided there is no net loss of industrial or warehousing floorspace and employment functions are retained. Purpose Built Student Accommodation would not be permitted as part of such schemes.

6.284 Outside the Bath urban area, the policy allows greater flexibility, but only where robust evidence demonstrates that the site is no longer needed, suitable or viable for employment use. This approach ensures that genuinely redundant or unsuitable sites can be considered for alternative uses, while

preventing the unnecessary loss of employment land that may be required to meet business needs over the Plan period.

Policy 6.26: Undesignated Industrial and Warehousing Sites

1. Proposals for development of light industrial, heavy industrial, warehousing (classes E(g)(ii),(iii), B2, B8), and builders' merchants will be acceptable in principle at sites already occupied by smaller clusters and stand-alone industrial premises, provided that this would not cause unacceptable environmental, residential amenity or highway impacts.
2. Within the Bath urban area, development proposals that would result in the net loss of land or premises used, or last used, for industrial or warehousing purposes will only be permitted where the proposal is for a use listed in criterion 1.
3. Outside the Bath urban area, development proposals involving the loss of industrial or warehousing land or premises will only be permitted where robust evidence demonstrates that:
   a) where premises are vacant, the reasons for vacancy must be explained; and
   b) evidence must be provided to demonstrate that the site has not been deliberately made vacant or allowed to fall into disrepair;
   c) a viability appraisal demonstrating to the Council that retention of the site for employment uses is not financially viable; and
   d) the site has been actively marketed for employment use for a minimum period of 12 months, in accordance with the Council's marketing protocol, at a realistic price or rent and for a range of employment uses appropriate to the site and location.
4. In addition to the evidence listed above, any proposal that would result in the loss of industrial or warehousing land or premises must demonstrate that the new development would not adversely affect the continued operation of any remaining employment uses on the site or adjoining land, including through impacts on access, servicing, noise, odour, safety or residential amenity.
5. Where necessary and justified, the Council will use conditions and/or planning obligations to limit uses consented within use Class E to achieve the objectives of this policy, to support economic growth and to mitigate the impacts of development.

Employment and Skills

6.285 The Council's Economic Strategy, Health & Wellbeing Strategy and Business & Skills Plan are committed to enabling residents to access and thrive in good work, supporting business growth, developing skills, and tackling issues of worklessness, inequality and economic inactivity that can negatively affect health and wellbeing.

6.286 This policy seeks to ensure that major development contributes to inclusive economic growth by enabling local communities to benefit from employment, apprenticeship, training and skills development opportunities arising from development. Opportunities may arise during both the construction and operational phases of development and can help improve access to employment, address skills shortages in key sectors, support workforce development and strengthen connections between employers, education providers and local communities across Bath and North East Somerset.

6.287 Employment and Skills Plans will provide a clear framework for securing local recruitment, skills development, apprenticeships, work experience, workforce progression opportunities and wider social value benefits. In doing so, they will support delivery of the Business & Skills Plan objectives, including developing local talent pipelines, improving access to employment for under-represented groups, supporting priority sectors and ensuring that economic opportunities arising from development are shared more widely across the district. The Council will prepare guidance setting out the scope, content and monitoring requirements of such plans and the circumstances in which financial contributions may be required.

6.288 This aligns with objectives in the Economic Strategy and related Business & Skills Plan documents, particularly around inclusive growth, workforce development, employer engagement, skills shortages, digital and green skills, and creating employment pathways for residents.

Policy 6.27: Employment and Skills Plans

Major development proposals will be required to submit an Employment and Skills Plan, proportionate to the scale and nature of the development. This will apply to residential and extra care developments of 10 dwellings or more, and non-residential developments of 1,000 sqm or more, including purpose-built student accommodation and care homes, where they generate construction or operational employment opportunities.

The Employment and Skills Plan should set out how the development will maximise opportunities for local employment, apprenticeships, work placements, training, workforce development and engagement with schools, colleges, training providers and other employment and skills partners during the construction phase and, where relevant, the operational phase. Plans should demonstrate how the development will contribute to the objectives of the Council's Economic Strategy

and Business & Skills Plan, including supporting inclusive growth, addressing local skills shortages, improving access to good work, and creating pathways into employment for local residents.

Plans should be prepared in consultation with the Council's Business & Skills Service and relevant employment, education and training providers, and secured through planning conditions or obligations where necessary. Measures should be proportionate to the scale, type and employment-generating potential of the development and include appropriate arrangements for implementation, monitoring and reporting.

Centres and Retailing

Network of Centres and Hierarchy

6.289 Along with Bath City Centre, the District is served by a diverse network of Town, District and Local Centres of varying size. The Local Plan aims to support this network of accessible centres as the principal locations for shopping and community facilities as well as offices, local entertainment, art and cultural facilities. Many centres contain a range of independent specialist shops which are important to retain as they contribute to the character of each centre.

6.290 Shopping habits have however changed over the past decades, particularly with the increase in online shopping and home delivery of goods, online banking and other online services such as travel agency and insurance. High streets are therefore increasingly a social and leisure environment, as well as a place to shop. High-quality public realm including public spaces, street furniture and green infrastructure adds to the attractiveness and vibrancy of Town Centres, social interaction, wellbeing, and economic activity.

6.291 Paragraph 90a of the NPPF 2024 requires that Local Plans define a network and hierarchy of Town Centres and promote their long-term vitality and viability. Bath City Centre is the largest centre in the District and a major shopping destination for a wide catchment serving residents, workers and visitors. Keynsham, Midsomer Norton and Radstock each have designated Town Centres which serve their respective catchments.

