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Planning Officer  
Planning Policy & Environment Team  
Bath and North East Somerset Council  
3 - 4 Manvers Street  
Bath  
BA1 1JQ

**PRIVATE AND CONFIDENTIAL**

12 September 2013

Dear Ms Newcombe-Jones

## **LAND EAST OF LANSDOWN LANE, WESTON, BATH**

We write to you on behalf of our client, Mr R Perry, following Bath and North East Somerset's (BaNES) agreement for late representations to the Core Strategy.

Please therefore find detailed herein our client's considered written representation in support of the release of their land for future development within the Weston Slopes area for growth.

### **1. Submission Context**

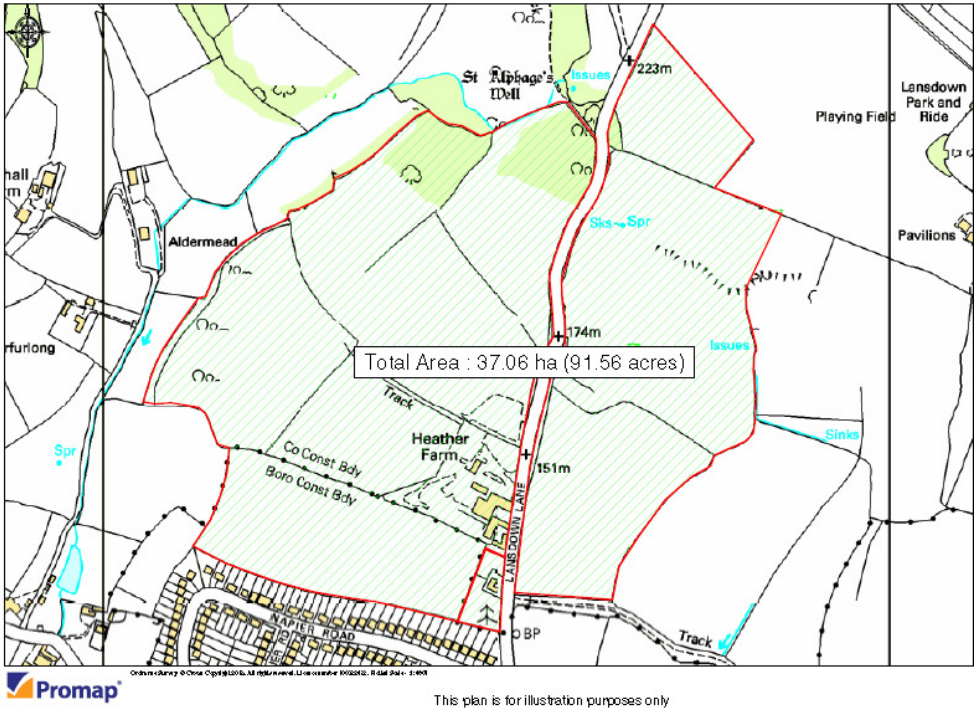
- 1.1. Our client Mr R Perry, owns a significant area of agricultural land associated with Heather Farm, off Lansdown Lane, Weston, Bath.
- 1.2. Until very recently the importance of the land holding with regard to the delivery of future housing provision in BaNES was largely unknown and, in addition, family circumstances previously precluded the availability of the land for development.
- 1.3. The significance of the opportunity to assist BaNES is now apparent to my client and as a result they have agreed as a family to allow the release of the land for residential development.
- 1.4. As such they wish to express their willingness to bring their landholding forward for development immediately as a suitable, sustainable and deliverable source of housing land within Bath.
- 1.5. We have made contact with both the Planning Inspector and BaNES, who have agreed to this late representation.
- 1.6. It is the aim of this representation to demonstrate the suitability, sustainability and deliverability of the subject site and demonstrate why it should be allocated within the Core Strategy and removed from the Green Belt rather than included within the Placemaking Plan.

### **2. Site Description**

- 2.1. Shown below and appended herein is an indicative site plan showing the most relevant land under our client's ownership comprising a total area of approximately 37.06 ha / 91.56 acres.

2.2. Additional land to the north west is also within the ownership of my client, but is not considered relevant to this representation, further details can be provided if required.

