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**WEST OF ENGLAND
JOINT SPATIAL PLAN
EXAMINATION STATEMENT ON
MATTER 7.8**

**ST. MODWEN AND THE
TORTWORTH ESTATE**

10 June 2019

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Prepared for

The Tortworth Estate and St. Modwen Developments Limited

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1. INTRODUCTION

- 1.1. The Tortworth Estate as landowner, together with its selected development partner, St. Modwen Developments Limited have promoted the Buckover Garden Village SDL throughout the JSP process. Duly made submissions have been lodged on previous versions of the JSP, including the Regulation 19 submissions made in January 2018 and the proposed modifications in January 2019.
- 1.2. The Tortworth Estate is a privately-owned rural estate set in South Gloucestershire. It has been owned by the Moreton family since 1620's. The family are actively involved in the running of the estate, working with its tenants and the local community. Agriculture has traditionally been the main land use. However, the Estate also includes a diverse number of property lets including residential, a primary school, village halls and more recently a growing portfolio of rural employment spaces and an estate farm shop. There are also two stone quarries within the Estate, of which one is productively operational. The Estate has a proven track record in land and heritage stewardship.
- 1.3. St. Modwen Developments Limited is the Tortworth Estate's development partner for the delivery of Buckover Garden Village. St. Modwen has a proven track record in the delivery of sustainable solutions that are locally appropriate and lasting. Legacy placemaking sits at the heart of the approach taken by St. Modwen.
- 1.4. St. Modwen has a record of delivering upfront infrastructure investment, as well as investing in the communities it helps to build. Wherever possible St. Modwen uses local suppliers and contractors to help it transform and turn spaces into places that benefit the people who live and work there and to provide the best housing and development for all. Its aim is to transform, optimise and improve; turning spaces into places that have a long-lasting benefit for the people who live, work and play there.
- 1.5. The vision for Buckover Garden Village is to deliver a holistically planned free standing garden village which enhances the natural environment and provides around 3,000 high-quality and innovative homes, with local jobs in a healthy place with diverse communities with strong local governance.
- 1.6. This statement sets out responses to the Inspectors' questions for Matter 7.8: 'Buckover Garden Village SDL' insofar as they conform with the Inspectors' Guidance note (ED07) and/or have arisen since the Regulation 19 submissions of January 2018. It should be noted that the illustrative material submitted as part of the attached appendices comprises iterative work-in-progress. It is submitted for illustrative purposes only to demonstrate direction of travel and the technical team's evolving design thinking.
- 1.7. The Tortworth Estate and St. Modwen Developments Limited also note that the West of England Authorities have requested that the Inspectors' recommend any Main Modifications required to ensure the soundness of the JSP and its legal compliance through the examination process under section 20(7C) of the 2004 Planning and Compulsory Purchase Act (as amended)¹. That approach is supported.

¹ WOE 05 – 11 April 2019

2. **MATTER 7.8 – BUCKOVER GARDEN VILLAGE STRATEGIC DEVELOPMENT LOCATION (SDL)**

Q. 7.8(a) Is the Buckover Garden Village soundly based as a broad location for growth?

- 2.1. As set out within the submissions made in respect the Examination Statement on Matter 4 (Spatial Strategy), Tortworth Estate and St. Modwen have highlighted consequences and effects on the rural north of South Gloucestershire of the past strategic development plan policies which have focussed almost entirely on the urban areas of Bristol, Weston-Super-Mare etc. The case has been presented that the result has been stagnant growth levels² within the rural northern area of South Gloucestershire, with the consequence of an aging population and lower proportion of economically active residents than the rest of the Council's area. Additionally, there are significantly higher house prices and there has been a lack of infrastructure investment.
- 2.2. The Tortworth Estate and St. Modwen consider the spatial strategy set out within the emerging JSP as being justified, in that it will help address the social and economic disadvantages and disparities of rural South Gloucestershire; of which the Buckover Garden Village SDL will play a significant role.
- 2.3. As set out within the Statement of Common Ground between South Gloucestershire Council and the Tortworth Estate / St. Modwen, the Buckover Garden Village SDL;
- Will significantly assist in meeting much needed affordable housing and general housing within the north of the District.
 - Will assist in securing new employment opportunities to help make the north of the District a more economically sustainable place.
 - Will help support the delivery of bus improvements from Wotton-under-Edge to Thornbury and help the case for the delivery of improvements to junction 14 of the M5.
 - Will provide an opportunity to secure transformational improvements to the provision of strategic public transport in the locality, by helping the business case for an extension of the Metrobus to Thornbury / Buckover.
 - Will help deliver growth in a manner that broadens the portfolio of sites and delivery models. It will help avoid the risk of further market saturation at the Bristol Urban Fringe areas and will assist to secure the likelihood of steady housing delivery within the Plan period.
 - It will broaden the housing supply models in the district due to the unique offer of a large single ownership with a genuinely visionary and long-term approach (beyond completion) to placemaking, governance, land value capture; all pulled together under a single master developer. Given the intention to develop a long-term robust governance structure, in accordance with Garden Village principles, and the long-term interest of the Tortworth

² The population of the northern rural area of South Gloucestershire increased by less than 500 people between the 2001 and 2011 census periods.

