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Date: 25th May 2018
Our Ref: 18/01621/PA03

LPC (Trull) Ltd
Trull
Tetbury
Gloucestershire
GL8 8SQ

Dear LPC (Trull) Ltd

RE: Pre-application enquiry at Street Record Tynning Road Bathampton Bath

Thank you for your recent enquiry regarding the above proposal. Please find my response attached.

The views expressed in this report represent an officer's informal opinion only based on the information supplied and without consultation with statutory consultees or third parties. This advice is not binding on any future decisions made by elected members of the council or under powers delegated to other officers.

Should you chose to progress your scheme and submit further application(s) you may be able to benefit from setting up a Planning Performance Agreement to give you greater certainty of deadlines and outcomes. You will also get a dedicated Planning Officer and a mutually agreed timetable for your scheme to follow – all for a fixed upfront fee. See the website page [Planning Performance Agreements](#) for further information.

Your proposed works may need building regulation consent and should you choose to proceed you are advised to contact Building Control on tel: 01225 477517 or email: building_control@bathnes.gov.uk. Initial Building Control advice is provided free of charge.

I hope this is clear but should you require anything further, please do not hesitate to contact me on 01225 477471 or by email at emma_hardy@bathnes.gov.uk.

Yours sincerely

Emma Hardy
Senior Planning Officer
Development Management

Pre Application Advice Report

1	Council: Bath and North East Somerset	Site Address: Street Record Tyning Road Bathampton Bath	Ref No: 18/01621/PA03
2	<p>Summary of your proposal & officer view:</p> <p>The enquiry site is an area around and over the Kennet and Avon Canal to the east of the Grade II listed horse shoe bridge and adjacent to Tyning Road in Bathampton. The site is located within the Bath/Bristol Green Belt, the Bathampton Conservation Area, the Cotswolds Area of Outstanding Natural Beauty and a Site of Nature Conservation Interest. There are also a number of other heritage assets within the vicinity of the proposal site.</p> <p>The proposal is for a shared use footway and bridge leading from the access of King Edward's School sports fields on Dark Lane to Tyning Road across the Kennet and Avon Canal. The access to the southern section of the path would be controlled by a gate and a further access would be installed directly from the sports field car park. The southern footway would run along the edge of the school playing field.</p> <p>The provision of a foot and cycle bridge over the Kennet and Avon Canal at Bathampton is broadly supported subject to compliance with relevant planning policies. Any application for the proposal will be required to demonstrate why the proposed bridge must be sited within this Green Belt location rather than being sited within the development boundary and also to demonstrate that the use of the sports field for outdoor sport would not be prejudiced.</p> <p>Currently there is insufficient detail to enable Officers to draw conclusions on the acceptability of the proposed development on local heritage. There are some concerns regarding the impact of the proposed southern footpath on existing trees as well as the landscape impact of the proposed 2m high fence between the proposed footpath and the sports field. A number of issues are raised in regards to user safety and highways considerations. Comments on potential ecology impacts are to follow.</p>		
3	<p>Officer assessment:</p> <p><u>Principle of the development</u></p> <p>The site falls outside the development boundary of Bathampton and within the Green Belt, wherein there is strict control on new development. Core Strategy Policy CP8 states that the openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy.</p> <p>Section 9 of the NPPF establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Only forms of development stipulated at paras. 89 and 90 of the NPPF can be regarded as not inappropriate in the Green Belt. Para. 90 allows for local infrastructure which can demonstrate a requirement for a Green Belt location, provided that it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.</p> <p>In this case the proposed foot and cycle bridge would be sited to the east of the existing horseshoe bridge within the Green Belt. Locating the proposal to the west of the existing bridge would avoid a Green Belt location since this would fall within the Bathampton development boundary. Any application for the proposal will be required to demonstrate why the proposed bridge must be sited within the Green Belt rather than siting it in a non-Green Belt location in order for the principle of the proposed development to be accepted in the proposed location.</p> <p>Consideration will be given to the impact of the proposal on the openness of the Green Belt. Openness has both a visual and a spatial dimension. A bridge designed to give a light-weight</p>		

appearance will be favoured over a more solid appearance. It is noted that the proposed bridge would be located within fairly close proximity of other development rather than in entirely open countryside.

Any planning application for the proposal will need to demonstrate that the proposed development would affect only land which is incapable of being used for sport and that the proposals would not prejudice the continued future use of this sports facility.

