

North Somerset Site Allocations Plan (SAP) Examination

Hearing Statement April 2017

Reference:

Statement of Common Ground between North Somerset Council (NSC) and Historic England (HE)

This statement relates to the Birnbeck Pier area and Moor Road Yatton and is divided into four sections:

- (i) Birnbeck Pier - Background, suggested amendments to the SAP etc. prepared by NSC
- (ii) Birnbeck Pier - response from Historic England to Section (i) and the outstanding concerns that remain
- (iii) Birnbeck Pier – NSC response to questions raised by HE
- (iv) Moor Road Yatton – statement from HE

SECTION (I)

BIRNBECK PIER - BACKGROUND, SUGGESTED AMENDMENTS TO THE SAP ETC. PREPARED BY NSC

Background

The North Somerset Site Allocations Plan (Oct 16) identifies the Birnbeck Pier Area as suitable for redevelopment/ urban intensification with an indicative capacity of 50 dwellings. Schedule 1 of the Site Allocations Plan (SAP) sets out the site specific requirements of this proposal as:

- New allocation for mixed use scheme. Residential, leisure, hotel and tourism, ancillary retail, cafés, bars and restaurants and community facilities.
- Does not include 63 dwellings on Royal Pier Hotel, Dorville or Lynton House Hotel
- Prince Consort Gardens to be kept free from development
- Madiera Car park has potential for development

Historic England (HE) objection to this allocation on the grounds that the statutory development plan, if approved, would allocate a mixed use development on a large prominent site within a Conservation Area adjacent to Listed Buildings and on the remains of the Pier itself. As planning applications need to be determined in accordance with the development plan there must be a degree of confidence that any permission could be delivered in accordance with any conditions in the

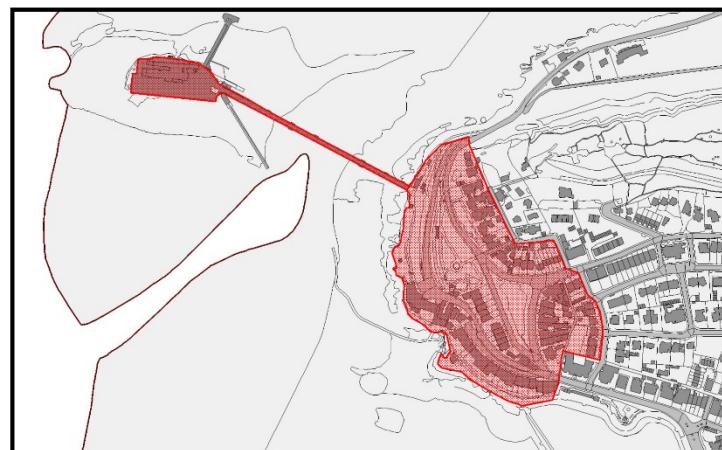
document, and accord with national policy for sustainable development. There is no evidence to demonstrate whether this may or could be the case.

There is no apparent evidence to explain the background to this allocation, where development might go, how the amount and type of development has been determined, and the form it may take to satisfy national policy and the Planning (Listed Buildings and Conservation Areas) Act 1990 (Sections 66 and 72). Without such evidence Historic England cannot be confident that the Plan would satisfy national policy and the relevant NPPF para 182 tests.

This statement addresses the concerns of HE by setting out the background to this proposal and how the SAP can be amended to satisfy national policy.

Site: Located on the northern headland of Weston-super-Mare's seafront.

Size: Birnbeck pier, island and headland are approximately 2 hectares. The area around Birnbeck Pier including the surrounding sites such as Prince Consort Garden, Madeira Car Park, Royal Pier Hotel and Westcliffe College equal an area of approximately 4.6hectares.



Landownership: The pier, island and headland are owned by CNM Estates. North Somerset Council own land nearby including Prince Consort Gardens and Madeira Road Car Park. There are also some key sites included within the environs of Birnbeck Pier such as the site of the Royal Pier Hotel and Westcliffe College which are all in private ownership.

Existing Uses: Birnbeck Pier and Island has been closed for a number of years, The site of the former The Royal Pier Hotel is vacant following a fire and subsequent demolition of its remains. The former Westcliffe College has been converted into flats.