Estate to remain involved in the project from inception to beyond completion, it provides the opportunity to:

- o broaden the type and tenure of housing available to the locality;
- o secure food production as part of development solutions;
- o reinforce recreational access and green infrastructure objectives for the wider benefit of the community, and secure bio-diversity net gains where they are otherwise unlikely to occur.

- 2.4. In terms of the broad location of development, it is important to note that many of the above points will address current issues facing existing residents, workers, businesses and enterprises.
- 2.5. The Buckover Garden Village SDL will also provide extra flexibility, should the Oldbury New Nuclear Build come on stream; which is suggested to result in 800 post construction jobs and a construction workforce of between 4,000 and 9,000 people.
- 2.6. Buckover also falls outside the statutory Green Belt and is free of other significant environmental planning constraints.
- 2.7. The Tortworth Estate and St. Modwen believe the above presents a soundly based social, economic and environmental case for the SDL, consistent with the provisions of the Framework.
- 2.8. There is no '*silver bullet*' solution for achieving the housing and employment growth requirements of the West of England, but it is clear that the Buckover Garden Village SDL can contribute to the provision of housing and employment opportunities, as well as infrastructure investment, within the rural northern part of the city-region using an innovative approach to create, and leave, a positive legacy in place making; in a manner that introduces an additional delivery model.

Q. 7.8(b) Are the criteria set out in policy 7.8 justified and effective? Are the modifications to the policy proposed by the Councils, as set out in the Schedule of Proposed changes (doc WED 002), necessary for the plan to be sound?

- 2.9. Each of requirement of Policy 7.8 is dealt with as follows:
- 1) The policy requires the SDL to be delivered as a Garden Village, with the following elements delivered to accord with Garden City Principles; an appropriate delivery body, land value capture, ownership and management of assets, long-term stewardship and governance arrangements, land uses, master planning and detailed design principles³.
- In response to early JSP consultations, Tortworth Estate advanced its land interests at Buckover to deliver a new village based on garden principles. Not only was that a conscious response aimed to be consistent with the Estate's wider social, economic and environmental ethos, but the case was also made that to be successful the Strategic Development Plan

³ Proposed Change 15 (WED 002) is supported as it improves clarity.

should contain a range and variety of delivery models. St. Modwen and the Tortworth Estate, therefore, consider the Policy requirement for the SDL to be based on garden city principles is fully justified and appropriate.

St. Modwen, the Estate and the Council have been working closely to help define the detail of emerging development proposals. While further work is required, St. Modwen and the Tortworth Estate believe the work established to date, and its direction of travel, demonstrates the draft wording of Policy 7.8 is proving to be effective in securing a true garden village development, and not just in name.

Appendix 1 attached to this submission contains a summary of a Governance, Stewardship and Land Value Capture Working Paper. That working paper is still very much work in progress. The aim is to produce a clear and transparent evidence base to inform further discussion and agreement on the formulation of an appropriately worded Local Plan policy for Buckover. In essence the detail is a matter for the Local Plan, rather than the JSP, but **Appendix 1** is produced to demonstrate the current direction of travel.

Appendix 2 contains abridged material recently presented to the South West Design Review Panel. **Appendix 3** sets out the Panel's response. The material presented to the Design Review Panel is a snapshot of the design work as it was in April 2019. It comprises iterative work in progress. However, that material is submitted to the Examination to highlight the emerging development and design philosophies and to provide demonstration on the direction of travel on the delivery of the Buckover Garden Village SDL. Since the April 2019 presentation to the Design Review Panel, further refinement of ideas and designs has taken place; that work continues. A second presentation to the Design Review Panel will take place in due course.

Policy 7.8 requires 3,000 dwellings to be delivered by a full range of housing providers and to reflect a wide range of types and tenures. It requires homes to be innovative, high-quality in design, spacious and well planned. The working paper attached at **Appendix 4** sets out the thinking on how the Tortworth Estate and St. Modwen propose to deliver that policy requirement. There is a clear commitment to provide a new, inclusive, community that in housing terms will offer mixed-tenure homes and housing types for a wide range of people, which will include both market and affordable housing to be delivered by a range of providers, including SME housebuilders and custom home builders.

