

Statement of Common Ground

**B&NES Core Strategy – Strategic Site Allocation
Land at Weston (Proposed Policy B3B)**

**Stride Treglown on behalf of The Equestrian Centre, Weston
and
Bath & North East Somerset Council**

12th February 2014

1.0 Introduction

- 1.1 In his note of 3rd January 2013 ([ID/44](#)) the Inspector outlined his requirements in terms of Statements of Common Ground that he would like to be prepared in advance of his preparation for the hearings in March/April 2014. He has also confirmed the dates and scope of coverage for these hearing sessions.
- 1.2 The Inspector has requested that the Council and the various owners/developers/promoters of the Green Belt sites proposed for allocation in the November 2013 Amendments should prepare Statements of Common Ground relating to delivery and environmental impact of those allocations as per the Council's proposals in the following revised policies:
- B3A Land Adjoining Odd Down, Bath
 - B3B Land Adjoining Weston, Bath
 - KE3A Land Adjoining East Keynsham
 - KE4 Land Adjoining South West Keynsham
 - RA5 Land at Whitchurch
- 1.3 The deadline for submission of copies of these Statements of Common Ground to the Inspector is noon on 14th February 2014 (with hard copies in advance of this); the Council has a working deadline of **7th February** in order to ensure timely completion.
- 1.4 The Inspector has specified that the Statements of Common Ground, should include (but not be limited to the items listed below), this template covers these issues accordingly:
- Delivery: Availability/start on site/likely annual completions (assuming that the Core Strategy is adopted by Autumn 2014).
 - Evidence already submitted relating to the main documents, including the evidence from landowners/developers included in the Core Documents or submitted with representations to the November consultation.
 - The Statement of Common Ground should make clear which parts of evidence are agreed and where there is disagreement briefly the main reasons for that disagreement.
- 1.5 The Inspector has suggested that the Statements of Common Ground may need to involve parties not currently active in the Examination, but they will only have a right to be heard if they have already made representations at an appropriate opportunity. The Council considers that this relates primarily to landowners who have not previously been involved in the examination process prior to Nov-Dec 2013.
- 1.6 In addition, Statements of Common Ground between the Council and other promoters in relation to their suggested alternative or enlarged proposals are welcomed by the Inspector as separate submissions (following this same structure).

2.0 Description of the site

- 2.1 This Statement relates to the one parcel of land in the ownership of the Equestrian Centre that is included in the proposed allocation at Weston (draft policy B3B). This land totalling 3.8 hectares is illustrated in **Appendix 1**.
- 2.2 Stride Treglown are acting on behalf of the landowners of the Equestrian Centre, Mr & Mrs Palmer.
- 2.3 The southern part of the Equestrian Centre site is previously developed with a variety of buildings (including the owner's house, chalets, barns, stables, storage facilities, an indoor and outdoor riding arena and associated areas of hard standing). The northern half of the site is a series of fields, delineated by temporary fences, that currently provides grazing for horses.
- 2.4 The southern part of the site is comprised of a series of flat plateaus occupied by the existing buildings with vegetated banks in between. Street lighting is present in the southern part of the site. The fields to the north are generally evenly sloped with the eastern edge falling away to the valley to the east.
- 2.5 The vegetation within the site is largely restricted to the boundaries. The northern and eastern boundaries are well established with native species and some larger trees. The vegetation along the southern and western boundaries is more sporadic and particularly sparse in the southwest corner of the site.
- 2.4 Vehicular access into the Equestrian Centre is gained from Weston Farm Lane to the southeast. Due to a break in the southern boundary treatment, pedestrian access is possible to the footpath that runs along the rear of 77-101 Eastfield Avenue. No public rights of way pass through the site.
- 2.5 See paragraphs 3.3 and 4.4 below regarding the collaborative relationship between the owners of the Equine Centre and the owner of the adjacent field parcel to the west.

3.0 Delivery

- 3.1 The site is included in the Council's SHLAA as available, suitable and deliverable for development (SHLAA, November 2013 - CD10/E19 Appendix 1b). This is also re-confirmed by the landowner in their submission to the latest Core Strategy consultation (December 2013).
- 3.2 The SHLAA trajectory November 2013 assumes that 150 dwellings would be completed within the first five years of the Plan period at Weston, with all development complete by 2018/19. All of the land under the control of the Equestrian Centre is immediately available. Both parties consider that development is deliverable in the first five years of the Plan period. Stride Treglown has confirmed that the landowner of the Equestrian Centre wishes to proceed with a planning application as soon as practically possible.

- 3.3 The landowner has confirmed that they have held discussions with the adjoining land owners to the west and south and that these parties are amenable to collaborating to enable the delivery of the development.
- 3.4 The landowner supports the proposed principle access from Eastfield Avenue, and considers this to be deliverable. They are currently working with third parties and highway engineers to secure an appropriate access and will provide an update in respect of this at the Examination.