6.292 Bath City Centre and the Town Centres include designated Primary Shopping Areas which contain the concentrations of retail facilities and are the key focus of the centres. The core retail function and character of the Primary shopping areas will be safeguarded, with a range of other non-retail main town centre uses promoted elsewhere in the Town Centre outside the Primary Shopping Areas. These key centres serving the District are subject to regeneration and renewal programmes including masterplans and action plans with the aim of enhancing the centres for all users while reflecting their distinctive characters.

The programmes also include consideration of markets and outdoor trading, events, meanwhile uses and the diversification of the centres.

6.293 Moorland Road is the only District Centre within the retail hierarchy and is anchored by a Co-op supermarket. It has a wide variety of convenience and comparison shopping including a number of independent shops, and is a vibrant centre.

6.294 There are a number of Local Centres as listed within the policy which serve local catchments and local day-to-day shopping needs. Local Centres in rural areas are also important in serving as a hub for a range of community and commercial functions together with providing shopping facilities.

6.295 The District and Local Centre boundaries will also form Primary Shopping Area boundaries.

6.296 It should be noted that the Walcot Street and Margaret's Buildings Local Centres in Bath are included as Local Centres for the purposes of this policy, however it is recognised that, rather than primarily serving local day-to-day needs, they play a more specialist retail role, supplementing the city centre retail offer, supporting small businesses and serving a wider catchment area. These centres also contribute to the character and the identity of their neighbourhoods. London Road Local Centre also includes a wide variety of small businesses.

6.297 Three new Local Centres are proposed to support the new strategic allocations at North Keynsham, West Saltford and East Whitchurch.

6.298 Residential development is supported above ground floor level, where it contributes to the vitality of centres and does not undermine the operation of the ground / lower floors commercial operation.

6.299 Other main town centre uses are encouraged on vacant upper floors including offices, professional services, creative industries, community facilities and health services.

Policy 6.28: Centres Hierarchy and Main Town Centre Uses

Town Centre Hierarchy

The Town Centre hierarchy within the Principal Settlement as set out below, and as defined on the Policies Map, will be maintained and enhanced:

City Centre

Bath City Centre

Town Centres

Keynsham Town Centre, Midsomer Norton Town Centre, Radstock Town Centre

District Centres

Moorland Road, Bath

Local Centres in Bath

(1) Chelsea Road, (2) Weston High Street, (3) Julian Road, (4) St James Square (5) Margaret's Buildings, (6) Camden Road & Fairfield Road, (7) Larkhall High Street (8) London Road, (9) Nelson Place East & Cleveland Place, (10) Walcot Street, (11) Widcombe Parade, (12) Bathwick Street, (13) Bathwick Hill, (14) Lower Bristol Road, (15) Bear Flat, (16) The Avenue, Combe Down, (17) Bradford Road), (18) Frome Road, (19) Upper Bloomfield Road, (20) Twerton High Street, (21) Mount Road.

Local Centres in Keynsham: Queen's Road and Chandag Road

Local Centres in the Somer Valley: Westfield, Paulton, Peasedown St. John and Timsbury

Local Centres in the rest of the District: Bathampton, Batheaston, Chew Magna, Saltford, and Whitchurch

Planned new Local Centres:

1. The following new Local Centres, which are intended to form part of the Town Centre hierarchy, are proposed in association with the following strategic site allocations:

   North Keynsham
   West Saltford
   East Whitchurch

2. The content of the proposed new Local Centres should:

   a. adhere to the scale, type and format described within the relevant strategic site policy
   b. facilitate sustainable choice for new residents and the surrounding community
   c. not undermine the vitality, viability, role and function of existing centres in the Town Centre hierarchy.

Main Town Centre Land Uses

3. Proposals for uses falling into Use Class E or the definition of Main Town Centre Uses will be primarily located within, or where appropriate, adjoining the centres in the identified hierarchy as required by policies CR1 Sequential Test and CR2 Impact Assessments and be supported where they:
    a. Maintain and enhance the vitality and viability of the centre, and
    b. Are of a scale and type consistent with the existing character and function of the centre, and
    c. Are well integrated into the existing pattern of the centre, and
    d. demonstrate a positive contribution to the street scene and public realm.

Development within Centres and Primary Shopping Areas

6.300 To ensure that the Primary Shopping Areas within the designated Bath City Centre, and Keynsham, Midsomer Norton and Radstock Town Centres, maintain their function and role as the focus for communities and their vitality and viability, it is important to maintain active ground floor uses within these areas. Loss of Class E retail will be resisted.

6.301 Outside the Primary Shopping Areas within the City and Town Centre boundaries, together with the District and Local Centres, more flexible main town centre uses may be supported. However, it is important that proposals should contribute to the maintenance of active frontages in order to encourage footfall and to avoid blank frontages.

6.302 Where residential use is proposed on upper floors, the access to upper floor residential units must not affect the continued operation of any main town centre use, or impact the street scene or the provision of an active frontage at ground floor level. In addition, where the proposed residential is in proximity to an existing use(s) which may be adversely impacted by the proposed residential use, the agent-of-change principle must be applied so that existing businesses and facilities should not have unreasonable restrictions placed on them for example in terms of the noise, operation, as a result of the residential use.

Policy 6.29: Development within Centres and Primary Shopping Areas

Proposals falling into Use Class E will be supported within the Primary Shopping Areas defined on the Policies Map. Proposals should maintain and enhance the

vitality and viability of the Town Centre and retain and enhance active frontages within Primary Shopping Areas to support the wider attractiveness of the Town Centre.

