



**BNP PARIBAS
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Planning Position Statement

Cadbury Somerdale

March 2011

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1 Introduction

This Statement has been prepared to assist bidders in understanding the planning position on the site. Because of the high interest that the marketing of the site is expected to generate, the content of this Statement has been agreed with officers of Bath & North East Somerset (B&NES) Council. Bidders are requested not to make direct enquiries or to contact the Planning Department at B&NES, but to base their initial expressions of interest on the information contained here.

All the local planning authority documents to which reference is made below are available on the Council's web site (at www.bathnes.gov.uk) where a considerable amount of background information regarding the Local Plan and other policy documents can also be found. The local planning authority is not resourced to deal with multiple competing enquiries relating to a complex site such as this, but will engage with the bidders selected by the selling agents. The local planning authority operates a comprehensive pre-application Development Team process through which the successful bidder will be able (subject to the payment of specified charges) to negotiate and agree how best to proceed through the various stages of the Development Management process.

The Somerdale site is regarded by the local planning authority as a key strategic site, the development of which in accordance with adopted policies will be given extensive support and encouragement.

In addition to this Statement, B&NES has prepared a letter to bidders expressing the Council's ambitions for the site.



2 Planning Policy Context

The planning policy context is provided by National, strategic and local planning policies and any future development proposal for the site will need to be considered within this context. National Planning Policy is set out in Planning Policy Guidance Notes and Planning Policy Statements (PPSs) including PPS1, PPG2, PPS3, PPS4, PPS7, PPS9, PPG13, PPG17 and PPS25.

Section 38 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The development plan in this case comprises the Regional Planning Guidance 10 for the South West and the Bath and North East Somerset (B&NES) Local Plan (adopted 2007), which will be replaced by and Local Development Framework (LDF) once it is approved.

For various reasons (relating to procedural issues in respect of the adoption of Proposed Changes to RPG10 and recent questions over the status of Regional Strategies given the Government's stated intent to abolish them), the status of RPG10 (and draft RSS10) is unclear and the weight to be applied to its content has to be reflected accordingly. Likewise, the B&NES Local Plan 2007 is now somewhat dated and the clear intent by B&NES to progress preparation of its LDF also suggests that the weight to be applied to its content has to be reflected accordingly.

2.1 Bath and North East Somerset Local Plan (adopted 2007)

The Bath and North East Somerset Local Plan (2007) provides the local planning policies for the site up to 2011, and these policies have for the most part been saved and rolled forward on an interim basis pending the adoption of the emerging Core Strategy. In the Local Plan, the site is allocated under site specific Policy GDS1:K1.

Policy GDS1:K1 sets out the following development requirements for Somerdale:

1. Retention of existing business uses and development of at least 10ha of land for business development (Use Classes B1, B2 and/or B8).
2. About 50 dwellings during the Plan period.
3. Safeguarding of residential amenities of proposed residential development from existing and/or proposed business uses including incorporation of a buffer zone, landscaping and other visual and noise mitigation measures.
4. Provision of children's playing space.
5. Replacement playing fields.
6. Preserve setting of existing main factory frontage.
7. Public access along River Avon.
8. Retention of avenue of trees in Somerdale Road.
9. Provision of major landscaping on northern, western and eastern site boundaries to satisfactorily accommodate development into Avon Valley landscape and contribute to Bristol/Avon Community Forest.
10. Loss of recreational and social facilities to be offset by satisfactory alternative provision.
11. Provision of satisfactory highway access to A4175, realignment of Station Road and closure to traffic of Somerdale Road site entrance; off-site traffic management measures in Station Road and Avon Mill Lane.
12. Traffic management measures to restrict vehicular use of Chandos Road.
13. Provision of appropriate access to public transport, including enhanced rail infrastructure at Keynsham Station and enhanced bus services.