4.0 Key relevant evidence

- 4.1 The key evidence prepared by the Council in relation to land at Weston is as follows:

<p>Key evidence 2012 (Taken from BNES 47)</p>	<ul style="list-style-type: none"> • Summary of key evidence to 2009 included in the <i>New neighbourhood in an urban extension to South / South West Bath - Information Paper (October 2009)</i> CD6/O2 • Core Strategy Spatial Options Consultation (CD5/4) • B&NES Urban Extension Environmental Capacity Appraisal: Land within the AONB surrounding Bath (2007) CD4/UDL23 • B&NES Urban Extension Environmental Capacity Appraisal (2006) CD4/UDL22 • B&NES Landscape and World Heritage Study of the Potential for an Urban Extension to the South/South West of Bath (2006) CD4/UDL21 • Slope, Geological Instability and Undermining Study, Arup (March 2010) CD4/ENV6 • Core Strategy – Post Submission Changes (Report to Council 15th September 2011) CD5/24 • Core Strategy – Post Submission Changes (Minutes of Council Meeting 15th September 2011) CD5/25 • Previous iterations of SHLAA • Representations made during consultations • Previous B&NES Submissions to the hearings include: <ul style="list-style-type: none"> - B&NES 11: Green Belt <p>NB Much of this earlier evidence is in part superseded by more detailed evidence prepared to support the allocations as outlined below.</p>
<p>Evidence prepared within Core Strategy suspension (Taken from BNES 47)</p>	<ul style="list-style-type: none"> • Sustainability Appraisal Annex L (CD9/A1/5) • Arup Green Belt Review Stage 1 Report (CD9/E2) • Arup Development Concept Option Report for Weston (CD9/CO7) <p>NB As per BNES/47 the Council is of the view that the Arup Concept Options were part of the investigative process but not conclusive of the development capacity. They do not represent a comprehensive assessment of all</p>

	<p>development constraints.</p> <ul style="list-style-type: none"> • Lower Slopes of Weston Landscape and Visual Study (CD9/CO7/1). • Arup Transport Evaluations of alternative locations (CD9/I2/1-25 – in particular Appendix A CD9/I2/2) • Habitat Regulations Assessment of the Proposed Changes to the Submitted Core Strategy (CD9/A2) • Assessment of Locations in Annex 1 of the Council Report, 4 March 2013 (CD9/PC3)
<p>Additional evidence to support proposed change</p> <p>Submitted alongside BNES 47 (Sept 2013)</p>	<ul style="list-style-type: none"> • Stage 2 Green Belt Review, Arup CD9/E9 • Core Strategy/Placemaking Plan Additional Heritage Asset Study (Land Use Consultants, BaRAS & Conservation Studio) September 2013. CD9/LV/1 • Strategic Greenfield Allocation at Weston, Bath: Water Infrastructure and Geotechnical Prioritisation Report, Arup CD9/I3 • WHS Setting and AONB Landscape and Visual Impact Assessment for Eastern/Western slopes at Weston CD9/LV/2 • Preliminary Ecological Surveys and Assessment, Weston CD9/E13
<p>Documents associated with the Core Strategy strategic site allocation</p> <p>Submitted (Nov 2013)</p>	<ul style="list-style-type: none"> • Preliminary Arboricultural Assessment – Weston CD10/E2 • B&NES CIL – Strategic Greenfield Allocations Viability Testing BNP Parabis CD10/E7 • Bath Urban Surveys – Dusk Bat Surveys for horseshoe bats around Weston, Bath – Surveys and Assessments CD10/E9 • Transport Access Assessment Core Strategy Greenfield Site Allocation Bath & Whitchurch CD10/E8 • Addendum to Landscape & Visual Impact Assessment: Weston & Odd Down CD10/E12 • Renewable Energy Assessment for B&NES Green Belt sites: Assessment, Regen SW CD10/E16 • Valuing people, place and nature – a Green Infrastructure Strategy for B&NES CD10/E17 • Strategic Green Infrastructure Profiles Maps: Green Belt sites at Odd Down, Weston and Whitchurch CD10/E18 • SHLAA CD10/19 • B&NES Local Education Authority – Education Requirements for the sites CD10/21 • BNES 51
<p>Assessments</p>	<ul style="list-style-type: none"> • Sustainability Appraisal • Habitat Regulations Assessment

4.2 The landowner has submitted the following additional evidence to the Council:

Landowner evidence	Representations submitted by the landowner including “Supporting Information” document
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4.3 The landowner intends to submit the following to the examination (by 28th February latest):

Forthcoming landowner evidence	New concept layout for the Eastfield Avenue development area
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4.4 The concept plan to be supplied by the Landowner will show how the Equestrian Centre site could be developed, in the context of a wider development extending over the field parcel to the west. The “combined land” was identified as Site C1 in Option 1 and Site B in Option 2 of the April 2013 Arup Report. This collaborative approach has been agreed between the two landowners and reflected in the Landowners submissions made in May and December 2013.