Within the Primary Shopping Areas applications for change of use of retail and other Class E uses to another non-Class E use will only be permitted (subject to permitted development rights) where evidence is provided to demonstrate that the proposed use would:

a. Make a positive contribution to the vitality, viability and diversity of the centre; and
b. Not fragment any part of the primary shopping area by creating a significant break in the Class E land use frontage; and
c. Not result in a loss of retail or Class E floorspace of a scale harmful to the shopping function of the centre; and
d. Be compatible with the primary shopping area in that it includes a shopfront with a display function and would be immediately accessible to the public from the street.

Outside the Primary Shopping Areas but within the Town Centre boundaries, proposals for uses falling into Use Class E or the definition of Main Town Centre Uses will be supported.

Proposals for the change of use of existing upper floors in the Town Centre boundaries to residential will be supported, except in circumstances where their use would be detrimental to the amenity of neighbouring activities, or would have a negative impact upon the operation of the ground / lower floor commercial unit, or the living conditions of future users and occupiers.

Promoting Sustainable Transport

Transport and Movement

6.303 Our overarching approach to transport policy is to build on achievements to date and continue to reduce car dependency and make walking, cycling and use of public transport, the more attractive and convenient options for travel. Across the West of England, Joint Local Transport Plans over ten years have seen the number of cycling trips more than double, and bus passenger trips increase by more than one third, in the context of a national 1% fall. This approach is embodied in the strategic objectives of the Core Strategy, and the place-based section in seeking to enhance the walking, cycling and public transport network from existing communities to jobs, local services, facilities and attractions. The Placemaking Plan (2017) established strong foundations for this approach. However, the declaration of the Climate and Ecological Emergency (2019) with a target of net zero by 2030, coupled with the adoption of JLTP4 (2020), identifies and supports the need for substantial transport improvements to deliver a step-change in enabling sustainable transport and movement. The Council has recognised that “business as usual is not an option and that the Council and all our partners and contractors need to review all existing strategies and plans to re-align to the Climate Emergency.” The Council will continue to work with neighbouring authorities and the West of England Combined Authority (WECA) to address impacts of car dependency and deliver a transformational rebalancing of our transport network to address the Climate Emergency, support sustainable travel and healthier lifestyle.

6.304 Notwithstanding achievements to date, the B&NES highway network remains heavily trafficked with a high dependency on car travel, highlighting the need to fundamentally change the way we travel, with a strong focus on mode shift away from the private car usage. We will need to undertake transformational transport and access improvements and major capital infrastructure projects to facilitate growth in housing numbers and jobs, to achieve net zero, to minimise the adverse effect of traffic, and to enable environmental improvement to be made to existing centres. The Council’s approach to strategic transport issues and major schemes is to set out in the current adopted Joint Local Transport

Plan (JLTP), which has been developed with WECA partners. This includes a schedule of major schemes and adopted policy position on each. The purpose of the Development Plan is to set Council Policy relating to development and safeguarding land. it is not intended to duplicate or supersede the adopted JLTP, rather, both Plans are complementary. B&NES has also developed Transport Strategies for Bath and Keynsham, and are continually working on place-based solutions to transport issues within the District. Our Transport Strategies are intended to identify the key local-level issues, develop approaches to provide solutions, and form the basis for the development of specific schemes to come forward in line with the Strategy as a whole. The Place-based Strategies are important as they are bespoke to the locality and are a mechanism to translate overarching transport policy to local scheme delivery. The A4 corridor is a key strategic corridor which carries high volumes of people but experiences significant traffic congestions and negative environmental effects such as poor air quality in places such as Saltford. The A4 corridor has been identified as a Mass Transit route between Bristol and Bath within the JLTP4. We will work with WECA to support the delivery of transformational Mass Transit proposals which will increase transport options, dramatically improve journey times and significantly decrease congestion. For Saltford, we will fully assess options to provide bus priority before a decision on a bypass is made. We will also explore the possibility of introducing Mass Transit in Bath to help provide clean, efficient transport for those living, working and visiting the city whilst also meeting the future growth and transport needs of the City.

6.305 This approach is in line with national objectives and the Council's Corporate Strategy. The approach also follows on from the five key objectives of the Joint Local Transport Plan (JLTP4), which are:

- Take action against climate change and address poor air quality;
- Support sustainable and inclusive economic growth;
- Enable equality and improve accessibility;
- Contribute to better health, wellbeing, safety, and security;
- Create better places

6.306 Our approach to transport within both the current adopted Joint Local Transport Plan and this Local Plan is both ambitious and realistic. However,

we also need to achieve transformational change in the way we travel to meet our Climate Emergency obligations. The Council is fully committed to the target of net zero by 2030 and will keep progress towards this target and our approach to transport under review. If progress is not great enough, or fast enough, we are prepared to explore further interventions to reduce car usage, potentially including charging mechanisms such as a Workplace Parking Levy or Road User Charging.

Creating Better Places

6.307 This approach brings with it a wide range of benefits. The most significant, long term benefit to B&NES is that this approach creates more economically successful, more sociable, healthier, more inclusive, more accessible and more inviting places in which to live, work and visit. Our Liveable Neighbourhoods Strategy sets out the key principles of our transport approach to creating better places.

