

Dear Tony Crouch,

Response to the Bath World Heritage Site Management Plan Consultation 2016

We write to you on behalf of the Bathampton Meadows Alliance (BMA), a community based organisation established to protect Bathampton Meadows from inappropriate development, including a current plan by Bath and NE Somerset Council to build park and ride for up to 1600 cars.

Bathampton Meadows are an intrinsic part of the setting of the World Heritage City, we therefore welcome the opportunity to comment on the Management Plan 2016-2022. It should be noted that residents of the villages to the east of Bath are not represented by FOBRA (they have not supported their one member Batheaston Forward when it comes to the content of this letter), nor are we represented on the WHS steering group. As such we have not been offered an opportunity to shape this plan to date.

The Management Plan has identified at 3.5 that:

'The distinctiveness of the city to a large degree results from the harmonious relationship of the built form and the natural landscape of the city including its green spaces, the river and canal corridors and the surrounding countryside which enfolds and extends right into the heart of the city.'

Such a description is surely inspired by Bathampton Meadows, endowed as it is with so many of the attributes of Outstanding Universal Value (OUV) set out in the plan and endorsed by Bath & North East Somerset Council (cabinet 14 May 2014). The meadows lie upon 'the incised plateau of the Avon Valley', they provide one of the 'green fingers that stretch right into the city' they are surrounded by 'green undeveloped hillsides', are lined with 'tree belts' and provide 'an agricultural landscape with grazing and land uses which reflect those carried out in the Georgian period'.

Any plan that does not fully protect this asset would therefore fail to protect the WHS. Indeed Objective 11 under Section 5.11 (Conservation) sets out to protect and ascribe equal importance to the setting:

'Ensure that the natural setting of Bath, as a key attribute of OUV, is afforded equal importance to the built element and is protected, conserved and interpreted'

We urge you to uphold this objective in everything that you do. Once developed, the setting is tarnished forever.

This representation seeks to address matters related to Bathampton Meadows and is focused mainly, but not exclusively on section 5. We will

therefore begin with our comments on this section before turning to other matters.

Section 5 Issues to be addressed

The plan has identified that Bath is about to witness another phase of redevelopment with major housing schemes, the Riverside development and other major projects including at the Rugby ground.

Transport to serve these developments will need to be sustainable, but we do not agree that the Transport Strategy in its current form provides a sustainable or inclusive solution. The Transport Strategy is heavily weighted towards park and ride. This is land hungry and threatens the setting of the city, in particular at Bathampton Meadows. Park and ride is used exclusively by car users and so is not an inclusive mode of transport, rather it draws passengers away from rural bus services placing these services at risk.

The recent vote by the cabinet (29th June 2016) to accept the devolution package, along with the Buses Bill, which is due to reach Royal Assent early 2017, present an opportunity to revise this strategy, by giving the council the ability to control buses and therefore reduce their strategy's reliance on park and ride. We therefore believe that The City of Bath World Heritage Site Management Plan 2016-2022 should predict and encourage such change. This would be possible if action 5 were amended to include the words highlighted in bold.

Action 5: Monitor and engage with the delivery of the Transport Strategy (2014) **and any subsequent revision** in so far as they relate to the WHS & seek to ensure they have no unacceptable impact on the OUV of the WHS & its setting.