**Figure 1: Land Ownership Plan**

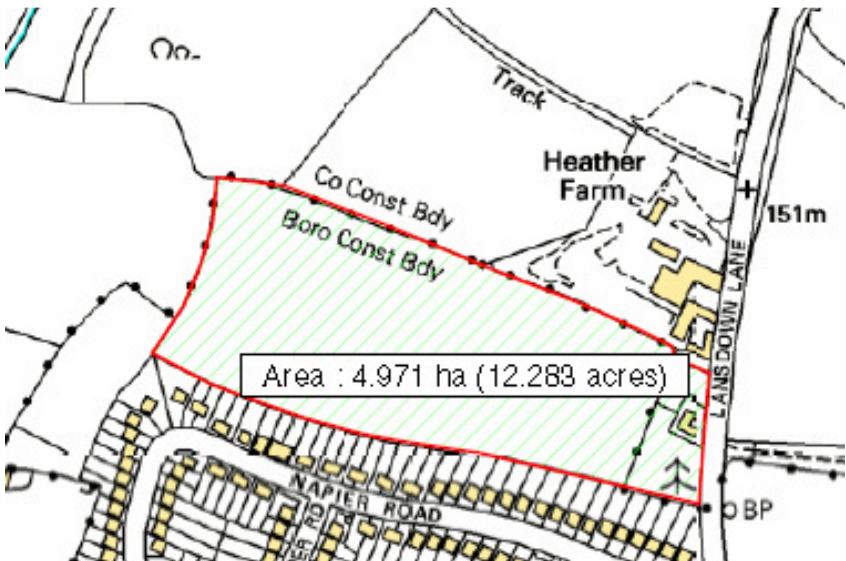


This plan is for illustration purposes only

Source: Promap

2.3. The focus of this representation relates to land which has been subject to close review by BaNES as part of the Core Strategy Evidence base. The land comprises a total area of approximately 4.97 ha / 12.28 acres. We refer to this land as the 'Principle Development Area' for ease of reference.

**Figure 2: Principle Development Area**



For illustration purposes only

Source: Promap

- 2.4. The Principle Development Area includes land associated with and a detached residential property and gardens, known as Heather Grange. This is also available for development and within family ownership.
- 2.5. The due diligence undertaken on behalf of BaNES to date relates to development being focused on the Principle Development Area, amongst additional land outside of our client's ownership to the east. It is however important to note that no specific designations have yet been made.
- 2.6. Noting the significant volume of land under our client's ownership, should there be an additional housing requirement, or a need to concentrate development to the west of Lansdown Lane, the entire landholding under the ownership of R Perry can also be considered as being available for development (as detailed in Figure 1). We draw to your attention further conclusions on this in Section 10 herein.
- 2.7. The topography of the Principle Development Area slopes from north to south and gently dips in the centre. Access is provided off Lansdown Road, via a gated entrance for agricultural purposes.
- 2.8. The land is currently used for grazing and is fully enclosed without public access. Boundaries are generally formed by hedgerows and trees. The land is undeveloped, with limited vegetation (with exception of the boundary hedgerows).
- 2.9. To the immediate south are residential properties fronting Napier Road, of 1970's construction, forming a latter continuation of the post war housing in Weston. Typically there is a high proportion of two storey 3 bedroom semi detached housing.

### Figure 3: Photographic Record



View South West



View South

### 3. Current Planning Policy Position

- 3.1. The proposal for a revised number of homes as part of BaNES' Core Strategy was approved by BaNES' Council on 4th March 2013.
- 3.2. In addition to the land proposed for new homes within the previous draft Core Strategy, the Council agreed to the expansion of Bath at Weston Slopes by way of removal of the Green Belt to accommodate a total of 300 dwellings.
- 3.3. At this point there is no defined allocation, however a number of studies have been undertaken to establish the key parameters affecting each parcels development.