Constraints:

- The site and its environs are within the Birnbeck Conservation Area.
- The main pier structure is grade II* listed, the gates, turnstiles, Toll House lodge, north jetty and clock tower are all grade II listed.
- The former Westcliffe College buildings are grade II listed
- Claremont Crescent, adjacent to the Royal Pier Hotel and Captains Cabin, is grade II listed.
- Prince Consort Gardens is public open space and protected as a Local Green Space in the SAP

- The Maderia Car Park has 60 car spaces is fully operational and serves the surrounding hotels and residential properties

Description:

Birnbeck Island is located on the northern headland of Weston-super-Mare's seafront. The Grade II* Listed pier was opened in 1867 and enjoyed great success as a major tourist attraction, with paddle steamers using it to ferry passengers between Weston and Wales., it is one of only four Grade II* listed piers in the country and is the only pier in the UK which links land to an island. The pier and island are situated in the Birnbeck Conservation Area and in total comprise 6 listed buildings. The reasons for listing include the fact that the Pier was designed by Eugenius Birch, the most prolific and successful pier builder of the 19th century, its unusual continuous box girder constructions and the fact that it is connected to an island. The historic importance of the pier, its uniqueness and its regeneration potential all mean that demolition is not an acceptable option. Over the last 20 years the pier has gradually fallen into disrepair and neglect. Today the site is derelict.

Land uses within this area are predominantly residential and hotel uses. Prince Consort Gardens lies on raised land directly behind the Pier entrance and provides a pleasant amenity space for local residents with superb views across the Severn Estuary to Brean Down and Wales.

Issues

Previous schemes

Birnbeck Pier, Island and Headland were acquired by Urban Splash in September 2006. In 2007 Urban Splash held an International Design Competition to secure an architect to work with them to deliver commercially viable development which realises the potential of the site and reinforces the regeneration of Weston-super-Mare. In March 2008 Levitate Architects were chosen as the winning architects.

In 2012 following the acquisition by CNM Estates a scheme proposing over 200 residential units on the pier , 3 artificial promontories (fingers) and Esplanade with a hotel on the site of the former Royal Pier hotel was published .

Neither of these schemes resulted in a planning application but they do illustrate the potential of the Birnbeck Area to be the subject of a heritage led regeneration project which could have profound impacts on the immediate area and Weston Town Centre and seafront

SAP Allocation

The regeneration of Birnbeck Pier and Island is key to reinvigorating this part of Weston-super-Mare's seafront. In its current state it is a significant eyesore, and this combined with the demolition of the Royal Pier Hotel has led to a general decline of the area. The successful conversion of the former Westcliffe College highlights the potential the area has for conservation led regeneration projects and the granting of

planning consent (subject to legal agreement) for 63 flats on the site of the Royal Pier Hotel highlights further potential

The SAP identifies the Birnbeck Pier area as a mixed use development site. The main rationale behind the allocation is that it will enable Birnbeck Pier to be restored from the potential rise in land values on the landside. Recent feasibility studies by Urban Splash and CNM Estates has shown that there is considerable potential for mixed use development on the landside without encroaching on either the pier or Prince Consort Gardens

Delivery of the preferred option will be achieved through private sector investment. However, the Council recognizes that due to the seriously poor structural condition of the pier restoration costs will be very high. In order to ensure restoration costs do not prohibit the redevelopment of the pier and island, enabling development will be necessary on landward sites on the headland. North Somerset Council own land within this headland area and are willing to explore the inclusion of its landholding, subject to detailed negotiations, to help secure a viable redevelopment scheme for the Island.

Birnbeck Island has been a derelict site for a number of years. Over the past forty years it has had four different owners, but prohibitively high restoration costs have, to date, prevented any viable schemes coming forward for this site resulting in further neglect and dereliction. Redevelopment of this site is paramount to the regeneration of Weston-super-Mare and will act as a much needed attraction at the northern end of the town. Due to the sites historic importance to Weston-super-Mare, its current dereliction which, due to its prominent position is a significant eyesore on Weston's seafront, and its difficulties in redevelopment due to its structural decay, there are no realistic alternatives other than a commercially viable comprehensive redevelopment of the site.

To focus solely on the regeneration of Birnbeck Pier and Island, and not include the surrounding area or sites. This approach would fail to comprehensively plan for an area which is likely to experience significant change over the plan period and therefore is not an acceptable long term option.

Conservation Area Appraisal

A draft Conservation Area Appraisal has recently been completed for Birnbeck Conservation Area and this sets the context for appropriate development in the area. Once the Conservation Area Appraisal has been subject to consultation and approved any planning application will need to accord with the Management Plan accompanying the appraisal.