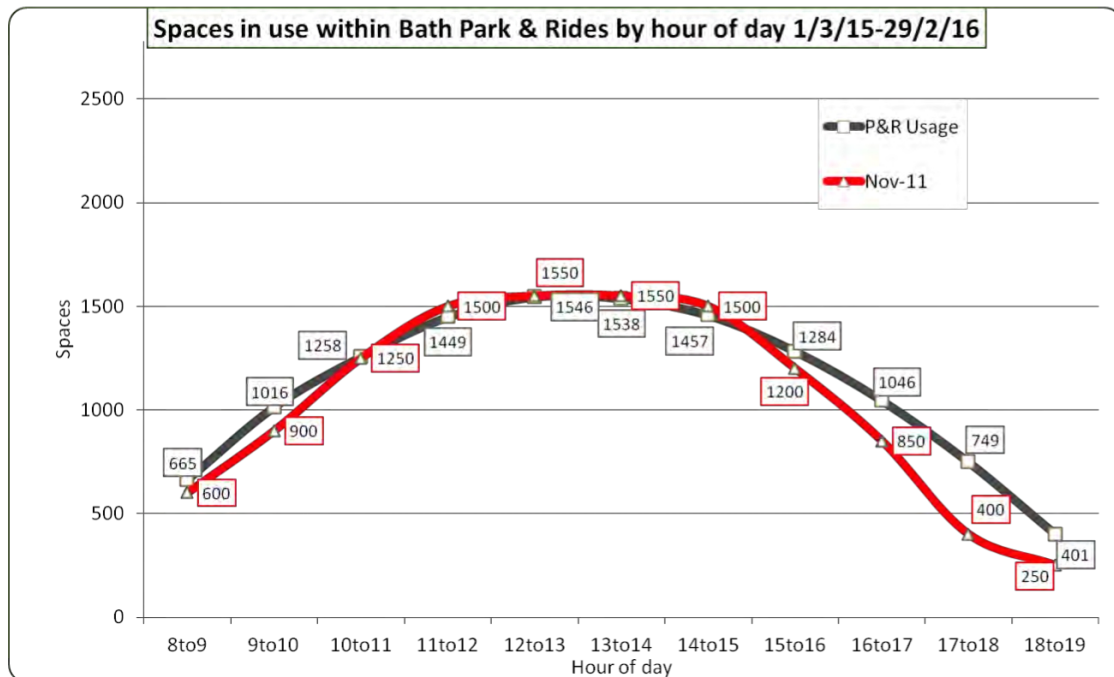
Aside from our general disagreement with transport policy, the BMA has grave concerns about how this has been interpreted by the draft management plan being consulted upon and therefore recommends deletion or revision of 5.6 and also the revision of Objective 3

5.6 Transport

'... The 'Getting Around Bath' transport strategy was adopted on 13th November 2014 by B&NES Council and contains a range of measures including expansion of existing park and ride facilities and exploration of a potential new site to the east of the city. Whilst there is apparent demand for such measures (there are currently (2015) 2,860 park & ride car parking spaces, with demand frequently outstripping supply) and benefits could follow, implementation could also harm the OUV and an action is included to ensure that proposals take full account of the impact on the WHS.'

Our comments:

1. The 2014 Transport Strategy does not commit to building an East Park and Ride, instead Policy GABP8 sets out that the Council should *'Establish the need for increased Park and Ride capacity as part of a wider parking strategy'*. The council has yet to do this. It has failed to carry out any rigorous research on either demand for a new east of Bath P&R, or the impact of its development on any proposed sites. The phrase *'contains a range of measures including expansion of existing park and ride facilities'* should therefore be amended to; ***'requires the council to establish the need for increased park and ride facilities'***
2. We disagree entirely that there is *apparent demand for these measures...with demand frequently outstripping supply*. B&NES has not demonstrated the need for increased P&R spaces. Based upon B&NES own entry and exit data, the 3 existing park and ride sites are on average 41% full. There were only 22 occasions last year when one or more of the existing park and ride car parks was full. These coincided with known events such as the Christmas Market and rugby matches that could be predicted and managed by overflow parking and additional trains and buses. This statement should therefore be deleted and any reference to the usage of park and ride should be correctly quantified rather than remain inaccurate.
3. Demand for P&R has in fact not increased over the last 5 years. A survey in 2011 used in a background document to the Transport Strategy showed 1550 spaces used at the busiest time of day. The annual usage figures for the 12-month period to March 2016 show 1546 spaces used at the busiest time of day. This is illustrated on the graph below. Note that there are 2,777 spaces available.