6.308 Whilst good accessibility is of absolute importance for places to function effectively, better and more sociable places are created where people dominate, rather than vehicular traffic. Streets are not just for movement; they form the shared public space between buildings, where city, town or village life takes place. Streets need to integrate and not segregate our communities and neighbourhoods, and promote an inclusive environment. This is particularly the case in our historic settlements that have not been designed to accommodate the current levels of vehicular traffic that they often have to endure. There is a strong correlation between an enhanced public realm and better places; the experience of numerous cities around the world is testament to this approach. Enhancing street environments can help stimulate local economic activity, reduce street crime and encourage a sense of local community. The Movement Strategy for Bath provides the framework for improving movement and place within the city. It seeks to reduce reliance on private vehicles and support a shift towards walking, wheeling, cycling and public transport, whilst creating high quality places and public spaces. The strategy promotes the rebalancing of streets in favour of people, improving accessibility, connectivity, health and air quality, whilst supporting Bath's

economic vitality and protecting its outstanding historic character and environment.

6.309 Measures that support the shift to more sustainable modes of transport and that improve levels of accessibility to and within Bath, Keynsham, Somer Valley and the Rural Areas will be supported and promoted. We will support measures that enhance the liveability of our neighbourhoods by reducing traffic volumes and speeds, making walking and cycling the mode of choice for local trips, and offering a range of choices for longer distance trips.

6.310 Other critical benefits to undertaking this approach include meeting our net zero obligations addressing health and impacts of air pollution, combatting rising obesity levels and general health issues arising through a lack of physical activity, improving residents' wellbeing, reducing levels of inequality and enabling improvements to be made to our historic environment and public realm. Creating better places that people can live and spend time in, will also have a vast impact on other health and wellbeing aspects including social isolation and mental health. In creating better places, we must ensure that the principles of inclusive design (Manual for Streets, 2007) are followed. Inclusive design:

- Places people at the heart of the design process;
- Acknowledges diversity and difference;
- Offers choice where a single solution cannot accommodate all users;
- Provides for flexibility in use; and
- Provides buildings and environments that are convenient; and enjoyable to use for everyone.

Climate Change and Air Quality

6.311 B&NES Council declared a Climate Emergency in 2019 and committed to achieving net zero by 2030. Transport contributes 29% (216,110t/CO2e/yr) of all direct and indirect emissions (Scope 1 & 2) within B&NES, emphasising the degree to which decarbonising the transport sector can contribute to net zero . The Council has declared three priorities to achieve the net zero, including "a major shift to mass transit, walking and cycling to reduce transport emissions." Our approach will play a vital role in addressing inequalities across B&NES, which we have been exacerbated by the COVID-19 pandemic.

6.312 Net zero cannot be achieved solely by gradual shift to Ultra Low Emission Vehicles (ULEV), we need a big change in how people choose to travel, with a major shift to public transport, walking and cycling. This is especially important in Bath, where 42% of all journeys under 3km are taken by the private car. Our 2030 targets are as follows:

- 25% reduction in car and van mileage per person
- 76% electric vehicles, 14% hybrid, 10% petrol/diesel, private vehicle fleet
- 76% electric, 24% hybrid bus fleet
- Full electrification of passenger rail by 2030

6.313 The Council is committed to providing the leadership needed to enable this scale of ambition to be realised, and recognises that this requires a significant and fundamental cultural shift. To transform the way we travel, we will need to be flexible, agile and brave as technologies evolve and lifestyles and future strategic and local development planning change. There is a significant uncertainty as to the medium and long term effect of Covid-19 on our work and travel patterns, and how that could translate into car usage, and we need to ensure that we capitalise on opportunities, and proactively manage risks associated, to drive a sustainable future. We will continuously maximise every opportunity and work in partnership with WECA, sustainable transport organisations, Public Health, bus and rail operators and other key stakeholders to enable people to switch from car usage and ownership to cycling, walking, public transport, and shared mobility options such as car clubs.

6.314 Whilst the Council is committed to addressing the Climate and Ecological Emergency, we must achieve this equitably and inclusively. Data on household emission by income (2011) shows that the wealthiest (top 10% of earnings) produces over seven times more CO2 emissions from cars, and indeed three to four times more overall, than the least wealthy (bottom 10% of earnings). Likewise we also know that those in lower income brackets are disproportionally more likely to suffer from the adverse effects of car usage, including health impacts from poor air quality.

6.315 B&NES has three designated Air Quality Management Areas (AQMA), where levels of Nitrogen Dioxide exceed the national annual average of 40

micrograms per cubic metre (µg/m3). The AQMAs are located in Bath, Farrington Gurney and Temple Cloud. Air Quality Action Plans (AQAP) have been produced for these areas, outlining the actions required to reduce concentrations of air pollutants and exposure to air pollution.

6.316 Specifically, Bath's Clean Air Plan includes a Class C Clean Air Zone (CAZ), which came into effect in March 2021. The CAZ is required to help the city meet UK air quality legislation, as several places in Bath currently exceed the legal limits for Nitrogen Dioxide pollution, which is mainly caused by diesel and older petrol vehicles. The CAZ provides for charging all higher emissions vehicles, except private cars and motorcycles, to drive within the Bath CAZ boundary. Its aim is to deter the majority of drivers of higher emissions vehicles from entering the CAZ area. The CAZ arrangements include traffic management in Queen Square, to provide the necessary additional localised measure to reduce Nitrogen Dioxide to a compliant level in the part of Gay Street between the 'Square' and George Street without charging private vehicles. The Queen Square traffic management scheme is to be actively managed in order that any detrimental impacts on alternative routes caused by the restraint of traffic at Queen Square can be understood and mitigated. The Queen Square traffic management scheme will remain in place until such a time that both the Council and the Joint Air Quality Unit agree that compliance in the part of Gay Street between the 'Square' and George Street has been achieved with the Primary Critical Success Factors contained within the scheme's Full Business Case.