St. Modwen and the Estate consider the Policy requirement is justified to secure high-quality, innovative housing, from a range and variety of home builders.

- 2) A strategic green gap is considered by The Tortworth Estate and St Modwen to be a key defining feature for both the Thornbury and Buckover Garden Village SDLs. The green gap was identified as an important feature by many consultees attending the 2018 consultation events held by the Estate and St Modwen. The policy requirement is justified. The

Landscape and Visual Technical Note attached as **Appendix 5** sets out initial thinking on how the green gap might be defined and secured within the Local Plan, such that any coalescence of Thornbury and Buckover Garden Village can be avoided.

It's acknowledged that it is important for the design of Buckover Garden Village to respect and respond to the Green Gap landscape. To that end the masterplan is being shaped such that the western portions of the site include several open features to allow a proper and full offset from the boundary. It is anticipated the Local Plan green gap designation could also wash into the open spaces on the western fridges of the Buckover SDL. As part of that response, the emerging master plan seeks to incorporate:

- Substantial and appropriate development setback away from the western boundary;
- Retention of the key existing landscape features along the boundary including the field hedgerow network and mature trees;
- Inclusion of lower density development within the western fringes;
- Inclusion of primarily landscape led land uses including public open space, sports pitches, allotments and agriculture at the western locality;
- Proposed tree, hedge and shrub planting of locally native species to reflect the localised landscape character; and,
- Retention and enhancement of PROW and pedestrian / cycle links.

The above elements will be incorporated to ensure the SDL responds to the Green Gap. This will secure a buffer landscape between Thornbury and the garden village and will ensure coalescence of the two settlements does not occur; securing a sense of place between each settlement.

- 3) The Tortworth Estate and St Modwen support Policy 7.8's provision for green infrastructure. It is supported that green infrastructure should be a key feature of the SDL. Health and well-being are themes at the forefront of all the master planning meetings; green infrastructure being a key ingredient. To that end, the emerging master plan is being influenced by a Building With Nature⁴ assessment, as well as early discussions with the Head of the WHO Centre at UWE. **Appendices 2 and 5** attached to this submission include several emerging ideas on how green infrastructure will be shaped and delivered.

- 4) Equally, it is agreed that to be successful the SDL will need a range of land uses; community facilities and services, shops, schools and a range of employment opportunities. It is therefore fully justified for Policy 7.8 to set a requirement for the provision of those land uses. The material presented to the South West Design Review Panel provides an illustration of

⁴ <https://www.buildingwithnature.org.uk/about>

emerging thinking on the delivery of an enterprising and supportive community. From a design and capacity testing perspective, the emerging masterplan framework includes the following land uses within the boundaries of the SDL:

- Circa 72ha of mixed residential land uses.
 - Circa 13.5ha of mixed uses, including B1 employment, convenience retail uses and care home. In addition to the above residential land take, residential uses are also to be accommodated on upper floors of commercial and retail units.
 - Circa 118.5ha of open space; both formal sports and informal open space, including around 12ha of land designated for food production.
 - Land for a secondary school, 3-form primary school, 2-form primary school and nursery school provision.
- 5) The Tortworth Estate and St. Modwen believe that a step change in energy strategy is required if we are to meet the challenge of tackling climate change. At Buckover, this will be achieved by adopting an "all-electric" energy strategy. The obligation of reducing CO2 emissions and securing energy positive solutions is a justified policy requirement. Although, it is considered that the policy is likely to be more achievable, in the early lifetime of the plan, if expressed as requiring a "net" zero carbon emission rather than 'zero carbon'. While technological advancements might enable zero carbon development within the latter stages of the delivery of the SDL, that measure is unlikely to be a realistic one within the early phases of the development. The Buckover Garden Village working paper on Enabling a Zero-Carbon Development, contained at **Appendix 6** of this submission, sets out the approach being taken for the SDL to follow a 'Be Lean, Be Clean, Be Green' energy hierarchy; maximising passive design and energy efficiency measures, supplying energy efficiently, and deploying low and zero carbon technologies to minimise operational CO2 emissions.
- 6) The challenges posed by transportation and highways at Buckover, and within the northern rural area of South Gloucestershire, have been raised by several stakeholders and the Council from the very beginning of discussions regarding Buckover Garden Village. Those challenges have, from the very start, been understood; as well as a need to secure transformational transport solutions. The highway and transport requirements expressed within Policy 7.8 are considered as justified⁵. Albeit, it is worthy of note that while the Buckover Garden Village SDL can assist the business case for the re-opening of Charfield Railway Station, that piece of transport infrastructure is not considered a necessary requirement of the SDL.

