

## Statement of Common Ground

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

GL Hearn on behalf of Mr Perry (landowner) & Crest Nicholson  
**and**  
Bath & North East Somerset Council

12th 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. **This Statement of Common Ground relates to an enlarged proposal.**

## 2.0 Description of the site

- 2.1 This Statement relates to an enlarged parcel of land in the ownership of Mr R. Perry, this land is north of the proposed allocation at Weston (draft policy B3B). This additional enlarged site area totals 4.01 hectares in addition to the proposed allocation Ref C SA 26 and is illustrated in **Appendix 1**.
- 2.2 GL Hearn is acting on behalf of Mr R Perry (the landowner) and Crest Nicholson (the developer).
- 2.3 The enlarged site area to the north of the proposed allocation is located on the western edge of Bath. The sites current lawful use is agriculture. The previously developed Heather Farm complex and associated buildings are included within this enlarged site area. A public right of way divides the enlarged site and proposed allocation. Vehicular access is via Lansdown Lane.

## 3.0 Delivery

- 3.1 The site has been included within the latest iteration of the Strategic Housing Land Availability Assessment (SHLAA) – CD10/E19 Appendix 1b. The site falls within B&NES SHLAA reference A3ii Weston Slopes (North Upper). However, the housing potential for the upper slopes (A3ii) has not been formally assessed on account of the area not being considered suitable for development, mainly on landscape and visual impact grounds. It is noted that the SHLAA (Nov 2013) incorrectly states that “no evidence of availability in this area”. However, it should be noted that the Council is aware that the land is available, as evidenced in the landowner’s submission CD10/LD2a.
- 3.2 The landowner confirms that the site is available and re-confirms that all of the land under his control is immediately available. GL Hearn has confirmed that the landowner and developer would be in a position to proceed with a planning application as soon as practically possible for the enlarged site, should this be allocated in the Core Strategy.
- 3.3 There is no specific suggested capacity for this enlarged site that has been put forward by the landowner.
- 3.4 A Certificate of Lawful Use application for land to the rear of Heather Farm, was made in March 2010 as a mixed agricultural and commercial storage yard; the Certificate was issued.

## 4.0 Key relevant evidence

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

Key evidence 2012	<ul style="list-style-type: none"><li>• 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> <b>CD6/O2</b></li></ul>
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<p>(Taken from BNES 47)</p>	<ul style="list-style-type: none"> <li>• Core Strategy Spatial Options Consultation (CD5/4)</li> <li>• B&amp;NES Urban Extension Environmental Capacity Appraisal: Land within the AONB surrounding Bath (2007) CD4/UDL23</li> <li>• B&amp;NES Urban Extension Environmental Capacity Appraisal (2006) CD4/UDL22</li> <li>• B&amp;NES Landscape and World Heritage Study of the Potential for an Urban Extension to the South/South West of Bath (2006) CD4/UDL21</li> <li>• Slope, Geological Instability and Undermining Study, Arup (March 2010) CD4/ENV6</li> <li>• Core Strategy – Post Submission Changes (Report to Council 15th September 2011) CD5/24</li> <li>• Core Strategy – Post Submission Changes (Minutes of Council Meeting 15th September 2011) CD5/25</li> <li>• Previous iterations of SHLAA</li> <li>• Representations made during consultations</li> <li>• Previous B&amp;NES Submissions to the hearings include: <ul style="list-style-type: none"> <li>- B&amp;NES 11: Green Belt</li> </ul> </li> </ul> <p><b>NB Much of this earlier evidence is in part 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 Weston (CD9/CO7)</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> <ul style="list-style-type: none"> <li>• Lower Slopes of Weston Landscape and Visual Study (CD9/CO7/1).</li> <li>• Arup Transport Evaluations of alternative locations (CD9/I2/1-25 – in particular Appendix A CD9/I2/2)</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</p>	<ul style="list-style-type: none"> <li>• Stage 2 Green Belt Review, Arup CD9/E9</li> <li>• Core Strategy/Placemaking Plan Additional Heritage Asset Study (Land Use Consultants, BaRAS &amp; Conservation Studio) September 2013. CD9/LV/1</li> <li>• Strategic Greenfield Allocation at Weston, Bath: Water Infrastructure and Geotechnical Prioritisation Report, Arup CD9/I3</li> </ul>