4. In 2015 an additional 248 P&R spaces were provided at Newbridge, but after a full year of operation P&R usage across all 3 sites had only increased by 19 cars on average a day.
5. This evidence is derived from the council's own strategy documents and parking data. It was presented to the council at a scrutiny hearing on the 22nd March 2016. The data has been professionally analysed by Andrew Lea, an insight professional with more than 30 years experience. It has never been disputed by the council. Please see section 5 of the BMA report to Scrutiny for a full analysis of the council's parking data (appendix 1)
6. It should also be noted that the Council do not measure the success of their existing sites in any meaningful way that has been presented to the public. Council policy is based upon infrequent snapshot surveys of users interviewed at existing car parks several years apart. Section 5 and 6 of the BMA scrutiny report explains that the need for expansion is limited to overspill parking across the city for special events, not for more permanent parking.
7. The Council has now moved on from focusing on current demand and suggesting that an East P&R will bring any immediate benefit (as quoted in Section 5.6 Transport). Instead and in response to our work looking at their own full year data, have issued usage projections out to 2029, with no short or medium term benefit quantified. This forecast is of great concern to us as the driver-parking pattern used is unlike that of the last 5 years and includes a shuttle for the Royal United Hospital.

This idea was not initiated by the RUH and they have provided no data or patient trend information to support this.

8. There has simply been no case made as to the *benefits that could follow* from expanded park and ride, so this assertion should also be removed. Indeed the original stated aims of the public consultation included reducing congestion and improving air quality. Both of these have since been proven not to be true. The Council's own consultants (Mott McDonald) have stated that there would be only 5% improvement in traffic on the London Road, and previous consultants (CH2MHill) have stated that traffic in this location in the afternoon would get worse. This model also does not take into account suppressed demand from those using back streets or other routes, which may take up this 5% reduction, if created. Please see the letter to cabinet (appendix 2) for a detailed appraisal of demand and the lack of tangible benefit.
9. Given this, it is clear that there is no demonstrated (and we say demonstrable) benefit which would justify siting a park and ride east of Bath, and very certainly not on Green Belt land at Bathampton Meadows in the setting of the World Heritage Site. If 5.6 is retained we suggest it is amended in the following way;

5.6 Transport

1. *'...The 'Getting Around Bath' transport strategy was adopted on 13th November 2014 by B&NES Council and **requires the council to establish the need for increased park and ride facilities. Future demand for such measures is contested and on average 59% of the available space is unfilled, sites reach capacity only during predictable events such as the Christmas Market. Implementation of this measure could harm the OUV and an action is included to ensure that proposals take full account of the impact on the WHS.'***

Objective 3:

Work to control traffic growth and harm, and encourage and promote less car use, especially in the city centre.

Our comments;

This objective causes serious concern since it seeks to prioritise the needs of the city centre over that of the setting and can be used to justify a park and ride within the setting. We suggest that *'especially in the city centre'* is deleted from this sentence

The site boundary is the municipal boundary of the city. No geographical area has been identified as more important than any other in the draft management plan, rather it is the attributes that are considered when planning applications are determined.

The management plan should be informed by the growing body of academic evidence that show how park and ride increases traffic and pollution where they are located and have a minimal impact on traffic into town. Please refer to the study by Zijlstra, Vanoutrive and Verhetsel 2015 as set out in section 4 of the BMA report to Scrutiny (appendix 1).

Supporting a new park and ride therefore goes against Action 26 (5.10 Environmental Resilience), which:

'Support(s) actions to reduce air pollution, primarily caused by petrol/diesel powered vehicles, which is a direct risk to people & historic fabric within the WHS.'

As set out previously, a park and ride will not improve congestion or air pollution in the city centre and indeed will worsen it in the setting, with consequences there for peoples' health.

Please also note that Defra no longer recommend park and ride as a method to reduce pollution in city centres. This has been deleted from their Air Quality Policy Guidance 2016 that replaced the 2009 version.