Suggested amendments to Schedule 1 of the Site Allocations Plan

The Council in order to address the concerns of HE would be content to expand on the “site specific requirements “ listed in Schedule 1 of the SAP with the following bullet points :

- Great weight should be given to the conservation of heritage assets
- Special regard must be given to desirability of preserving the setting of a listed building; and preserving or enhancing the character or appearance of the Birnbeck conservation area
- Development will be expected to avoid or minimise conflict between any heritage asset's conservation and any aspect of the proposal
- Harm should always be avoided in the first instance. Only where this is not possible should mitigation be considered
- Landside development to ensure renovation of Birnbeck Pier
- 50 dwelling capacity is an indicative assessment which will be subject to detailed appraisal against the objectives set out in the emerging Birnbeck Conservation Area Appraisal
- Innovative car parking solutions to accommodate the increase in cars to the area. Underground car parking will be required on a number of sites;
- High quality public realm throughout the area;
- Improve pedestrian access to and along the water front, particularly in terms of disabled access from Marine Parade to Birnbeck Road and the steps by the Royal Pier Hotel;
- Protect important views and vistas within the area, as identified in the Birnbeck Conservation Area Appraisal;
- Conserve and enhance key historic features within the area.

SECTION (II)

BIRNBECK PIER - RESPONSE FROM HISTORIC ENGLAND TO SECTION (I) AND THE OUTSTANDING CONCERNS THAT REMAIN

Historic England welcomes North Somerset's commitment to seeking a positive solution to the restoration of Birnbeck Pier. We also welcome the clarifications in this SOCG and the suggested additional amendments to Schedule 1 of the Site Allocations Plan. We assume this additional evidence, clarifications and commitments may now be considered as post hearing modifications by the Inspector/local authority.

However, we remain concerned that the allocation as proposed fails to provide sufficient information (evidence) to address our concerns in full, as previously expressed. As such we cannot be reasonably assured that the plan is justified or in accordance with national policy. It should be noted that Historic England formally raised the above concerns in relation to this site and the absence of critical evidence in correspondence (letters) as follows:

18 April 2013

Having considered the draft Plan my main concern is that the suitability and deliverability of the allocations for future housing, employment etc. appears not to have been informed by a proper assessment of affected heritage assets and their

settings. A robust historic environment assessment should be undertaken, made available and applied to inform site suitability ensuring the Plan accords with the NPPF.

26 April 2016

At present the evidence relating to this elevated and exposed site is unavailable/not apparent and as such the implications of development on the character and appearance of the Conservation Area and the setting of adjacent heritage assets is unclear. The Local Authority should provide this and also indicate how development relates to, and ideally supports, the Pier's future restoration.

15 December 2016

To accord with national policy, the Plan needs to demonstrate that great weight has been afforded to the conservation of affected heritage assets including their setting where this contributes to the asset's significance. At present the evidence relating to this elevated and exposed site is unavailable/not apparent and as such the implications of development on the character and appearance of the Conservation Area and the setting of adjacent heritage assets is unclear (key national policy reference NPPF para 158). This evidence needs to be provided and ideally you should indicate how development relates to, and ideally supports, the Pier's future restoration (a significant heritage asset on the national heritage at risk register (key national policy reference NPPF para 126). At present the Plan indicates a large area of the promontory (in purple) for an allocation. It is unclear where 50 new homes could/would be located.

1. Historic England is therefore still unclear where 50 new dwellings, a hotel, cafes etc. would actually be located? Is it on the Madeira car park and elsewhere as well? Is there a map/plan indicating – even provisionally - where the suitable locations for development are?
2. To establish the likely impact on affected heritage assets and their settings, and whether the principle of the amount of development can be established, is there any indication of the likely form of development for example its scale and height?
3. The Council appears to have confirmed in this SOCG that this allocation is only being considered as a means to support the restoration of the Pier i.e. it would be unacceptable otherwise. Can the Council confirm whether this is the case and if so what that harm might be?
4. What is the proposed mechanism for linking new development with the restoration of the Pier?
5. Is the Birnbeck Regeneration Trust and Friends of the Old Pier Society in agreement with the form of this Plan's heritage led regeneration proposal?

SECTION (III) BIRNBECK PIER – NSC RESPONSE TO QUESTIONS RAISED BY HE

1. The plan of the area is that shown in Section (I). It is a large area and there is potential for conversion of properties as well as the possibility of new build. At this stage we are unable to indicate the exact locations
2. This is a matter of detail. However the suggested additions to the site specific requirements makes it clear that important views will be maintained
3. The allocation is seeking to ensure that the pier benefits from any development in the area. The Council would encourage any proposals to be comprehensive as there is a danger of harm from piecemeal development
4. This will be through land ownership as NSC own land which is critical to access the pier
5. They have not objected to the Site Allocation Plan and would presumably support in principle a scheme that is linked to the restoration of the pier.

SECTION (IV) MOOR ROAD YATTON – STATEMENT FROM HE

The consideration of the relationship of future development to the significance of Grange Farm, as reflected by the removal of the Orchard would appear to address our concern on this matter