Under Policy GDS1:K1, there is a requirement to replace playing fields and recreation and social facilities. As part of any future redevelopment of the site, it will be necessary to retain or replace the Fry Club on the site and the associated changing facilities and playing fields in the Hams.

The site is also subject to several other Local Plan policy designations as set out below:

- **Green Belt:** The Hams which is used for recreational purposes and the land to the south east of the site, to the east of Somerdale Road, is located within the statutory Green Belt. Policy GB.1 Green Belt, identifies that development will not be permitted, except in exceptional circumstances, other than for certain developments (including outdoor sports and recreation) that are specified as appropriate. Policy GB.2 also states that permission will not be granted for development within or visible from the Green Belt which would be visually detrimental to the Green Belt by reason of its siting, design or materials used for its construction.
- **Floodplain:** The front part of the site is located within Flood Zone 1 which is suitable for the development of all land uses in principle. The land to the north of the factory predominantly falls within Flood Zone 2, which also is suitable for the development of all land uses in principle, subject to meeting the requirements of the sequential test in accordance with the provisions of PPS25. The wider Hams and a small area of land to the south east are located within Flood Zone 3. Policy NE.14 Flooding, provides guidance on the treatment of land within the floodplain and land which floods. Policy NE.14 states that development will not be permitted where:
 - it is subject to flooding, causes flooding elsewhere or where it would impede the flow of floodwater unless the flood hazard can be mitigated;
 - it is in a floodplain including those identified on the Proposals Map unless the flood hazard can be mitigated or it is not subject to flooding elsewhere;
 - the run-off from the development would result in, or increase the risk of, flooding of watercourses, ditches, land or property;
 - it would prevent maintenance of the channels of watercourses;
 - it would prevent the maintenance of the channels of watercourses; it would result in watercourse channel instability; or
 - the existing drainage systems on the site are adversely affected, or if the land drainage of the site, when developed, is inadequate.
- **Sites of Nature Conservation Interest:** The Hams and land running along the river edge to the east of the site is located within an area of Nature Conservation Interest. Policy NE.9, identifies that any development which adversely affects nature conservation value will not normally be permitted.
- **Recreational Area:** The land to the south east of the site, to the east of Somerdale Road, is located within the Recreational Area. Policy SR.1 seeks to protect these areas for recreation, unless certain conditions or criteria are met. Policy SR.2 identifies land between Somerdale and the River Avon (1.5 ha) for formal and informal recreation and for improvements.
- **Landscape Character:** Parts of the site contains natural landscape features including trees, woodland, and grassland. Policy NE.1 seeks to retain features of the landscape, to provide for the creation of new features and habitats and to make appropriate provision for the management of such features. Where the loss of such features is unavoidable because the reasons for the development outweigh the need to retain the features: any harm to the features should be minimised, and compensatory provision of at least equal value will be required.
- **Heritage:** The Somerdale buildings are not statutorily or locally listed nor are they located within a Conservation Area. They are, however, recognised as having some local industrial heritage interest. A Grade II listed Roman Well is located beneath the site which was found within a Roman building in 1922 during an excavation for the construction of the original factory buildings. The well is now under a protective manhole cover and surrounded by the Cadbury



factory buildings. Further details of the listed well are provided within the Archaeological Report. The Archaeological Report identifies that the site is likely to have further archaeological potential, but based on the archaeological survey work undertaken to date, this is unlikely to be of national importance. The Roman building remains were placed at the top of Somerdale Drive some 80+ years ago when the factory was being built. The Abbey stones were added to the site in the late 1960's/ early 1970's as a result of the Keynsham Bypass being constructed through the middle of the Abbey site. Last year, the War Memorial formerly at the front of Block D was also relocated to this area. What is left of the Abbey in it's original site sits within a corner of the town park. Preliminary ideas for the potential redevelopment of the Somerdale site have not, to date, envisaged any development in this area. It must be assumed, however, that the future management of these assets will need to be a matter addressed as part of any future planning application for comprehensive redevelopment.

