

## Statement of Common Ground

### B&NES Core Strategy – Strategic Site Allocation Land at Whitchurch (Proposed Policy RA5)

Savills on behalf of HorseWorld  
**and**  
Bath & North East Somerset Council

6<sup>th</sup> February 2014

## 1.0 Introduction

- 1.1 In his note of 3<sup>rd</sup> 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 14<sup>th</sup> February 2014 (with hard copies in advance of this); the Council has a working deadline of **7<sup>th</sup> 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 Horseworld's landholdings in Whitchurch Village are split into two land parcels, both of which are located on Staunton Lane in Whitchurch village and which are separated from one another by residential and industrial uses. Whitchurch village lies to the south-west of Bristol. Whilst near to the edge of the city, the village centre is quite rural in character. The site is currently located within the Green Belt.
- 2.2 The site in the ownership of HorseWorld, included within the RA5 allocation, is the western land parcel – consisting of the existing HorseWorld visitor centre, its car parks and paddocks. The site is open to the public as a visitor attraction.
- 2.3 The Horseworld site is bounded to the west by Sleep Lane and Staunton Lane to the north and by residential properties to the south. To the southeast is open countryside and the east is bordered by vehicle storage, industrial and residential uses. A public right of way runs along the western edge of the site and a national cycleway runs along Sleep Lane before turning left along Staunton Lane. Staunton Manor Farmhouse and the buildings within its curtilage, which forms the nucleus of the site are Listed Buildings.
- 2.2 The extent of the land in the ownership of HorseWorld totalling 4.05 hectares, is illustrated in **Appendix 1** (red line boundary).

## 3.0 Delivery

- 3.1 The site is included in the SHLAA as available, suitable and deliverable for development (SHLAA, November 2013 - **CD10/E19** Appendix 1f). 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 Whitchurch, with all development complete by 2019/20. Part or this entire site would be deliverable as part of a comprehensive development in the first five years of the Plan period. This position is supported by the landowner.
- 3.3 The HorseWorld site was subject to a recent Hybrid Planning Application 13/02164/OUT and Listed Building Consent Application 13/02121/LBA. This consisted of the following:

*Hybrid planning application for enabling residential development of up to 125 dwellings and associated demolition, highways infrastructure and landscaping works: The outline component comprises up to 118 dwellings including associated demolition, highways infrastructure and landscaping works; and the detailed component comprises the redevelopment of 7 curtilage listed dwellings including associated demolition, highways infrastructure and*

*landscaping works adjacent to the Grade II Listed Staunton Manor Farmhouse*

- 3.4 The application was tied to a separate full planning application for the construction of a new visitor centre on adjacent land within Horseworld control (13/02180/FUL). HorseWorld presented the housing development as enabling development facilitating the delivery of the new visitor centre and the long term sustainability of the charity.
- 3.5 The Planning Applications were refused by the Planning Committee, despite the Officer recommendation for approval. The Core Strategy proposed allocation could be afforded only limited weight in the determination of the application, at this time, although it can be noted that the design and layout of the site in the Planning Application are broadly consistent Core Strategy draft Concept Diagram for Whitchurch.
- 3.6 The reasons for refusal were as follows:  
*The proposed housing development represents inappropriate development that would be harmful to the openness of the Green Belt. The arguments made to demonstrate very special circumstances do not clearly outweigh the harm to the Green Belt and other harm, relating to the under-provision of affordable housing and traffic congestion (when considered together with the proposed visitor centre application reference 13/02180/FUL) and the harm to the setting of the Listed Building. The proposal is therefore considered contrary to policies GB.1, T.1, T.24, HG.8 and BH.2 of the Bath and North East Somerset Local Plan (including minerals and waste policies) 2007, policies CP8 and CP6 of the Draft Core Strategy (Publication Version, December 2010) and the provisions of the National Planning Policy Framework.*
- 3.7 The refusal of the application on the land within the proposed RA5 allocation does not imply that the site is not deliverable or suitable. Allocation of the site within the Core Strategy would change the policy context, enabling a new planning application to be submitted and overcoming the grounds for refusal.