Heritage impact and design

The site is located within the Bathampton Conservation Area and close to various heritage assets including the Grade II listed bridge, Grade II* St Nicholas Church, Grade II George Inn PH as well as the traditional school building of Bathampton Primary School which is considered to be a non-designated heritage asset. Introducing a new foot/cycle bridge into this area of established character would be a major intervention with a significant impact.

A Preliminary Heritage Impact Assessment has been submitted with the enquiry. Whilst this acknowledges a number of heritage assets in the vicinity, the majority of the report is dedicated to justifying the public benefits of the proposed development, which is the role of the Design and Access/Planning Statement. A full Heritage Assessment is required which provides a more in depth analysis and understanding of the significance of the heritage assets and the contribution that setting makes to that significance. Currently there is insufficient detail to enable Officers to draw conclusions on the acceptability of the proposed development on local heritage.

It is noted that the proposed bridge has been intentionally sited some distance from the existing listed bridge. Providing a separation distance between the proposed structure and this heritage asset is more likely to be acceptable than siting it next to the existing road bridge.

It is also noted that the design intent of the proposed bridge is to provide a light-weight, airy structure with limited vertical supports. A high quality design and finish will be critical to ensuring an acceptable impact on the character and appearance of the surrounding area. Cost-saving amendments that undermine the design rationale and result in a less graceful, more solid form are likely to raise concerns.

Arboricultural impact

The proposal is supported by an Arboricultural report which incorporates a preliminary Arboricultural Method Statement.

The introduction of a new footpath between T1-T4 would result in ongoing tree pruning requirements to maintain clearance. Since all four trees are Weeping Willows, this is likely to be a regular requirement which also conflicts with their natural growth habit. T4 is particularly vulnerable to pressure to fell given that the southern footbridge landing is within the canopy spread of the tree.

It is considered that the southern footpath should be moved away from the trunks of the existing trees to provide them with a more reasonable strip of land and to ensure that future replacement or succession tree planting is not compromised.

T14 within King Edward's School is implicated in the alterations to the coach park and would require precautionary measures that are not currently identified in the preliminary Tree Protection Plan.

The land to the north of the canal may be owned by Bath & North East Somerset Council and the Parks and Green Spaces Team may manage the trees here. Whilst comments have not been sought from that team as part of this pre-application enquiry, it may be beneficial to engage with Parks and Green Spaces as landowner if progressing the proposal to planning application stage.

Any subsequent planning application will require a detailed arboricultural method statement and submission of site supervision records from the appointed Arboriculturalist. This requirement can be conditioned or submitted as part of the application to avoid a pre-commencement condition.

Landscape impact

The site is located within the Green Belt, the Cotswolds Area of Outstanding Natural Beauty and the City of Bath World Heritage Site Setting. Consideration must therefore be given to the impacts of the proposal on the visual amenity of the Green Belt, the natural beauty of the AONB, the setting of the World Heritage Site as well as the landscape setting of the village of Bathampton and the setting of the Conservation Area.

The Preliminary Landscape Visual Appraisal submitted by Nicholas Pearsons with accompanying landscape plan is generally thorough and on the whole Officers are in agreement with the conclusions with regard to the proposed bridge itself and also with the suggested viewpoints. An additional viewpoint is requested from the top of the horse shoe bridge looking across the sports pitches to the open countryside.

The primary concern with regard to landscape and visual impact is the proposed 2m high fencing along the King Edwards Playing Fields boundary. This would run past the important open view over the sports pitch to the wider countryside which is seen from the top of the horse shoe bridge. At 2m in height, this fencing has the potential to affect the local character of the setting of Bathampton and the setting of the Conservation Area. The top of the existing bridge is significantly higher than the level of the pitches but it is currently unclear quite what the visual impact of this fencing would be when viewed from the bridge. Visual evidence of the effects of the fencing is therefore required 1) when looking out over the landscape as viewed from the bridge and 2) from the canal towpath looking across to the pitches where there is currently a gap in the trees on the southern side of the canal.

Further details of the actual fencing proposed would also be helpful. The proposed fencing would need to be designed to minimise visual impact. It is recommended that an additional willow (not weeping) is planted in the existing gap where the fencing would be visible from the towpath.

There are also concerns regarding the proximity of the proposed southern path to the willow trees on the Kind Edward's side of the canal. Again, if the natural weeping form of these willows were to be lost due to repeated pruning to keep the path clear, this would be a cause for concern.

Highways impacts

The existing route for pedestrians and cyclists over the horseshoe bridge uses a pseudo footway on one side and a pavement footway on the other. This is controlled by a school crossing patrol (SCP) during school drop off/pick up times, although comments regarding recruitment are noted. The route has a history of being problematic, albeit without an accident record. Unusually, the SCP works long the road rather than across the road due to forward visibility on the approach to the bridge.