alongside BNES 47 (Sept 2013)	<ul style="list-style-type: none"> <li>WHS Setting and AONB Landscape and Visual Impact Assessment for Eastern/Western slopes at Weston CD9/LV/2</li> <li>Preliminary Ecological Surveys and Assessment, Weston CD9/E13</li> </ul>
Documents associated with the Core Strategy strategic site allocation  Submitted (Nov 2013)	<ul style="list-style-type: none"> <li>Preliminary Arboricultural Assessment – Weston <b>CD10/E2</b></li> <li>B&amp;NES CIL – Strategic Greenfield Allocations Viability Testing BNP Parabis <b>CD10/E7</b></li> <li>Bath Urban Surveys – Dusk Bat Surveys for horseshoe bats around Weston, Bath – Surveys and Assessments CD10/E9</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: Weston &amp; Odd Down <b>CD10/E12</b></li> <li>Renewable Energy Assessment for B&amp;NES Green Belt sites: Assessment, Regen SW <b>CD10/E16</b></li> <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> <li>BNES 51</li> </ul>
Assessments	<ul style="list-style-type: none"> <li>Sustainability Appraisal</li> <li>Habitat Regulations Assessment</li> </ul>

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

Landowner evidence	<ul style="list-style-type: none"> <li>Landowner Submission in relation to Land at Lansdown Lane, Weston, prepared by Group West on behalf of Mr R. Perry (30th October 2013) <b>CD10/LD2a</b></li> <li>Representations to the emerging Core Strategy in relation to Land at Lansdown Lane, Weston, prepared by GL Hearn on behalf of Mr R. Perry (20th December 2013)</li> </ul>
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4.3 The landowner will be submitting the following additional new evidence to the Inspector on 14<sup>th</sup> February 2014:

Landowner evidence	<ul style="list-style-type: none"> <li>• Initial Baseline Visual Impact Assessment (14<sup>th</sup> February 2014)</li> <li>• Initial Baseline Access Appraisal (14<sup>th</sup> February 2014)</li> </ul>
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## 5.0 Summary of Agreed Matters

5.1 The following are matters agreed between the parties:

- The Council and landowner agree that the site is in a generally sustainable location, and that it is available.

## 6.0 Summary of Matters in Dispute

6.1 The following are matters in dispute between the parties:

- The landowner considers that the additional allocation of this land at Heather Farm will enable a more comprehensive approach to development and should be considered for maximum flexibility.
- The landowner considers that allocation of this land would provide the opportunity for an alternative access option onto Lansdown Lane. This would allow a more strategic solution with regard to vehicular access to be designed, which could also create additional housing capacity within this part of Weston. The Council has seen no evidence on this point, and does not consider that the current allocation would preclude potential access to the site from the north, should this be demonstrated to be suitable by the landowner.
- The Council's SHLAA has stated that development of this site would be unacceptable in terms of landscape and visual impact – a position reflected by the Council's evidence. However, the landowner considers that this site needs to be considered on its individual merits with regard to landscape and visual impact, particularly as part of the site is previously developed.
- While the Council agrees that access onto Lansdown Road is acceptable in principle for the proposed allocation, it has not considered the enlarged site access potential in detail and has no evidence from the landowner in relation to access arrangements for an enlarged site at the current time. The Council has no evidence to show Heather Farm access is deliverable or acceptable in principle and has not received any further detail on this matter from the landowner.
- The landowner will be submitting further evidence with regard to Transport Access and Landscape and Visual impact, in the form of an initial Access Appraisal and an Initial Baseline Visual Impact Assessment. This will be provided to the Inspector by the 14th February.

- For the purpose of this Statement of Common Ground the Council has not had the opportunity to review any new Transport or Landscape and Visual Impact Assessment evidence from the landowner.