6.317 The reduction of the adverse effects of transport on climate change and air quality, particularly in AQMAs, will be proactively managed in accordance with the NPPF.

Obesity, Health and Wellbeing

6.318 The intrinsic link between transport, particularly opportunities for active travel, and health and well-being outcomes is well established and multifaceted, Active Travel has the potential to achieve major population-wide health benefits. It is one of the most cost-effective and easiest ways of embedding physical activity in people's lives, resulting in array of physical and mental

health and wellbeing benefits. Walking and cycling offer enjoyment, independence and contact with outdoor environments and these benefits may be particularly important for disabled people whose participation in other activities may be more restricted. Therefore, it is imperative that the built environment in B&NES is designed, created and built to support and enable people to incorporate movement, particularly walking and cycling, into their daily lives.

6.319 Physical inactivity contributes to one in six deaths in the UK, Doing regular exercise, like walking and cycling, can help to prevent and manage over 20 chronic conditions and diseases, including heart disease, type 2 diabetes and some cancers. Active travel also has an impact on mental health, with just 20 minutes of exercise a day cutting the risk of developing depression by 31%.

6.320 .Vulnerable road users continue to be more seriously affected by road traffic incidents, and concerns about safety and security are a significant barrier to active travel for large numbers of people. Parental concern about road traffic injury is a major contributor to physical inactivity in children, due to reluctance to allow children outside without supervision. Severance and noise caused by motorised traffic exacerbates this and deters the use of active modes. Consequently, these factors can increase vehicle trips and perpetuate the issue.

6.321 High car dependency, poor air quality and inactive lifestyles pose a major threat to public health, including obesity and associated conditions. Public Health England identifies that 1.2m lives are lost each year as a result of excess weight, and that air pollution causes 28,000 - 36,000 deaths each year. As well as physical health, there are growing concerns about impacts on integration and viability of local communities, quality of life, and mental health and well-being.

6.322 Disadvantaged areas tend to have a high density of main roads, leading to poorer air quality, higher noise levels and higher collision rates, exacerbating health inequalities. Children in the 10% most deprived wards in the UK are four times more likely to be hit by a car than by those in the 10% least deprived.

6.323 Transport therefore offers a great opportunity to contribute to better health, well-being, safety and security, and to address health inequalities, for those who live, work and travel in B&NES. Continuing with the shift to more active travel is a key way of helping to tackle the pressing issues associated with poor health, rising obesity and general well-being. We need to achieve a step change in the number of healthy, low carbon, walking and cycling trips. Furthermore, we need to continue to reduce the number of road casualties and improve personal safety, including from crime, on our transport network, particularly for those most vulnerable. Increased levels of walking and cycling in particular will help to achieve the strategic objective of promoting health and wellbeing, and will need to be enabled through transport interventions.

Historic Environment and Public Realm

6.324 . Improvements to parts of the District's historic settlements will become possible by reducing the volume and speed of traffic using historic streets and spaces. The management of the highway network, particularly in local centres, residential areas, places of higher pedestrian footfall and/or areas of historic significance, to support the development of stronger communities and the creation of high quality public realm and better places is supported by the Local Development Framework. This approach is reflected in a number of recent public realm schemes located across the district, including Saw Close, Milsom Street and Seven Dials in Bath, Market Place in Keynsham with further planned improvements for the High Street and Radstock town centre.

Saved Transport Policies

6.325 The strategic approach set out in the preceding paragraphs establishes the Council's objectives for reducing car dependency, promoting sustainable travel, improving air quality, supporting health and wellbeing, tackling the Climate Emergency, and creating healthier, more accessible and attractive places. The saved Development Management transport policies listed below, together with Policy 6.30 (Active Travel Routes) and Policy 6.31 (Transport Infrastructure), provide the detailed policy framework through which these

objectives are implemented and applied in the determination of planning applications:

- ST1 Promoting Sustainable Travel
- ST2 Sustainable Transport Routes
- ST4 Rail Freight Facility
- ST5 Traffic Management Proposals
- ST6 Transport Interchange
- ST7 Transport Requirements for Managing Development
- ST8 Airport and Aerodrome Safeguarding Areas

Active Travel Routes

6.326 National planning policy promotes the protection and enhancement of public rights of way (PROW) and access including making links to existing rights of way networks. Bath and North East Somerset has an extensive network of PROW including a number of long distance and circular routes. The Council recognises the importance of this network in terms of facilitating active lifestyles, providing access to the countryside, and supporting the health and wellbeing of our population. Given the contribution these routes make to our overall objectives, these routes should be seen as an integral part of our transport network, and not of secondary importance compared with traditional residential to employment routes. Opportunities to enhance this network in terms of quality, connectivity and functionality should be capitalised on.

6.327 The Council aims to develop a safe, convenient, efficient transport infrastructure which encourages and facilitates walking and cycling, and which minimises reliance on, and discourages unnecessary use of, private cars, especially for local trips. This will help increase the role of walking and cycling as key transport modes and to assist in reducing the use of private cars, by raising the status of walking and cycling and promoting them as safe and healthy means of transport.

6.328 This accords with the current adopted JLTP which will provide the means to enable active travel to be the preferred choice for shorter journeys, and the ‘Journey to Net Zero – Reducing the environmental impact of transport in Bath’, which identifies that walking and wheeling is the highest modal priority in the transport strategy.

