

## **Statement of Common Ground**

RSS Examination in Public Panel Report 2007  
Evidence Base in relation to WHS setting impact of  
an urban extension to Bath

**Bath & North East Somerset Council**

**and**

**Woolf Bond Planning LLP**

on behalf of

**The Prince's Foundation**

**and**

**The Duchy of Cornwall**

3<sup>rd</sup> February 2012

## 1.0 Introduction

- 1.1 As requested by the Core Strategy Inspector, Simon Emerson, Bath & North East Somerset planning authority on 20<sup>th</sup> January 2012 was asked to coordinate the production of a succinct *Statement of Common Ground* (“SoCG”) to establish areas of agreement between the Duchy of Cornwall and the Council in relation to specific elements of the Regional Spatial Strategy EIP Panel Report 2007 pertaining to World Heritage Site setting impacts (CD3/5).
- 1.2 This SoCG has been prepared between the LPA and Woolf Bond Planning LLP (on behalf of the Duchy of Cornwall). It sets out matters of agreement, as well as those in dispute, with the aim of assisting the inspector.

## 2.0 Summary of Agreed Matters

### Reference in paragraph 4.1.27 of the EIP Panel Report 2007 (CD3/5)

- 2.1. Both parties are in agreement, that the reference to “the study” in the first sentence of para 4.1.27:

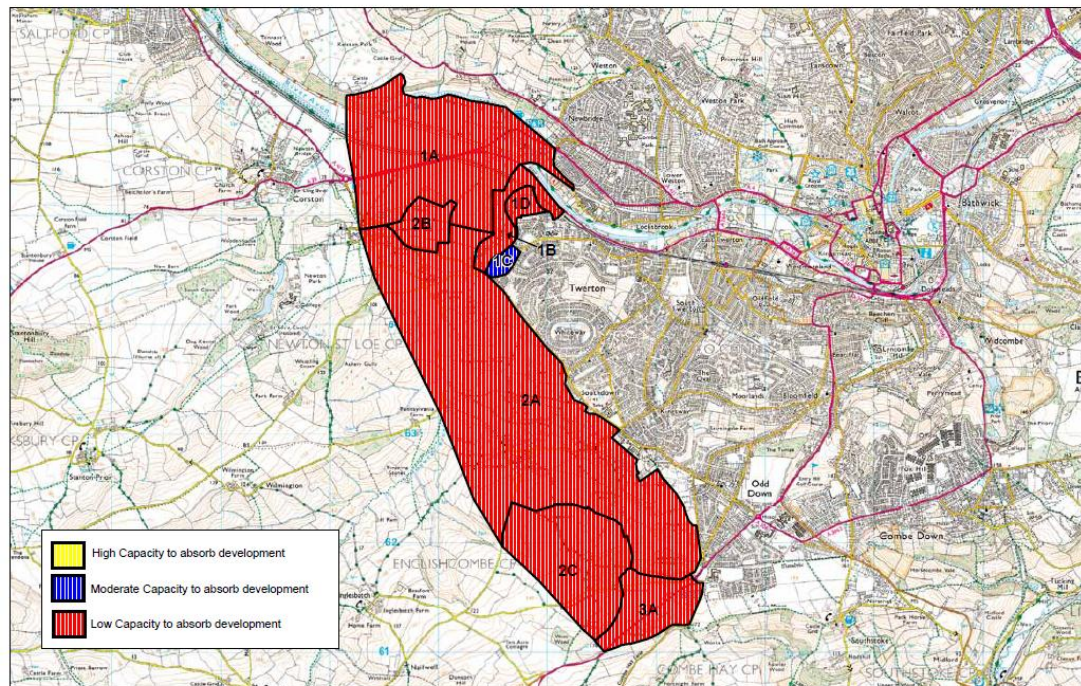
*The Regional Assembly Point out that the location identified by the study as having least impact on WHS status lies against the urban edge adjoining Twerton.*

relates to the Council’s *Landscape and World Heritage Site Study of the Potential for an Urban Extension to the South/South West of Bath* (December 2005 & July 2006) (CD4/UDL21). This is the document referred to in para D5<sup>i</sup> of the Regional Assembly’s Statement on Matter 4/1 (1), CD3/27 which states that:

*The Draft RSS recognises the strong influence that WHS status has on Bath’s future development (paragraphs 4.2.14 & 4.2.18). Subsequent to publication of the Draft RSS, B&NES undertook further technical work “Landscape and World Heritage Site Study of the Potential for an Urban Extension to the South/South West of Bath” (December 2005 & July 2006) to consider how WHS status could impact on future development...*

- 2.2 Therefore, the area being referred to is not the Duchy owned site as presented in the Core Strategy Options consultation CD5/4 (Option SWB1: West of Twerton) on p108. It is a smaller parcel of land in the Green Belt at Twerton to the east of Newton Brook adjoining existing development. This land is identified in Appendix 5 (p35) of the *Landscape and World Heritage Site Study of the Potential for an Urban Extension to the South/South West of Bath* (December 2005 & July 2006) CD4/UDL21 as “1C” and is assessed as having “moderate capacity to accommodate development” in relation to landscape and heritage capacity. This map is replicated below as **Map 1**, with the small area in question highlighted in blue.
- 2.3 It is the view of the Council that the direct reference to this study in paragraph D5 of the Regional Assembly’s Statement 4/1 (1) does not leave any doubt in this regard.

Map 1



Plan 1  
Landscape and Heritage Capacity

December 2005

Scale: 1:25,000

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### 3.0 Matters in Dispute

#### **Weight to be given to EiP Panel observations on WHS setting impacts.**

##### B&NES Position

- 3.1 The Council is of the view that since the EIP Panel put together their report, the Council has undertaken significant further work to establish in more detail how impact on setting can be assessed and how the setting can be defined in relation to the Outstanding Universal Values (OUVs) of the WHS (CD6/01) and has applied this to the site (CD6/O2 Appendix 3). National Guidance has also been published in October 2010 by English Heritage in relation to assessing impacts on setting "The Setting of Historic Assets"<sup>ii</sup>.
- 3.2 Therefore, the Council considers the observations of the EiP Panel within the report on the issue of WHS setting should be afforded limited weight.

##### Duchy of Cornwall Position

- 3.3. The South West EiP Panel Report (CD3/5) was published in December 2007 and the Panel recommendations were informed by a number of technical documents, including CD4/UDL21.
- 3.4. Paragraph 4.1.26 of CD3/5 confirms that the Panel assessed the impacts of an urban extension at Bath in the context of the World Heritage Site and as set out at paragraph 4.1.50 of their report (CD3/5), they resolved to extend

the area of search to include land to the west of Twerton south of the A4. The Council's understanding of the geographical area to be covered by the extension of the area of search (to include land west of Twerton) is set out in their representations upon the Proposed Changes to the SWRSS October 2008 (CD3/9).

- 3.5. Within the context of seeking to conform with the draft RSS the Council's Spatial Options document (October 2009) (CD5/4) identifies the west of Twerton area as the preferred option for an urban extension to the city following a comparative assessment of the alternative sites.

## 4.0 Declaration

- 4.1. The contents of this document are agreed for the purposes of the B&NES Core Strategy hearing.

**Signed on behalf of Woolf Bond Planning:**

*Jeremy Woolf*  
.....  
Position..... *Agent for Duchy of Cornwall*  
Date ..... *3/2/12* .....

**Signed on behalf of the LPA:**

*Richard Dorne*  
.....  
Position..... *PLANNING POLICY TEAM LEADER*  
Date ..... *3/2/12* .....

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<sup>i</sup> <http://www.southwesteip.co.uk/downloads/documents/20070403140423.pdf>

<sup>ii</sup> [http://www.helm.org.uk/upload/pdf/The\\_setting\\_of\\_heritage\\_assets\\_english\\_heritage\\_guidance\\_October\\_2011.pdf?1327485087](http://www.helm.org.uk/upload/pdf/The_setting_of_heritage_assets_english_heritage_guidance_October_2011.pdf?1327485087)