#### 4.0 Key relevant evidence

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

<p>Key evidence 2012</p> <p>(Taken from BNES 47)</p>	<ul style="list-style-type: none"> <li>• Summary of key evidence included in the South East Bristol Urban Extension - Key references (November 2009) <b>CD6/O3</b></li> <li>• Core Strategy Spatial Options Consultation (<b>CD5/4</b>)</li> <li>• B&amp;NES Urban Extension Environmental Capacity Appraisal(2006) <b>CD4/UDL22</b></li> <li>• Core Strategy – Post Submission Changes (Report to Council 15th September 2011) <b>CD5/24</b></li> <li>• Core Strategy – Post Submission Changes (Minutes of Council Meeting 15th September 2011) <b>CD5/25</b></li> <li>• Previous iterations of SHLAA</li> </ul>
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	<ul style="list-style-type: none"> <li>• Previous B&amp;NES Submissions to the hearings including: B&amp;NES 11: Green Belt; B&amp;NES 19: Statement of Common Ground between B&amp;NES and Taylor Wimpey &amp; Bovis Homes: Land at Whitchurch</li> </ul> <p><b>NB Much of this earlier evidence is superseded by more detailed evidence prepared to support the allocations as outlined below.</b></p>
<p>Evidence prepared within Core Strategy suspension</p> <p>(Taken from BNES 47)</p>	<ul style="list-style-type: none"> <li>• Sustainability Appraisal Annex L (CD9/A1/5)</li> <li>• Arup Green Belt Review Stage 1 Report (CD9/E2)</li> <li>• Arup Development Concept Option Report for Whitchurch (CD9/CO9)</li> </ul> <p><b>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 development constraints.</b></p> <p><b>Furthermore, the assessment of capacity produced by the landowner and submitted in the planning application is based on a detailed understanding of the constraints and opportunities relating to the site.</b></p> <ul style="list-style-type: none"> <li>• Arup Transport Evaluations of alternative locations (CD9/I2/1-25 – in particular Appendix J CD9/I2/11)</li> <li>• Habitat Regulations Assessment of the Proposed Changes to the Submitted Core Strategy (CD9/A2)</li> <li>• Assessment of Locations in Annex 1 of the Council Report, 4 March 2013 (CD9/PC3)</li> </ul>
<p>Additional evidence to support proposed change</p> <p>Submitted alongside BNES 47 (Sept 2013)</p>	<ul style="list-style-type: none"> <li>• Stage 2 Green Belt Review, Arup <b>CD9/E9</b></li> <li>• Core Strategy/Placemaking Plan Additional Heritage Asset Study (Land Use Consultants, BaRAS &amp; Conservation Studio) September 2013. <b>CD9/LV/1</b></li> <li>• Whitchurch Landscape and Visual Impact Assessment <b>CD9/LV/6</b></li> </ul>
<p>Documents associated with the Core Strategy strategic site allocation</p> <p>Submitted</p>	<ul style="list-style-type: none"> <li>• Preliminary Arboricultural Assessment – Whitchurch <b>CD10/E3</b></li> <li>• B&amp;NES CIL – Strategic Greenfield Allocations Viability Testing BNP Parabis <b>CD10/E7</b></li> <li>• Transport Access Assessment Core Strategy Greenfield Site Allocation Bath &amp; Whitchurch <b>CD10/E8</b></li> <li>• Addendum to Landscape &amp; Visual Impact Assessment: Whitchurch <b>CD10/E11</b></li> <li>• Renewable Energy Assessment for B&amp;NES Green Belt</li> </ul>

(Nov 2013)	<p>sites: Assessment, Regen SW <b>CD10/E16</b></p> <ul style="list-style-type: none"> <li>• Valuing people, place and nature – a Green Infrastructure Strategy for B&amp;NES <b>CD10/E17</b></li> <li>• Strategic Green Infrastructure Profiles Maps: Green Belt sites at Odd Down, Weston and Whitchurch <b>CD10/E18</b></li> <li>• SHLAA <b>CD10/19</b></li> <li>• B&amp;NES Local Education Authority – Education Requirements for the sites <b>CD10/21</b></li> </ul>
Assessments	<ul style="list-style-type: none"> <li>• Sustainability Appraisal</li> <li>• Habitat Regulations Assessment</li> </ul>
Other	<ul style="list-style-type: none"> <li>• Officers Report to Planning Committee for HorseWorld Planning Applications - 13/02164/OUT &amp; 13/02180/FUL</li> </ul>

4.2 The Officers Report on the HorseWorld Planning Application also outlines the Council’s position in relation to a range of technical documents submitted as part of the Planning Applications.

4.3 The landowner has prepared a number of detailed technical reports on matters relating to highways access and impact, landscape and visual impact, ecology, flood risk and drainage etc. These have been prepared in conjunction with the Statutory Consultees and with the relevant service areas within the Council. Key evidence is summarised below:

Key landowner evidence	<ul style="list-style-type: none"> <li>• Archaeology and Cultural Heritage Assessment, CgMS (May 2013)</li> <li>• Transport Assessment – Appendix 3 comments from the Highway Officer confirming acceptability of the information submitted and its conclusions</li> <li>• Landscape &amp; Visual Impact Assessment, Cooper Partnership (May 2013)</li> </ul>
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## 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 RA5 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 (with exception of the application of the evidence in relation to Affordable Housing and the evidence in relation to Sustainable Construction standards as referred to in section 6.0 of this Statement of Common Ground).

- The Council generally supports the landowner's evidence base in relation to the site including key evidence identified in section 4.0 of this Statement of Common Ground.

## 6.0 Summary of Matters in Dispute

6.1 There continues to be dispute between the parties on the following matters:

### *Principle 1 – Affordable Housing*

- The landowner objects to 40% affordable housing and does not consider it correlates with the Council's viability evidence – rather it believes that it should be 30%.
- This is not supported by the Council, it considers this requirement is supported by its evidence base (CD10/E7).