- 3.4. Therefore we aim to draw upon the available examination documents commissioned by BaNES to evidence the case for development of our client's land holding.
- 3.5. We have engaged with the BaNES' Planning Policy Team, who we are also actively progressing additional supporting material at this time.
- 3.6. The following recent evidence base has been reviewed in preparation of this submission.
  - Bat Walkover Survey and Assessment Report - Weston Slopes, Bat Pro Ltd (February 2013).
  - Transport Evaluation, Ove Arup & Partners Limited (February 2013).
  - SHLAA Report of Findings (March 2013) Appendix 1b: Bath Green Belt. Weston Slopes (North) (Reference A3i).
  - Visual Impact Study, Ove Arup & Partners Limited (April 2013).
  - Bath & North East Somerset Green Belt Review, Stage 1 Report, Ove Arup & Partners Limited (April 2013).
  - Lower Slopes at Weston, Development Options Concept Report (DOC), Ove Arup & Partners Limited (April 2013).
  - Preliminary Ecological Surveys and Assessment, Bristol Regional Environmental Records Centre (BRERC) (June 2013).
  - Bath & North East Somerset Green Belt Review: Report on Additions to the Green Belt, Ove Arup & Partners Limited (August 2013).
- 3.7. The above analysis provides a vital backdrop to development on Weston Slopes and strengthens the case for specific allocation and the release of the Green Belt as part of the Core Strategy.

#### **4. Landscape, Visual Aspects and Heritage Setting**

- 4.1. The land is subject to a number of designations including:
  - Cotswold AONB
  - Green Belt
  - Bath World Heritage Site
  - Bath World Heritage Site Setting
- 4.2. The land falls outside of the Bath Conservation Area.
- 4.3. Heather Grange (the house) falls outside of the Bath World Heritage Site.
- 4.4. Due to the sloping nature of the site, the central depression in the landform and boundary vegetation, the visual impact upon the surrounding and wider geographical area is naturally mitigated. Through careful design including retention and enhancement of these features we consider that a transition between urban and rural can be well managed and maintained.
- 4.5. This is confirmed by the recent Arup Development Options Concept report, indicating a theoretical 'Visual Impact Tide Mark' along the northern boundary of the site as detailed below. This report builds upon the Visual Impact Study also undertaken by Arup in April 2013.



Figure 4: Arup Development Option Concept Report (April 2013), Visual Impact Tide Mark



Source : Lower Slopes at Weston, Development Options Concept Report, Ove Arup & Partners Limited (April 2013)

4.6. As such the land located to the south of our client’s ownership would appear to fall below this indicative tide mark and thus in principle making it suitable for development.

**5. Nature Conservation and Ecology**

5.1. According to the initial Bat Survey undertaken by Bat Pro in February 2013, the subject land was included within Zone 1 of the study (this included land under ownership to the north and north west and to the east of Lansdown Lane, as shown below).

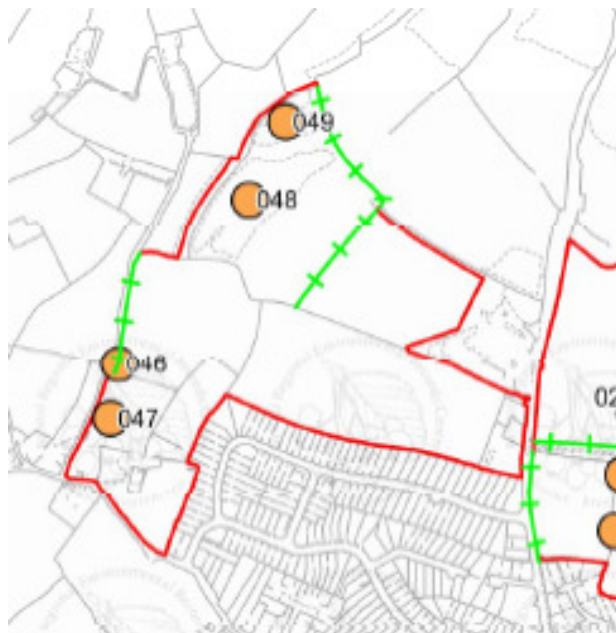
Figure 5: Zone 1 Study Area, Weston Slopes



Source: Bat Walkover Survey and Assessment Report - Weston Slopes, Bat Pro Ltd (February 2013).