5.0 Summary of Agreed Matters

5.1 The following are matters agreed between the parties:

- The landowner supports the general principles of proposed policy B3B and the site allocation.
- The landowner supports the assessment of the site as a sustainable development location which is suitable, available and deliverable.
- The landowner generally supports the Council’s evidence base in relation to the site and supports the view that this is sufficient to support a strategic allocation.
- Placemaking Principle 2 is supported in general terms subject to detail outlined in section 6.0.
- Placemaking Principles 3,4,5,6,7, 8 and 11 are considered acceptable by the landowner.

6.0 Summary of Matters in Dispute

6.1 The following are matters in dispute between the parties:

Concept Diagram: Land Adjoining Weston, Eastfield Avenue (CSA27)

- The landowner considers that although the Concept Diagram is supported that the diagram is too simplistic, and would benefit from an increased level of detail to show the extent of previously developed land and the site topography including the terracing of the southern parts of the site.

- The Council considers that the Concept Diagram is of a consistent level of detail with other site allocations and that this is appropriate for a Core Strategy.
- The landowner acknowledges that Weston Farm Lane is narrow and not suitable to serve as access for the whole development, but considers that it does have the potential to serve as access for a smaller number of dwellings and that it should be identified as a potential access. The Council supports the policy as worded, in line with its evidence base (CD10/E8). The Council considers that Weston Farm Lane is not of a suitable standard as a 2-way access to serve residential development, by virtue of its width, alignment and gradient.

Placemaking Principle 1: Capacity

- The landowner considers that the capacity of the allocated land is not properly assessed and that the Weston Slopes have the potential to accommodate an increased level of development. The landowner cites the Arup Concept Options report (CD9/CO7) which suggested a capacity of 397 (40-50 dph) or 331 (35-40 dph) dwellings over the same area. In addition the landowner refers to their capacity work submitted with their representations and in CD10/LD2a.
- As outlined in section 4.0, the Council considers that the Arup Concept options report has now largely been superseded by more detailed evidence, and do not consider that it accurately represents an up to date capacity assessment.
- The landowner considers that the Council's 150 dwelling capacity of the allocated sites at Weston is too low, even when the likely landscape mitigation measures are taken into account, and is considered to represent an inefficient use of land, contrary to the NPPF.
- The landowner does not consider that the Council's more detailed evidence base (submitted September and November 2013) robustly supports a reduced capacity and considers that the capacity should be increased to in the order of 330 dwellings.
- The landowner is in the process of finalising a new concept layout for the Eastfield Avenue development area (extending over the Equine centre site and the field parcel to the west) in support of how the development of these sites could further contribute to strategic housing targets in the area. This will be provided to the Inspector in advance of the Examination (submitted to the Council by 28th February at the latest).
- The Council does not consider that this higher capacity at Weston and in particular at the Equestrian Centre is supported by the published evidence.

Placemaking Principle 1: Affordable Housing

- The landowner proposes that a statement is added to allow for a reduced affordable housing contribution to be facilitated subject to scheme viability.
- The Council considers that its evidence supports the level of affordable housing proposed (CD10/E7) and that the provisions of policy CP9 and the NPPF already allow for viability arguments to be considered.

Placemaking Principle 2: Masterplan

- The landowner considers that the reference to ‘By Design’ (2000) is out of date and does not reflect current best practice guidance.
- The Council would consider the reference to “successor guidance” in the current wording adequately covers this.

Placemaking Principle 9: Education Contributions

- The landowner proposes that a statement is added to allow for a reduced education contribution to be facilitated subject to scheme viability.
- The Council considers that the provisions of policy CP9 and the NPPF already allow for viability arguments to be considered. The Council considers that its evidence supports the viability of the current allocation (CD10/E7).


Placemaking Principle 10: Sustainable Construction

- The landowner considers the requirement for Code 5 is very challenging, it questions that this is viable in addition to the 40% affordable housing requirement, education contributions, highway improvements and landscaping works.
- The Council considers that these requirements are viable as per its evidence (CD10/E7 and CD10/E16).

7.0 Declaration

- 7.1 The content of this document is agreed for the purposes of the B&NES Core Strategy hearing 2013.

Signed on behalf of Mr and Mrs Palmer:

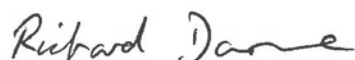


Position: Director, Stride Treglown Limited

Date: 12th February 2013

And

Signed on behalf of Bath & North East Somerset Council:



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Position: Planning Policy Team Leader

Date: 13th February 2014

Appendix 1: Site Location Plan