Finally on this subject, you will see from both appendix 1 and 2 of our submission that we are calling for Bath and NE Somerset Council to conduct the research it has yet to do into why people are on the roads at certain times of day. We have conducted our own automated five-week traffic count in Batheaston using the same company that the Council employs. From this data we learned that 33% of traffic in Batheaston in the morning peak is the school run. This is vs. the 10% the council suggested were the school run at the Public Scrutiny Day in March 2016. Until the council understands the causes of its own traffic movements better (instead of the volumes that they have currently measured), they can never be sure that their solution of a park and ride will work.

Other matters

The Vision

BMA welcomes the Vision statement that;

'The Outstanding Universal Value of the City of Bath World Heritage Site will be conserved and enhanced for this and future generations.'

But is concerned that it will prove impossible to *'balance the needs of an inventive and entrepreneurial 21st century place with the conservation and enhancement of the unique heritage which is of world-wide significance'*.

This is because BATHNES council, the principle Steward of the World Heritage Site is also the principle landowner and the decision maker for

development in the city. This is a clear conflict of interest that has the potential to cause harm to the OUV of the city if measures are not put in place to prevent this.

BATHNES owns part of Bathampton Meadows and has a stated intention to develop this, or another part of the meadows currently in private ownership, for a large park and ride. Planning Policy has been weakened rather than strengthened with respect to this as plans emerge.

The management Plan identifies that Policy BH4 of the council's core Strategy states;

There is a strong presumption against development that would result in harm to the Outstanding Universal Value of the World Heritage Site, its authenticity or integrity. This presumption applies equally to development within the setting of the World Heritage Site. Where development has a demonstrable public benefit, including mitigating and adapting to climate change, this benefit will be weighed against the level of harm to the Outstanding Universal Value of the World Heritage Site.

But this is a weakening of the previous policy BH1 which stated:

Development... which would harm the setting of the World Heritage Site will not be permitted

Such change enables the council to carry out their stated aim to develop park and ride on Bathampton Meadows. We are concerned that despite the clear statement repeated within the vision that;

'There will be a strong presumption against development that would harm the Outstanding Universal Value of the World Heritage Site itself, or its setting'

neither the management plan, nor any other means at UNESCO's disposal are able to counter such plans. If this were to occur Bath could never be considered a '*centre of excellence for urban heritage management and conservation...*' as set out in the Vision. The city council would instead have caused irretrievably harm to the 'Outstanding Universal Value' which this plan seeks to protect.

Finally, the Bathampton Alliance believes that Bath can and should be 'accessible and enjoyable to all' but should not be reliant upon an out dated and inefficient measure such as park and ride, which is only available to those who have a car (this is likely to exclude the poor, elderly, sick and disabled).

The Management plan should not give credence to such development but should challenge the Council to consider more sustainable and equitable alternatives.

2.3 Boundary

The plan makes it very clear that the site boundary is the municipal boundary of the city, something that is quite exceptional in world-wide terms, since almost every other city worldwide covers only a part of the urban area and not the entire settlement.

This statement is welcomed and it is noted that no geographical area has been identified as more important than another. It would be useful therefore if this were explicitly stated beyond the lack of distinction made between city and setting made in section 5.11 and welcomed on page one of this submission.

With regard to Bathampton Meadows, this would make it clear that a policy of exporting congestion and associated pollution from the centre to the green setting is not an acceptable solution.

2.4 Setting

The BMA disagrees with the statement at 2.4 that;

'planning policy and The City of Bath WHS Setting Supplementary Planning Document provide effective protection and are therefore considered to negate the need for the designation of a formal buffer zone'

Neither of these things protect Bathampton Meadows from development as a park and ride since exceptions can be made within planning policy for this. Also because BATHNES council, the principle Steward of the World Heritage Site, is also the principle landowner and the decision maker for development in the city, including landowner on Bathampton Meadows.

If the management plan does not explicitly speak out against such development it will fail to protect the setting.

Section 3 significance of the site

At page 15 the management plan refers to negotiations to transfer key areas of land to the National Trust. We are not aware of which key areas of land are referred to but would support a proposal for council owned land at Bathampton Meadows to be transferred in this way.