- **Trees:** Many of the established trees on the site are subject to a Group Tree Preservation Order, and Policy K1 requires the retention of the trees along Somerdale Road.

A **Site Constraints Plan** produced by Peter Brett Associates (enclosed) identifies these designations and is shown on page 7. A wide range of reports and surveys has also been produced for the site which are included within the information pack.

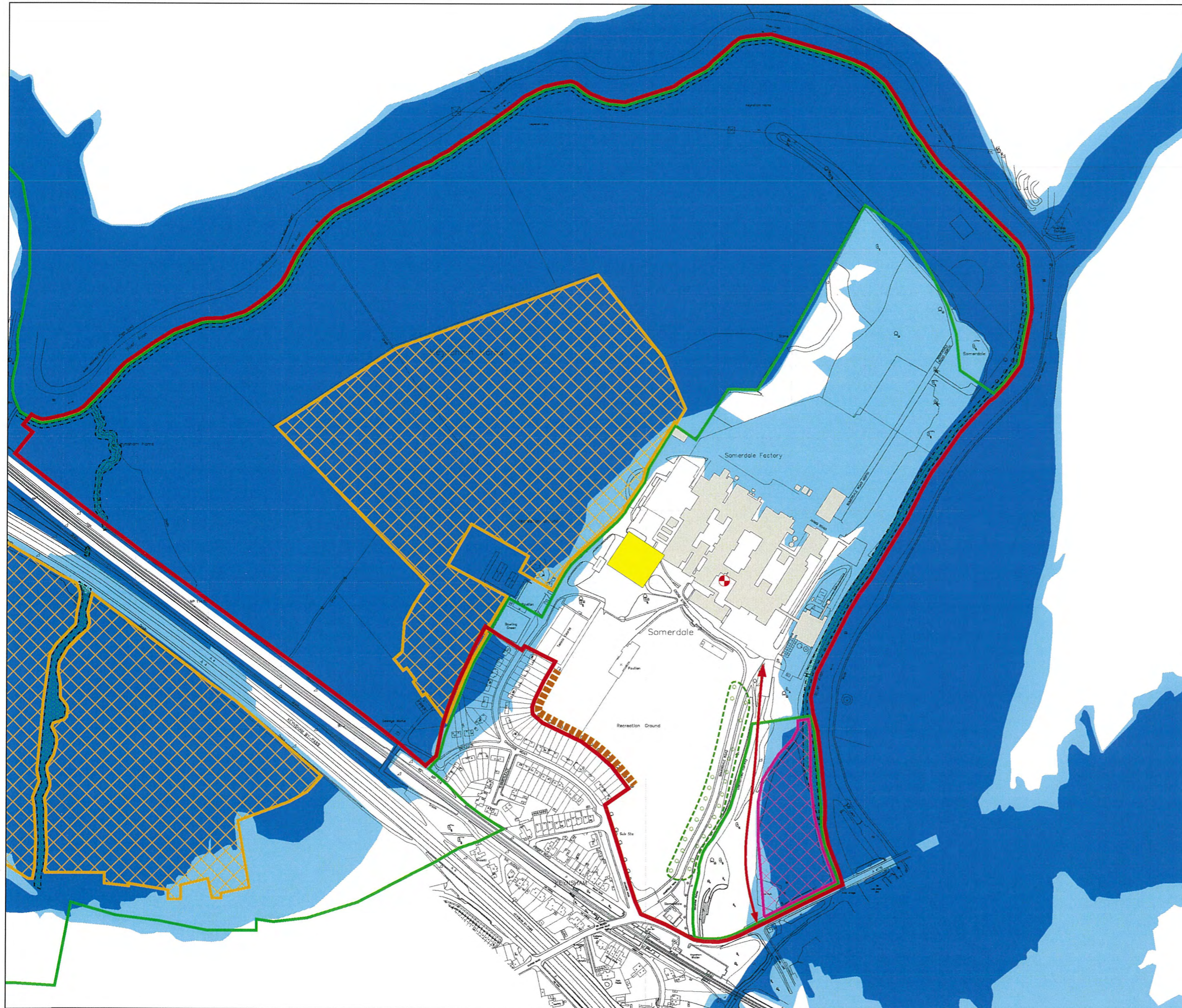
2.2 Cadbury Somerdale Vision

B&NES recognises that Policy K1 which allocates that site for a predominantly employment based development is now dated, as it was intended to support an operational factory on the site.