### *Principle 7 – Sustainable Construction*

- The landowner considers that the policy requirement for Code Level 5 is not viable and that it is not in line with the NPPF paragraph 95.
- The Council considers this policy is supported by its evidence base, which includes viability considerations (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 by Savills on behalf of HorseWorld:**

*N Matthews* .....

**Position:** Director, Savills

**Date:** 11/2/2014

**And**

**Signed on behalf of Bath & North East Somerset Council:**

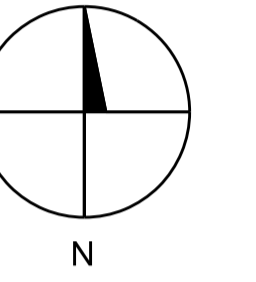
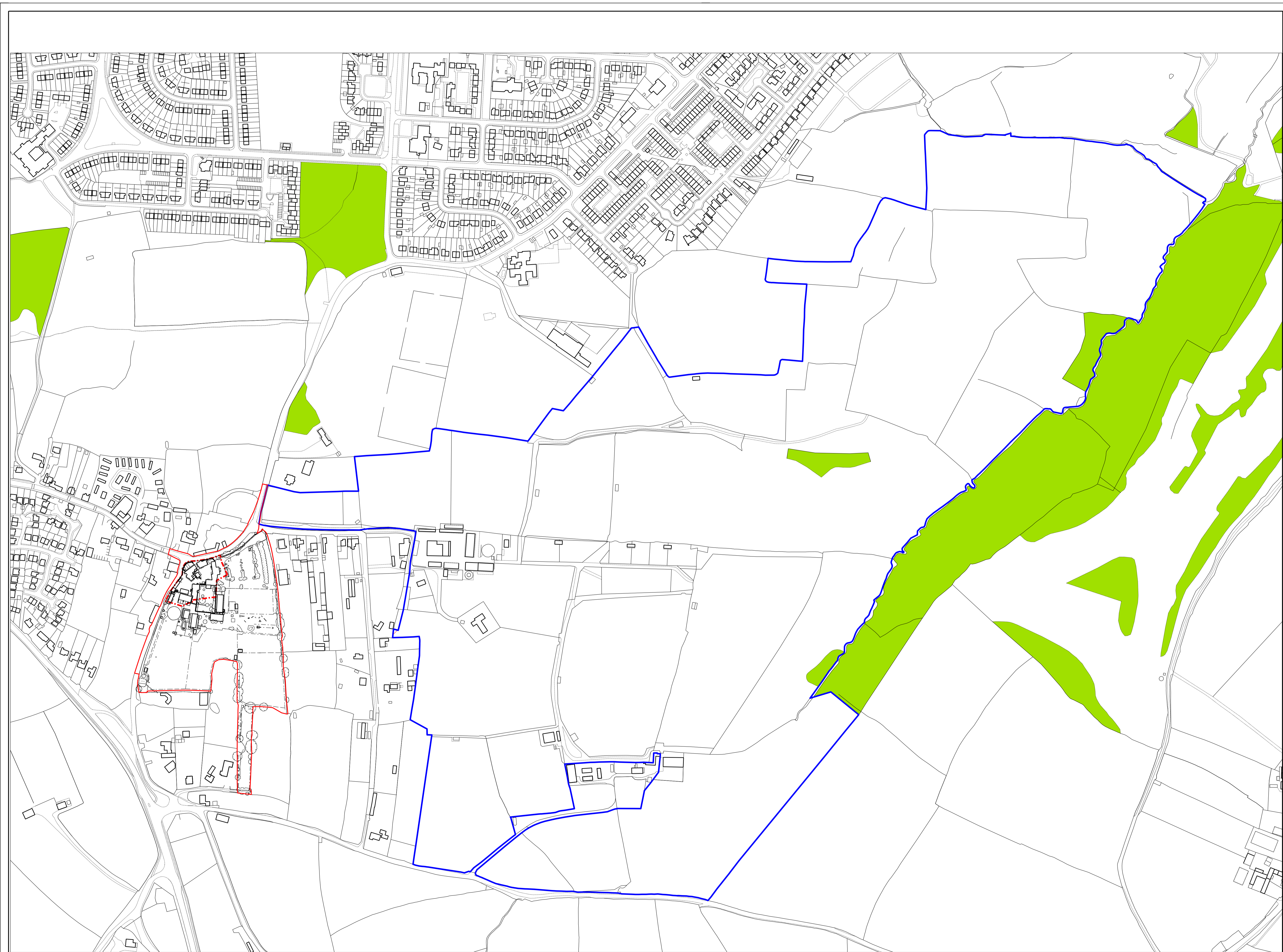
*Richard Daine* .....

**Position:** Planning Policy Team Leader

**Date:** 13/02/14







PLANNING ISSUE	AL	AL	23/05
MK	Revisions	DR	CH
			Date

Project title  
**HorseWorld Residential**

Drawing title  
**Site Location Plan**

Notes  
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All construction information should be taken from figured dimensions only.

Scale  
1:2500 @ A1  
1:5000 @ A3

Drawing number  
**2942 / R001**

Revision number  
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