## 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 Perry and Crest Nicholson:**



**A. Shepley**

.....  
**Position: Planning Associate Director, GL Hearn**

**Date: 12<sup>th</sup> February 2014**

**And**

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

.....  
**Position: Planning Policy Team Leader**

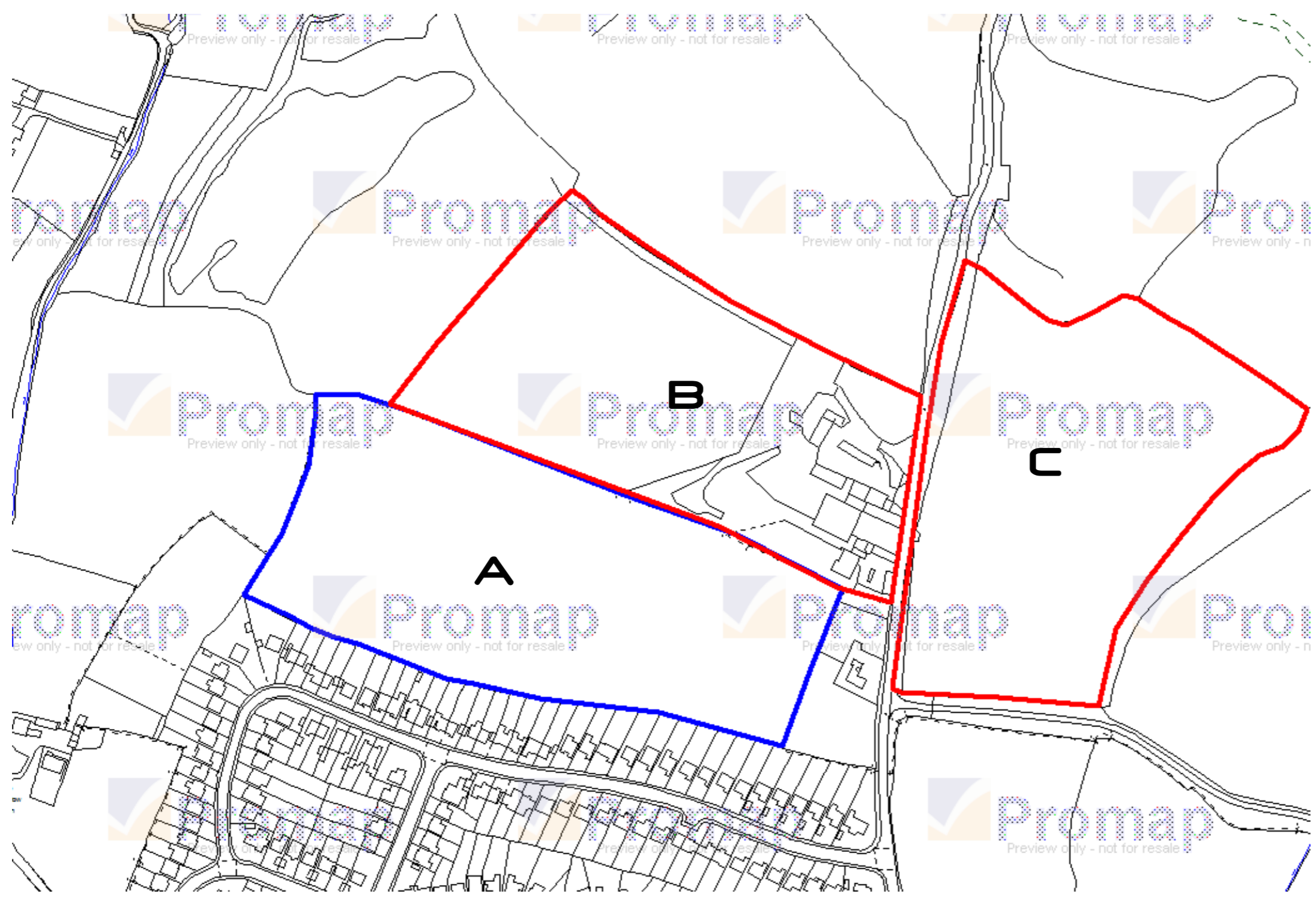
**Date: 13/02/14**

## **Appendix 1: Site Location Plan**



Key

- A** 4.5 ha Land owned by Mr R Perry within draft Strategic Site Allocation
- B** 4.01ha Proposed Enlarged Site for inclusion in the draft strategic allocation
- C** 4.21a Proposed Additional Site for inclusion in the draft strategic allocation



**Title** Proposed Enlarged site adjoining Weston (Lansdown Lane) B&NES Ref **CSA 26** and Additional Land

**Location:** Weston Slopes

**Scale:** Not to Scale

**Date:** 29th January 2014

**Drawing No:** 1401J016755D4

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Reserved  
Queen Square House  
18-21 Queen Square  
Bristol  
BS1 4NH  
T: 0117 203 3300