- 5.2. The survey concluded that land in the lower slopes may yield the potential for Greater Horseshoe Bats.
- 5.3. Given the nature of this initial preliminary work, Bat Pro recommended further analysis, by way of additional Dusk Surveys.
- 5.4. Further Bat studies would be provided as part of any planning application, the results of which would assist in ensuring Bat mitigation where necessary.
- 5.5. We have also had sight of the Preliminary Ecological Surveys and Assessment Report undertaken by BRERC.
- 5.6. This concludes that the land comprises 'Improved Grassland'.
- 5.7. Hedgerows bounding the Principle Development Area have 6 or fewer important Wooded Species. Hedgerows with 7 or more Wooded Species qualify as 'important hedgerows', under the Hedgerow Regulations 1997.
- 5.8. Figure 5 of the BRERC report details a number of features suggested to be retained within the Weston Slopes study area. No retained features are suggested affecting our client's land.
- 5.9. In a wider context the land to the immediate north of the Principle Development Area benefits from a Hedgerow, crossing north and then to the west which is considered an 'important hedgerow' and should be retained.
- 5.10. Further north west there are two additional features worthy of retention (numbered 48 and 49 below). Both of these comprise of recently established broad-leaved woodland and potentially considered as a Lowland Mixed Deciduous Woodland Priority Habitat.

**Figure 6: Preliminary Ecological Surveys and Assessment, Recommended Retention Features**



Source: Preliminary Ecological Surveys and Assessment, Bristol Regional Environmental Records Centre (BRERC) (June 2013).

- 5.11. Should the wider land holding be suitable for development these features could be retained as an integral part of the development.

## 6. Transport and Connectivity

- 6.1. Main access is gained off Lansdown Lane, connecting Weston to the Lansdown plateau. It is proposed that development will be accessed off Lansdown Lane, by way of demolition of Heather Grange (also within family ownership).
- 6.2. We have had sight of the Core Strategy Transport Evaluation (February 2013), which concludes:

*“The Land adjoining Weston and Land adjoining Odd Down perform well across all categories and are considered the two best performing areas for future development. They are well located to take account of sustainable transport opportunities and there are opportunities to mitigate highway impacts through modal shift, park and ride and local highway capacity improvements. Both are located in areas with existing neighbourhood facilities and in wards which have an established sustainable travel culture.”*

- 6.3. Noting the above conclusion, Weston Slopes (and by extension our client’s land) is one of the most appropriate locations for growth of those areas studied in and around Bath. It is our opinion that the future delivery of housing should therefore be focused and prioritised in this area.

## 7. Suitability, Sustainability and Deliverability

- 7.1. The agreed Weston Slopes growth point is an area reviewed in detail by Ove Arup and Partners as part of their DOC Report (April 2013). The final allocation of appropriate parcels is proposed to form part of the Placemaking Plan.
- 7.2. We suggest that our client’s land is one of the most suitable, sustainable and deliverable within the Weston Slopes area of study.
- 7.3. Based upon the due diligence undertaken to date, the land at Heather Farm benefits from immediate highways access, an accommodating local transport network, developable topography, limited ecological constraints and development is assessed to have minimal visual impact upon the Heritage setting (subject to mitigation through design).
- 7.4. The land is located adjacent to an established residential area, therefore benefitting from a close proximity to a range of local amenities including Weston All Saints C.E Primary School and a local shopping precinct, alongside a frequent public transport service.
- 7.5. The subject site abuts existing residential development in the form of the most recent addition to the post war development in Weston. Development would therefore provide a natural extension to this and will seek to positively enhance the overall setting through high quality design.

## 8. Availability and Timescales

- 8.1. Our client’s land is available immediately for development and they wish to progress as soon as practically possible.
- 8.2. It is our assessment that the Principle Development Area may yield in the order of 130 - 150 dwellings. This broadly concurs with the Arup DOC Report (April 2013). Without

intrusive investigation and detailed design it is not however possible to provide accuracy in this respect.