6.329 Policy 6.30 seeks to ensure that any publicly accessible routes are not adversely affected by development proposals and that opportunities to enhance the active travel route network are taken up. Where an active travel route follows the line of a former railway, its course is protected as a sustainable transport route.

6.330 The Bath River line is a key green infrastructure project in Bath and will provide a high-quality walking and cycling route from Newbridge to Batheaston. The route is approximately 10km in length and will connect communities along the length of the river, enabling more people to explore the city in a healthy and sustainable way. The western section of the Bath River Line will run alongside the River Avon, following the same route as the existing towpath/ path, from Newbridge to Pulteney Bridge. The exact route of the Bath River Line in the east, from Pulteney Bridge to Batheaston, is still to be determined. Following the transfer of Bathampton Meadows to the National Trust, Bath and North East Somerset Council will work together with the National Trust and the community to develop a vision and route options for this section of the Bath River Line.

Policy 6.30: Active travel Routes

1. Development which adversely affects the recreational and amenity value of, or access to, public rights of way and other publicly accessible routes for walking, wheeling, cycling and riding will not be permitted, unless any harm can be successfully mitigated.
2. A development proposal affecting a publicly accessible active travel route will be expected to maintain and/or incorporate the route within the scheme, provide appropriate enhancements to the route having regard to guidance set out in the Transport and Development SPD, and support additional linkages between urban areas and the wider countryside, open spaces and the River or Canal. Opportunities to make and enhance strategic connections between, and within, urban areas and other key origins/destinations, utilising these routes, should be investigated and implemented wherever feasible and necessary. Opportunities to make and enhance strategic connections should support the Active Travel Masterplan and wider strategic active travel network, including links to local centres, services and public transport interchanges where appropriate.
3. Development that adversely affects the established active travel routes shown on the Policies Map will not be permitted, unless any harm can be successfully mitigated.

Transport Infrastructure

6.331 The Core Strategy highlights the need to carry out transport and access improvements and to secure the necessary capital infrastructure projects to enable the increase in housing numbers and jobs to be delivered. Core Strategy Policy CP13 also required the new development is supported by the timely delivery of physical infrastructure necessary to support that development. We require sustainable travel opportunities to be available for the first occupiers of new developments.

6.332 The Council inherited a number of highway improvement schemes from the former Avon County Council. The only former scheme being pursued is the improvement of the Lower Bristol Road (A36) east of Fieldings Road to Churchill Bridge, which now includes the Pines Way gyratory as shown on the Policies Map. This route is safeguarded to provide for future improvements to bus priority, cycle and pedestrian facilities, and public realm enhancements. The principles listed in Policy 6.31 will be expected to apply to the implementation of the scheme. The Council is working with neighbouring authorities and WECA to develop a significant number of transport infrastructure schemes as set out in the current adopted JLTP, designed to achieve a step change in uptake of sustainable travel. Further, the place-based Transport Strategies provide mechanisms for bringing forward transport infrastructure and other measures to improve accessibility in those areas.

6.333 The Council recognises the need for further studies to assess and design a number of the schemes set out in the current adopted JLTP. Mass Transit proposals are being developed for the A4 Bath to Bristol corridor. At Saltford, the Council will fully assess options to provide bus priority before a decision on a bypass is made. The Council will also explore the possibility of introducing Mass Transit in Bath to help provide clean, efficient transport for those living, working and visiting the city whilst also meeting the future growth and transport needs of the City.

6.334 Transport infrastructure encompasses how we use and manage our existing infrastructure, including how we allocate space on our transport network. Interventions designed to amend our existing infrastructure to improve conditions for vulnerable road uses and support active travel and public transport will be investigated and progressed. This will include both physical provision of improved infrastructure for these users, and measures which reduce traffic volumes and speeds in inappropriate areas to make our environment conductive to walking and cycling. Our Liveable Neighbourhoods Strategy sets out how we create better place in this way.

Development of transport infrastructure

6.335 Well planned solutions are paramount in the design of transport infrastructure proposals. Core Strategy Policy CP6(1) requires high quality and inclusive design of schemes, including transport infrastructure, which reinforces and contributes to its specific local context, creating attractive, inspiring and safe places.

6.336 The Council aims to give as much attention as possible to the details of both public and private proposals. There will also be a rigorous assessment of the need for the scheme, the issues the scheme is designed to address, and the choices made in the type of scheme being proposed. Wherever possible, transport infrastructure will be designed to achieve mode shift away from private car usage, to address congestion by reducing traffic demand rather than increasing capacity as the default approach. Any traffic capacity schemes will need to incorporate commensurate improvements for sustainable modes and not prejudice the condition of highway safety, particularly for vulnerable road users.

6.337 Policy 6.31 seeks to ensure that transport infrastructure is designed to the highest standards possible. The ‘Journey to net zero – Reducing the environmental impact of transport in Bath’ highlights that consideration for the needs of disabled people is regarded as a core element of the strategy. This is reflected in Policy 6.31.

