

Statement of Common Ground

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

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

2.0 Description of the site

- 2.1 This Statement relates to an additional parcel of land in the ownership of Mr R. Perry, this land is northeast of the proposed allocation at Weston (draft policy B3B). This additional land totals 4.21 hectares in addition to the proposed allocation Ref C SA 26 and enlarged site area north of the allocation and is illustrated in **Appendix 1 – as cell C**.
- 2.2 GL Hearn is acting on behalf of the landowner and developer, Mr Perry and Crest Nicholson.
- 2.3 The additional site area to the east of the proposed allocation is located on the western edge of Bath. The sites current lawful use is agricultural. The previously developed Heather Farm and associated buildings are included within the enlarged site area located to the West on the opposite side of Lansdown Lane. Access to cell C is via Lansdown Lane, to the east as you are entering the city.

3.0 Delivery

- 3.1 The site is included within the SHLAA – CD10/E19 Appendix 1b. The site falls within both the B&NES SHLAA reference A3i Weston Slopes (North Lower) and A3ii Weston Slopes (North Upper). The part of the site included within A3i has not been highlighted in the SHLAA as being suitable for development, essentially due to landscape and visual impact. The housing potential for the upper slopes (A3ii) has not been assessed on account of the area not being suitable for development. 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.
- 3.3 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 (cell C), should this be allocated in the Core Strategy.
- 3.4 There is no specific suggested capacity for this site that has been put forward by the landowner
- 3.4 There is no further planning history for this site of note.

4.0 Key relevant evidence

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

Key	• Summary of key evidence to 2009 included in the <i>New</i>
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<p>evidence 2012</p> <p>(Taken from BNES 47)</p>	<p><i>neighbourhood in an urban extension to South / South West Bath - Information Paper (October 2009) CD6/O2</i></p> <ul style="list-style-type: none"> • 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</p> <p>(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 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>	<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

Submitted alongside BNES 47 (Sept 2013)	<p>Infrastructure and Geotechnical Prioritisation Report, Arup CD9/I3</p> <ul style="list-style-type: none"> 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
Documents associated with the Core Strategy strategic site allocation Submitted (Nov 2013)	<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
Assessments	<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	<ul style="list-style-type: none"> Landowner Submission in relation to Land at Lansdown Lane, Weston, prepared by Group West on behalf of Mr R. Perry (30th October 2013) CD10/LD2a
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4.3 The landowner will be submitting the following additional new evidence to the Inspector on 14th February 2014:

Landowner evidence	<ul style="list-style-type: none"> Initial Baseline Visual Impact Assessment (14th February 2014) Initial Baseline Access Appraisal (14th February
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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.
- The SHLAA has stated that development of this site would be unacceptable in terms of landscape and visual impact. 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. Further evidence will be provided on this point.
- While the Council agrees that access onto Lansdown Road is acceptable in principle for the proposed allocation, it has not considered this 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 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 submitted 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

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Position: Planning Associate Director, GL Hearn

Date: 12th February 2014

And

Signed on behalf of Bath & North East Somerset Council:



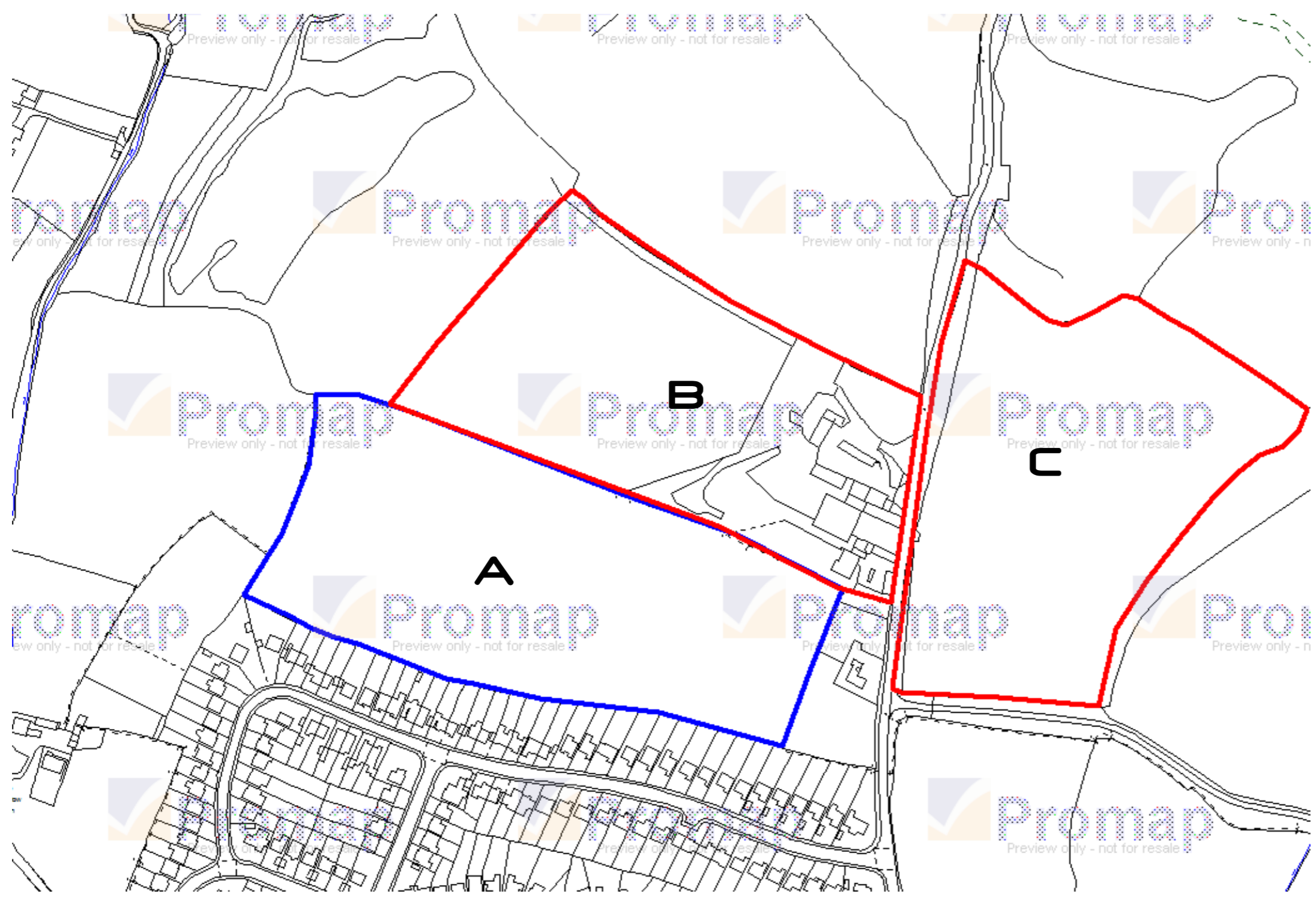
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Position: Planning Policy Team Leader

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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