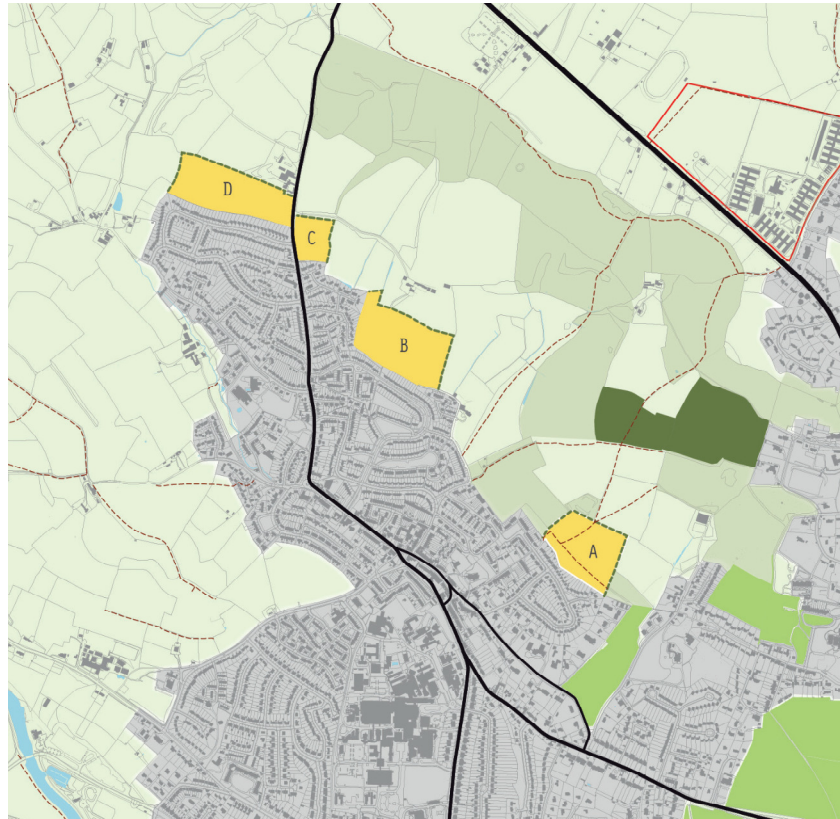
- 8.3. Due to the existing highways access and the self containment of the site it is assumed that housing could be delivered within a short time frame and within the first 5 years of the adopted Core Strategy.

## **9. Green Belt Release**

- 9.1. Our client wishes to express their strong support for the allocation of their land for development and removal from the Green Belt as part of the Core Strategy, rather than allocation as part of the Placemaking Plan.
- 9.2. Given the clear restrictions on available development land in suitable locations, notably within Bath, Green Belt release is inevitable to ensure the continued prosperity of the Local Authority area.
- 9.3. With regard to Green Belt boundaries, Paragraph 83 of the NPPF states that Green Belt boundaries should only be altered in exceptional circumstances through the preparation or review of the Local Plan. The most significant element of this process is now drawing to a close.
- 9.4. BaNES took the democratic decision to release land in the Weston area from the Green Belt in March 2013. However when making that decision, the Council did not have the benefit of the evidence base which has since been produced.
- 9.5. In light of the significant volume of evidence available in respect of Weston Slopes we believe that there is a strong argument to recommend allocating land in Weston Slopes within the Core Strategy and specifying land to be removed from the Green Belt in order to bring about certainty and a timely delivery of much needed housing land.
- 9.6. As detailed within the Arup Development Concept Options report, it is possible to discount areas of land which are heavily constrained by topographical, ecological or hydrological issues. In addition, Arup have taken into account the initial visual impact assessment, with allowances made within their approach. As a result two potential development scenarios are presented.
- 9.7. We detail below Option 2 which is the more conservative scenario. In both cases however our clients land is treated broadly the same, with the exception of a lower density in respect of Option 2.



**Figure 7: Arup Development Options Concept Report (Option 2)**



Source : Lower Slopes at Weston, Development Options Concept Report, Ove Arup & Partners Limited (April 2013)