Policy 6.31: Transport Infrastructure

Within the context of Core Strategy Policy CP6(1) the development of transport infrastructure will only be permitted provided that the following requirements have been met:

1. The need for intervention has been robustly justified and decisions in relation to the planning and design of the scheme have been made in line with a vision-led approach and the sustainable transport hierarchy, prioritising walking, wheeling, cycling, and public transport and mode shift before the consideration of additional highway capacity;
2. The needs of pedestrians, disabled people cyclists and horseriders are met;
3. The quality, patronage and efficiency of public transport operations must not be compromised;
4. Schemes which propose increases in traffic capacity will need to demonstrate that all other opportunities to reduce the need to travel and achieve mode shift as an alternative solution have been exhausted;
5. Schemes which propose increases in traffic capacity will also be required to incorporate appropriate improvements to the sustainable transport network;
6. The environmental benefits to be secured through implementation of the scheme and any additional traffic management or calming measures needed to maximise those benefits should be clearly articulated;
7. There is no unacceptable impact on heritage and environmental assets and amenity including the World Heritage Site and its setting, National Landscapes and on the National Site Network (SACs/SPA);
8. The visual and functional impact of the scheme and any associated elements such as surface-treatment, street furniture, signing, road markings, roadside verges and lighting upon the character of the area is minimised. Where possible, the scheme must contribute positively to local character, placemaking and public realm quality;
9. The environmental impact of the scheme, including noise, carbon emissions, air quality, severance and other forms of pollution, is minimised and of an acceptable level in accordance with relevant topic-specific environmental guidance and standards;
10.)The need for provision of street furniture which aids security of premises without adversely affecting accessibility, mobility, or inclusion;
11. The response time of emergency services must not be compromised; and
12. The acceptable provision for the transportation of materials to and from the site or disposal of spoil during construction. All highway infrastructure will be required to comply with national guidance and standards set out in ‘Manual for Streets’, ‘Manual for Streets 2 – wider application of the principles’, LTN1/20, the ‘Design Manual for Roads and Bridges’ and any subsequent updates to these documents.

Waste

6.338 The Joint Waste Core Strategy (JWCS) for the West of England was adopted in 2011. It sets out the strategic spatial planning policy for the provision of waste management infrastructure across the West of England sub-region and includes policies relating to waste recycling, landfill and landraise, wastewater treatment and other engineering operations. Policies relating to residual waste and safeguarding sites in the JWCS are superseded by this Local Plan, as follows.

Residual Waste

6.339 B&NES Council is part of the West of England Partnership for Waste with Bristol City, North Somerset, and South Gloucestershire Councils. The partnership manages long-term regional contracts for treating and disposing of household non-recyclable (residual) and bulky waste at Avonmouth and Severnside energy recovery facilities. There are options for the contract to be extended in ten-year periods.

6.340 The Government is committed to transitioning to a circular economy and has published 'Residual waste infrastructure capacity note' (30 December 2024) relating to municipal residual waste arisings and infrastructure capacity in England from 2020 to 2035. It notes that energy recovery is the predominant residual waste treatment option (current and forecast), and that the process of recovering energy usually takes the form of electricity and heat, but can be via conversion of waste into fuels for use in other areas of the economy, via the thermal treatment of waste feedstocks.

6.341 In relation to new residual waste facilities the note states: 'Where residual wastes do occur, they should be managed in the most efficient manner. This means that we will only support the development of further residual waste treatment infrastructure where they meet a clearly defined need to facilitate the diversion of non-recyclable waste away from landfill, or enable the replacement of older, less-efficient facilities…. We do not, however, support the development of overcapacity of energy recovery infrastructure in England

and will work to strengthen planning considerations to ensure that this does not happen.'.

6.342 The Council already supports waste minimisation and recycling in its Corporate Plan and the Council's Towards Zero Waste 2030 Strategy proposes to adopt and exceed the national target of 65% recycling by five years, to be achieved by 2030 instead of 2035. The residual (black bag) waste produced per household (Kilograms) has dropped by 22% from 2014/15-2023/4.

6.343 The following policy establishes a criteria-based framework for the management of residual waste reflecting current national policy, including the National Planning Policy for Waste, by prioritising movement of waste up the hierarchy.

6.344 The policy provides a flexible framework for the consideration of proposals, ensuring that any new development is justified by need, appropriately located, and does not undermine recycling performance or the transition to a circular economy.

6.345 This policy does not apply to landfill or landraise proposals, which will be considered under the saved JWCS Policies 8 and 9.

Policy 6.32: Residual Waste Treatment and Recovery Facilities (excluding landfill and land raise)

1. Proposals for residual waste treatment and recovery facilities should be located in the following locations unless it is demonstrated, through proportionate evidence, that such sites are not available, suitable or deliverable.

a. Within employment areas suitable for industrial, storage or distribution uses; or

b. On sites where waste management facilities are co-located and/or integrated with complementary activities; or

c. Within redundant agricultural or forestry buildings and their curtilages, where appropriate for green or biological waste.

2. Where such sites are demonstrated not to be available or suitable, using a proportionate amount of evidence, then support will be given, in principle, to locating facilities on other suitable sites (with suitability determined by applying policies in the Development Plan).

Preference will be given to the use of suitable previously developed land, and siting within urban areas.

3. Proposals for new or expanded residual waste management facilities, including treatment and energy recovery, will be supported where they are:

a. Of an appropriate type, scale and design for their location; and will, as far as is practicable, take place within appropriately designed or converted buildings; and

b. Compatible with the character and uses of the surrounding area.

4. Proposals must demonstrate the following:

a. The facility responds to a clearly defined need, and would not prejudice waste prevention, reuse, recycling, composting or other higher-value recovery; and

b. The types and quantities of waste to be managed, the catchment area of waste arisings and the destination of outputs (including energy or heat offtake where relevant) are clearly identified and justified; and

c. The site is close to the source of the waste to be recovered, recycled or transferred and, wherever possible, the markets to be served; and

d. The capacity of existing and potential transport infrastructure is sufficient to support the sustainable movement of waste, and products arising from resource recovery; and

e. The development will avoid significant adverse impacts, including cumulative impacts, on environmental quality and amenity, having regard to noise, vibration, air emissions, dust, odour, vermin, birds, light and litter; and

f. The proposal would not give rise to unacceptable land-use, environmental, amenity or public health impacts, taking account of mitigation and relevant regulatory controls.

g. For energy recovery proposals, applicants should demonstrate that opportunities for combined heat and power, heat offtake, carbon reduction and efficient energy recovery have been fully considered.