It is acknowledged that the proposed shared use path and bridge would be a safer and more desirable route for pedestrians, particularly those on their way to and from Bathampton Primary School. However, a number of design features do raise concerns.

The shared use path is proposed to be 2.5m wide. This is considered narrow by design guidance and it is expected that a shared use path should be a minimum of 3m wide. On a two way shared use bridge the guidance width increases to 4m owing to the high sides of the bridge.

It is noted that the bridge would be set over the existing tow path at 2.55m. Whilst height guidance has been met, a cyclist standing on the pedals is likely to hit his/her head on the bridge, particularly with the low light levels in this location during the hours of darkness. It is therefore recommended that the bridge is raised or the tow path bottomed out to increase the high to a minimum of 2.7m.

Further details of the surfacing area required. The shared use path should be of a bound or compacted material that cyclists and disabled users can easily use.

The 'kink' at the northern end of the bridge appears to result in a severe bend, particularly on a 2.5m shared use path. There are some concerns that the severity of this bend could cause

accidents and conflict. In addition, the gradient on the ramp to the bridge appears to be steep, which may not meet DDA (Disability Discrimination Act 2005) regulations of a minimum of 1:20 gradient.

Structures located close to or within the highway should generally be positioned 450mm from the carriageway edge. This does not appear to be the case based on the submitted details.

The access to the shared use path is proposed to be gated, but details have not been supplied of the gate type. Whilst it is accepted that a gate is required for safety purposes, further details will be required if pursuing the proposals to planning application stage.

It is strongly recommended that a Stage 1/2 Road Safety Audit/Non Motorised User Audit is carried out for the proposed scheme. It is possible that the results may negate some of the above concerns.

Policies ST1, ST2A and ST3 of the Placemaking Plan are of particular relevance to the proposals. The principle of the proposed development is broadly supported subject to compliance with the relevant Core Strategy and Placemaking Plan policies and addressing the various highway safety issues identified.

Ecological impacts

Comments to follow.

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Planning policies, legislation & other information relevant to your proposal

The main planning policies that will be considered relevant to your proposal are listed below. Please be aware that the policies listed below are a guide and are based on the information you have submitted, additional policies may become relevant depending on any additional material submitted.

The following B&NES Core Strategy policies should be considered:

DW1: District wide spatial strategy

B1: Bath spatial strategy

B4: The World Heritage Site and its setting

SD1: Presumption in favour of sustainable development

CP2: Sustainable construction

CP6: Environmental quality

CP7: Green infrastructure

CP8: Green Belt

The Placemaking Plan for Bath and North East Somerset was formally adopted by the Council on 13th July 2017. The following policies of the Placemaking Plan should be considered:

D1: General urban design principles

D2: Local character and distinctiveness

D3: Urban fabric

D4: Streets and spaces

D5: Building design

D6: Amenity

D8: Lighting

D10: Public realm

HE1: Historic environments

NE1: Development and green infrastructure

NE3: Sites, species and habitats

NE6: Trees and woodland conservation

GB1: Visual amenities of the Green Belt

LCR5: Safeguarding existing sport and recreation facilities

ST1: Promoting sustainable travel

ST2A: Recreational routes

ST3: Transport infrastructure

ST7: Transport requirements for managing development

Consideration will be given to the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance.

The following Supplementary Planning Documents are relevant:
City of Bath World Heritage Site Setting adopted August 2013

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Information we would like you to submit with a future planning application

- Application form: Full planning application;
- Fee: £234 for each 0.1 hectare (or part thereof);
- Completed ownership certificate with combined agricultural land declaration;
- Site location plan at a scale of 1:1250 based on current OS mapping;
- Existing and proposed block plans (1:100 or 1:200) showing access arrangements, all site boundaries and surrounding buildings in full including extensions and indication of one or two storey;
- Existing and proposed elevations (1:50 or 1:100);
- Sustainable Construction Checklist;
- Design and Access Statement;
- Heritage Impact Assessment;
- Drainage strategy;
- Tree survey, Arboricultural Impact Assessment and Arboricultural Method Statement in accordance with BS5837:2012;
- Ecological and protected species survey and assessment;
- Proposed lighting design;
- Landscape and Visual Impact Appraisal.

Further guidance on the requirements can be found on the Council's website

<http://www.bathnes.gov.uk/services/planning-and-building-control/apply-planning-permission>

If you require further guidance on submission requirements please contact us on 01225 394041, option 5.