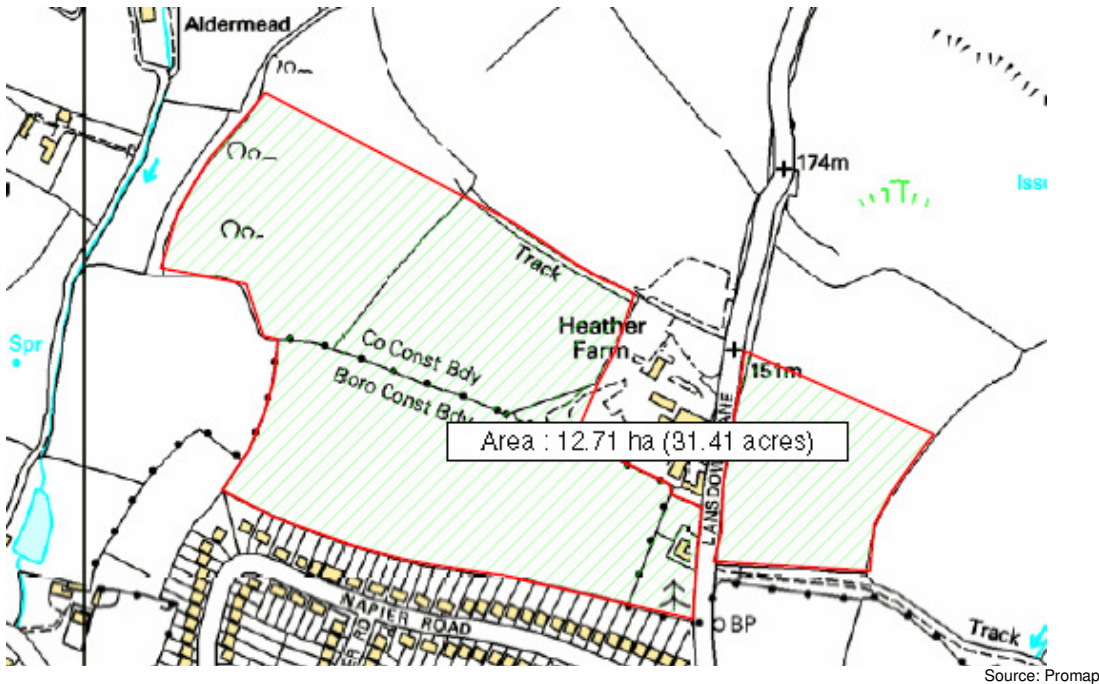
- 9.8. Arup deduce that these four parcels of land (A, B, C, D) have capacity in the order of 454 dwellings.
- 9.9. We are aware that area A (122 dwellings) has now been successfully registered as a Town and Village Green, thus cannot be included within any development proposals.
- 9.10. As a consequence the focus of development has shifted to the northwest, accommodating a revised figure of 332 dwellings, approximately 10% above the suggested allocation of 300 dwellings.
- 9.11. We have held discussions with the owners of parcels B and C and have been made aware that these are also available for development.
- 9.12. We therefore can conclude that our client's land is a vital source of deliverable future housing land within a location carefully reviewed by the Local Authority and their consultants.
- 9.13. Through a logical and transparent process, the land can be held to be the most appropriate location for strategic development and noting the significant need for suitable housing land within the Local Authority area, should be designated as a strategic allocation as part of the Core Strategy and removed from the Green Belt.

**10. Further Development Land**

10.1. If, through the Core Strategy Examination process, it becomes apparent that there is a need for additional housing land to either boost overall housing numbers, or due to a lack of deliverability at alternative locations, further land under our client’s ownership would be available to the north and to the east of Lansdown Lane.

10.2. Below we detail a broad site boundary for a larger development area, which utilises the northern boundary of the existing built form of the Heather Farm complex. Additional land is available if required (as detailed in Figure 1).

**Figure 8: Potential Development Land**



10.3. We detail an initial conceptual assessment below which follows the Arup DOC Study methodology. We have included a lower than average density (35 dph) to allow for a gradual convergence from urban to rural settings and a softening of the northern boundary which is demonstrably lacking from the existing built form on Napier Road.

**Figure 9: Perry Land Residential Development Quantum**

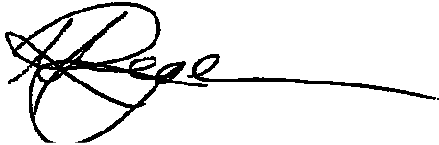
	Gross developable area (Ha)	Density (dwellings/ Ha)	Total housing quantum	Site efficiency factor	Net housing quantum
	12.71	35	445	75%	334

10.4. The allocation of this suggested land could assist BaNES with a significant increase in deliverable dwelling numbers in a location accepted as an area for growth.

10.5. We would therefore request that such a scenario is considered objectively and pragmatically by the Inspector in consideration of any revisions to the overall housing need or any material issues brought to light affecting the deliverability of alternative land parcels.