In recognition of this position, Cadbury's project team prepared a '**Vision for Somerdale**' to show how a comprehensive mixed-use development could be achieved on the site. This document comprises a range of development principles for the site that aim to create a unique place with a strong identity and a development which will integrate with and contribute to the regeneration of Keynsham Town Centre. The Vision identifies the potential for Somerdale to accommodate approximately 600 residential units and 20,000 sq m of employment floor space with sports and recreation facilities.

The *Vision for Somerdale* has no formal planning status although extensive meetings were held with various stakeholders during its preparation. The *Vision* was presented to and discussed with officers at B&NES' Internal and External Gateway Group meetings and with members of Keynsham Development Advisory Group (KDAG). A Public Exhibition was also held in Keynsham in February 2009, where the Vision was shared with the local community and where positive feedback was generally received. Following this work, the Vision was also presented to B&NES' Development Control Committee on 15 April 2009, where the Committee noted its content.

The *Vision* is supported by a range of background documents and technical work. This includes reports on transportation, ecology, flood risk, ground conditions and service and infrastructure amongst other reports contained in the information pack. These reports support the development principles within the *Vision* and do not identify constraints which would otherwise prevent development of this scale and nature coming forward.



- Key**
- Site Boundary
 - Green Belt
 - Recreational Area
 - Playing Field Area
 - ⊕ Location of Listed Well
 - Flood Zone 3
 - Flood Zone 2
 - Cost of Conversion/Demolition of Factory Buildings
 - Sites of Nature Conservation Interest
 - Retention of Trees
 - Replacement Fry Club
 - Sensitive Residential Edge
 - ↔ New Access Road

Mark	Revision	Drawn	Date	Chkd
P2	Amendments and additional information from NF	JM	18.12.09	AJ
P1	First issue	JM	14.12.09	FMS

SCALING NOTE: Do not scale from this drawing. If in doubt, ask.
 UTILITIES NOTE: The position of any existing public or private sewers, utility services, plant or apparatus shown on this drawing is believed to be correct, but no warranty is expressed or implied. Other such plant or apparatus may also be present but not shown. The Contractor is therefore advised to undertake his own investigation where the presence of any existing sewers, services, plant or apparatus may affect his operations.

Drawing Issue Status
PRELIMINARY

**Project Victor
 Keynsham**

Constraints Plan

Client
Cadbury plc

Date of 1st Issue
 14.12.09

A1 Scale
 1:2500

Drawing Number
18422/005/100

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www.peterbrett.com
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 TALANTON
 Tel: 01823 445150 Fax: 01823 445151



2.3 Local Development Framework (LDF)

The LDF is currently being produced by B&NES. The Core Strategy is due to be considered at an Examination in Public in September 2011 and (in accordance with B&NES' current Development Plan Scheme) should be adopted by the end of 2011.

This 'Place-making Plan' will incorporate site allocations and development management policies DPDs. Background work is underway but the Council is waiting for the Core Strategy to be adopted before taking this document to consultation. The issues and options consultation will take place in early 2012 with an anticipated adoption date of the end of 2013.