4. Where potential adverse impacts including cumulative impacts are identified, proposals must demonstrate that effective mitigation is secured.

Safeguarding Waste Management Sites

6.346 The identification of appropriate sites for waste treatment facilities is a complex process and due to constraints there are limited suitable locations. Therefore, it is important to safeguard sites in existing waste use or allocated for waste treatment facilities to ensure that these locations are not lost to non-

waste development. Policy 6.33 requires that the site at Former Fuller's Earth Works, Fosseway, Bath and North East allocated for waste facilities in the Joint Waste Core Strategy is safeguarded subject to a decision on whether the site is needed within a review of the Joint Waste Core Strategy.

6.347 In addition, the National Planning Policy for Waste (2014) requires consideration of the likely impact of proposed, non-waste related development on existing waste management facilities, and on sites and areas allocated for waste management, under the agent of change principle. Accordingly, development that would constrain or undermine the efficient operation of waste treatment infrastructure should be resisted unless adequate mitigation or equivalent replacement capacity is secured. This also applies to wastewater facilities.

Policy 6.33: Safeguarding waste management sites

The following sites are safeguarded for waste management uses:

1. Existing operational waste management facilities within Bath and North East Somerset; and

2. Former Fuller's Earth Works, Fosseway, Bath, as shown on the Policies Map, which is safeguarded as a site allocated for waste management purposes in the Joint Waste Core Strategy pending any future review, replacement or update of that strategy, or until it is demonstrated through an approved waste planning evidence base that the site is no longer required for waste management purposes.

3. Wastewater facilities - Existing water recycling centres, pumping stations and associated infrastructure will be safeguarded from redevelopment, sterilisation or other development that would compromise their operation or future expansion.

Non-waste development on, adjacent to, or otherwise likely to affect the operation of a safeguarded waste management facility will only be permitted where it can be demonstrated that:

a. The proposal would not lead to the loss of waste management capacity unless equivalent or enhanced replacement capacity is provided in an appropriate location, or it is demonstrated through up-to-date evidence that the facility is no longer required;

b. The proposal would not constrain the efficient operation, lawful use, redevelopment, expansion or modernisation of the waste facility;

c. The development has been designed in accordance with the agent of change principle, with appropriate mitigation secured by the applicant where necessary; and

d. Any residual impacts on future occupiers, neighbouring uses or waste operations would be acceptable.

Where a safeguarded facility is proposed to be redeveloped for non-waste uses, the applicant must provide proportionate evidence addressing the facility's existing and potential role in the waste management network, the availability of alternative capacity, and the implications for sustainable waste management.

Infrastructure

6.348 New development in Bath and North East Somerset must be supported by the timely provision of infrastructure necessary to make it acceptable in planning terms and to support sustainable, healthy and well-connected communities. Infrastructure includes, but is not limited to, transport and active travel, education, health, community facilities, open space, sport and recreation, green infrastructure, biodiversity, flood risk management, climate resilience measures and utilities.

6.349 The Council will work with infrastructure providers, neighbouring authorities, the West of England Mayoral Combined Authority, statutory agencies, communities, landowners and developers to identify, fund and deliver the infrastructure required to support planned growth. The Infrastructure Delivery Plan will set out known infrastructure requirements to mitigate the impacts of and meet the needs arising from growth and development, indicative costs, funding sources, phasing, delivery partners and key delivery risks.

6.350 Development proposals must demonstrate how necessary infrastructure will be provided in a timely and coordinated manner, having regard to the Infrastructure Delivery Plan, relevant site allocation policies and other policies of the Local Plan.

6.351 For strategic allocations, applicants will be expected to agree the timing, phasing, funding, delivery responsibilities and long-term management of required infrastructure with the Council and relevant infrastructure providers.

6.352 Development will be expected to meet the full cost of infrastructure necessary to mitigate its impacts, subject to the statutory tests for planning obligations and relevant national policy and guidance.

Viability

6.353 Based on the Local Plan Viability Assessment, developments are expected to be viable enabling the planning obligations necessary to mitigate the impacts of development to be met and with no requirement for public subsidy to support the provision of the affordable housing. Policy 6.14 sets out the circumstances under which applicants can challenge this viability position and

the process for and requirements of viability assessment at the planning application stage.

Policy 6.34: Infrastructure and Delivery

Planning permission will only be granted where suitable arrangements are made for the provision of infrastructure necessary to make the development acceptable in planning terms at the earliest opportunity.

The Council will work in partnership with adjoining authorities, local communities and relevant agencies and providers to ensure that social, physical and green infrastructure is retained and improved for communities.

Development will provide, or contribute towards the provision of:

a. Measures necessary to mitigate the impact of development, secured through the use of planning obligations;
b. Infrastructure required to support growth, which will be secured via the relevant Community Infrastructure Levy in accordance with the appropriate regulations.

Where proposals form part of a wider site allocation, infrastructure needs will be assessed having regard to the allocation as a whole.

Where viability is relied upon to justify reduced provision, robust evidence must be submitted and will be independently reviewed by the Council at the applicant's expense. The Council may, where appropriate, require a review and clawback mechanism to be incorporated into legal agreements to ensure that additional contributions are provided over time, should viability improve.