Should you wish to discuss any matters detailed within this representation, please do not hesitate to contact me directly.

Yours sincerely



FOR AND ON BEHALF OF GROUPWEST LIMITED

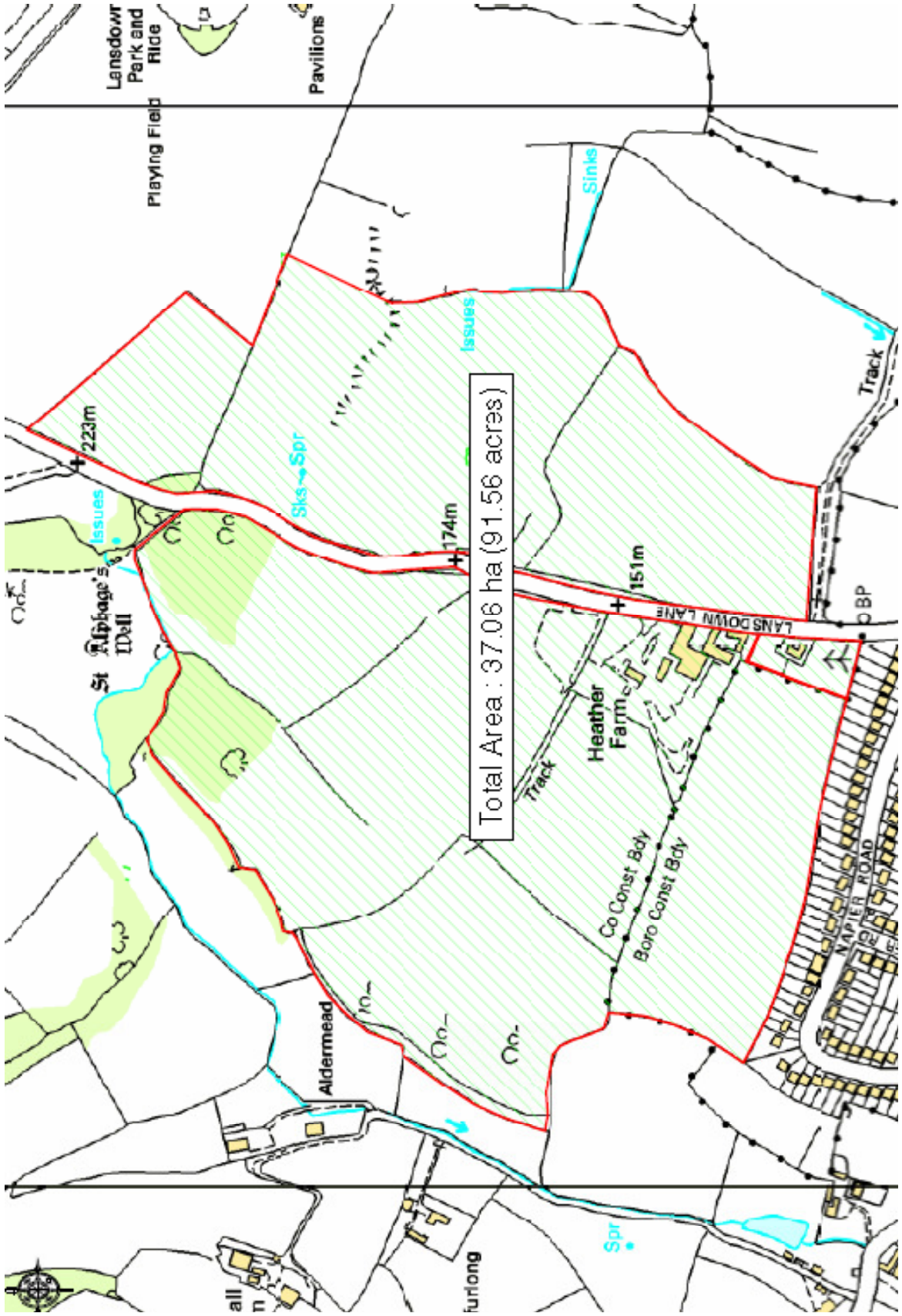
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CC Mr Roger Perry, Heather Farm

Encls.

Land at Heather Farm, Lansdown Lane, Bath



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