The following statement at page 15 referring to transport improvements should be amended. It currently states:

*'Transport improvements are based principally around a **bus-based network** and pedestrianisation, as outlined in the Management Plan.'*

It is misleading to state that transport improvements are based around a 'bus-

based network. The current transport strategy relies heavily on park and ride which encourages the use of the private car, rather than a true bus network which uses public transport for the entire journey.

3.3 Attributes

The BMA endorses this section, in particular section 5 *The green setting of the City in a hollow in the hills* which aptly describes the value of Bathampton Meadows to the site

Bathampton Meadows is endowed with many of the attributes of the WHS as agreed by Cabinet in May 2014 and should therefore not be explicitly threatened within the same plan by acceptance of a park and ride in this area.

3.5 Natural Value

The BMA endorses this section, in particular the reference to the importance of the River Avon, its valley and associated water meadows

4.13 Local Planning Policy

We note the reference to citizens being able to shape policy and comment on proposals, but suggest an amendment to the example used as this is misleading in its current form and our experience is that policy is not shaped by public opinion.

'a 2015 consultation on a potential new (eastern) park and ride site attracted over 4000 comments'

The consultation referred to resulted in 51% being against a park and ride, this needs to be included if this example is to be used. Given that several aspects of this consultation's administration were flawed, you may wish to select another example as best practice.

We have referred previously to policy B4 of the Core Strategy and consider this to be a weakening of policy. Similarly the draft Placemaking Plan (currently at inspection stage) seeks to allow development within the setting for park and ride, which we are contesting.

4.18 Analysis of current management

The BMA agrees with the concern expressed in this section and suggest some solutions.

'...the WH system can struggle to keep pace with urban change. Under section 172 of the UNESCO Operating Guidelines the State Party is requested to inform UNESCO of 'major restorations or new constructions which may affect the OUV of the property'. With the constant change experienced in a contemporary western city such as Bath it can be a difficult

judgement call as to what to report to UNESCO and when'... There is also a continuing need to train, educate and influence decision makers which, as previously described, have a very short life compared to the historic buildings which they are stewards of, and each new decision maker needs to understand the importance of the WHS'

We agree that key decision makers need on-going training with regard to the importance of the WHS, but would go further.

The BMA suggest that UNESCO should be informed of any major planning application made by the council itself where there is need to weigh public benefit against the level of harm to the Outstanding Universal Value of the World Heritage Site.

We additionally suggest, that the council itself should not make decisions on their own major applications where there is need to weigh public benefit against the level of harm to the Outstanding Universal Value of the World Heritage Site.

Such decisions can never be free from the perception of bias, if not bias itself, given the council's extensive ownership of land, commercial interests and political interest in delivering schemes such as an east of Bath Park and Ride.

The Management Plan should specify that such applications be heard by an independent body set up for such purpose or by the secretary of state. To do so would ease public concerns and avoid Judicial Review.

A local authority can co-opt independent members onto its planning committee and The 2012 London Olympic Games set a precedent for special arrangements to be made for planning. The Olympic precinct straddled 4 London boroughs meaning that applications would have to be heard by each authority. To avoid such a cumbersome process and potential conflict the boroughs set up the Joint Planning Authority (JPAT) and a joint planning committee. This suggests that there is no barrier to making suitable planning arrangements where necessary.

In conclusion we urge you to look closely at the evidence that is now available and conclude that there is no case, and can be no case for allowing 'Exceptional Harm' to the WHS through the damage to its setting that would occur from a park and ride on Bathampton Meadows.

The World Heritage Site Management Plan should not promote or sanction this and indeed should go as far as to say that there has been no case made for a park and ride to the East of the city within the setting boundary. This is of vital importance to maintain the independence of the World Heritage Site management team, given that the very same Council's development plans are also the key threat to the WHS setting in this case.

Members of the Bathampton Meadows Alliance would be pleased to speak to you further on this subject.

Yours sincerely,

Fiona Powell, Peter Davenport, Andrew Lea, Christine Boyd and Annie
Kilvington

Representatives of the Bathampton Meadows Alliance

<http://bathamptonmeadowsalliance.org.uk>