Core Strategy

The potential of Somerdale is reflected within the emerging Core Strategy (December 2010). In the Core Strategy, Somerdale and the Town Centre is allocated under Policy KE2 'Town Centre /Somerdale Spatial Policy', for the following:

- Up to 700 dwellings.
- A new high quality, exemplar, mixed-use quarter at Somerdale, providing significant employment floorspace, new homes, leisure and recreational uses.
- New office development at the Centre/Town Hall site including a new library, retail units at street level, leisure facilities and residential dwellings.
- Some larger retail units to provide space for high quality, national retailers which complement the existing successful independent retailers.
- Diversification of the employment base in order to offer greater opportunities for the resident population.
- A District Heating Network, with potential identified at Somerdale and the town centre.

In addition, the Policy includes a number of place making principles for the site, including

- Reinforce and enhance the historic character and qualities of the Conservation Area ensuring local character is strengthened by change. The linear pattern and fine grain of the High Street should be maintained and enhanced.
- Improve the quality of the public realm including provision of a new civic space.
- Improve the connections between Ashton Way car park, the High Street and the Memorial Park.
- Retain the avenue of trees in Somerdale Road and consider the potential for converting and reusing some or all of the factory buildings at Somerdale.
- Improve the links between the town centre and Somerdale, ensuring that the new mixed-use quarter is integrated with the rest of Keynsham.
- Enhance the town centre to make it a more vibrant and attractive area, enabling all members of the community to enjoy it over a longer period of the day.



- Retain and enhance the leisure and recreation function of the town centre and Somerdale.
- Enhance the rivers, park and green spaces and link them together to form an improved green infrastructure network (linking the town internally and to its environs).
- Protect the character and recreational value of the Memorial Park and the Hams.
- Provide new employment opportunities that help establish Keynsham as a more significant business location, diversifying the economy, and providing jobs, especially in the Higher Value Added sectors.
- Improve the management of traffic through the town centre and enhance public transport provision.
- Create / enhance links from Keynsham to the surrounding national and regional cycle networks.
- Improve air quality in the town centre as part of the Air Quality Management Area.

2.4 Keynsham Town Centre Plan

B&NES has produced a Keynsham Town Centre Strategy to show draft proposals for the future development of Keynsham. This background work has been used to inform the Core Strategy.

The Strategy identifies Somerdale as a major opportunity to provide new, high quality employment space, homes, leisure, recreation and community facilities. It sets out key development principles to guide future redevelopment and provides indicative layout plans to illustrate the development potential of the site. This information can be viewed at B&NES' website at the following link:

http://consultations.bathnes.gov.uk/consult.ti/Keynsham_Regen/consultationHome

2.5 Key Infrastructure and S106 Costs

Policy IMP.1 of the adopted Local Plan, states that in determining planning applications, planning obligations under section 106 of the Town and Country Planning Act 1990 may be sought:

- where a particular form of development is to comply with policy; or
- to provide compensatory provision for what is lost or damaged as a result of the development; or
- to mitigate an otherwise unacceptable impact of the development on local facilities and infrastructure; or
- to overcome any other identified harm which would make the development otherwise unacceptable.

The key infrastructure requirements for Keynsham as identified in the B&NES Infrastructure Delivery Programme (IDP) are summarised in section 3D of the Core Strategy. Further guidance on infrastructure requirements and S106 contributions is also provided within the Planning Obligations Supplementary Planning Document (SPD).

All future planning applications for the development of the site will need to have regard to the above policies.



3 Planning Process Moving Forward

A close working relationship has been put in place with B&NES with monthly Joint Somerdale Working Group meetings being held with progress reported via a Members Update. Moving forward, an indicative 'Route Map' setting out the broad process through which development proposals for the site are expected to be brought forward has been prepared. This indicative Route Map is shown on page 11.

Although prepared jointly with B&NES officers, timelines identified are indicative only. B&NES has indicated a willingness to explore entering into a Planning Delivery Agreement with the selected purchaser in which definite timelines (and the resources necessary to achieve them) could be agreed more precisely, ideally at the earliest possible stage in the planning process.

Somerdale Route Map