⁵ Proposed Change PC16 (WED 002) is supported considering the JSP updated evidence base on the need for an A38 strategic cycle route.

The position paper contained at **Appendix 7** provides an update on the good progress being made to date in meeting the transport policy objectives set out within Policy 7.8. Clearly, more work is to be done, but the direction of travel is a positive one.

Q. (c) Is there evidence that the development of the SDL is viable and developable, including in respect of necessary infrastructure provision, during the JSP plan period?

Delivery Model and Housing Trajectory

- 2.10. The Buckover Garden Village SDL, extending to approximately 220 hectares and capable of delivering a new mixed-use settlement of 3000 dwellings, is within the single ownership of the Tortworth Estate. As noted earlier, in 2017 a promotion and development contract was entered into with St. Modwen Developments Ltd.
- 2.11. Here, it is worthy of note that the process to identify a development partner took the Estate around 12 months. Informed by the emerging JSP, over 60 detailed expressions of interests were initially lodged by developers, housebuilders and land promoters, with over 20 comprehensive formal bids being submitted. That process is evidence that the Buckover Garden Village SDL is a viable and developable proposition.
- 2.12. Under the terms of their agreement, St. Modwen and the Tortworth Estate act jointly as “Master Developer” responsible for managing the development process and delivering the vision for Buckover. This role includes:
- Promoting Buckover Garden Village through the planning process and ensuring the vision and objectives are secured and protected through an outline planning permission.
 - Establishing the necessary governance structure and funding requirements for the long-term stewardship of the new community and its assets.
 - Procuring the design, finance streams and delivery of infrastructure.
 - Securing individual reserved matter consents to meet the delivery programme.
 - Directly delivering certain phases for residential, employment, retail, leisure, community uses.
 - Selling phases for residential, employment, retail, leisure, community uses to carefully selected partners to deliver in accordance with Design Code and other Master Developer requirements, so character, quality and vision are maintained.
 - Co-ordinating site wide construction, marketing and community engagement.
- 2.13. St. Modwen is a FTSE250 company with its own skilled in-house planning, construction, development and asset management teams. It specialises in partnering with landowners, both private and public, and in developing sustainable mixed-use communities. Examples can be seen at its website: www.stmodwen.co.uk

2.14. St. Modwen also has its own highly regarded and award-winning housebuilding business; St. Modwen Homes. Under the terms of the development agreement, St. Modwen Homes will drawdown land for direct housing delivery itself. Serviced land parcels will also be sold to carefully selected third party housebuilders. At this stage, it is expected that house sales at Buckover will be from at least two outlets; presenting a very conservative housing delivery trajectory (including affordable) of approximately 135 units per annum. Thus, it is expected that the delivery of the 1,500 homes required within the Plan Period, with a very conservative estimate, will take approximately 11 years plus a 12-month allowance for lead-in works.

Professional Team

2.15. The Tortworth Estate and St. Modwen have assembled a skilled design and delivery team, which has been actively engaged since 2017 including the following disciplines:

- Agricultural and Food Production Consultants
- Arboriculture
- Archaeology and Cultural Heritage
- Community Engagement
- Ecology and Bio-diversity
- Employment and Commercial Business Consultants
- Hydrology and Water Management Engineers
- Landscape Architecture – both landscape impact and landscape design
- Legal / Governance Team
- Master Planners
- Noise and Air Quality Consultants
- Project Managers and Quantity Surveyors
- Sustainability Assessors
- Structural and Civil Engineers
- Transportation and Highways Consultants
- Utility and Energy Consultants
- Viability Team

2.16. The consultants have undertaken all baseline studies which has assisted the production of a concept plan and are now working up a master plan.

- 2.17. Whilst the land at Buckover is not free from constraints, which the emerging masterplan is responding to, the surveys and investigations have not uncovered any issues that would prevent delivery.
- 2.18. Formal Design Team Meetings take place with the consultant team on a regular monthly basis, with topic specific workshops being held in between. The St. Modwen in-house team including Development, Planning and Construction attend each meeting. Thus “*buildability and deliverability*” are principles that have been, and continue to be, ingrained into the design decision making process.
- 2.19. Diarised pre-application discussions have taken place with South Gloucestershire Council and its specialist officers since mid-2018. To date, those pre-application evidence-based discussions have focused on the achievement and delivery of the policy criteria set out within SDL Policy 7.8. Those discussions have now turned to detailed matters to inform a planning application.
- 2.20. Detailed baseline evidence has been shared on matters of transportation, landscape and cultural heritage (above and below ground). Detailed discussions on matters relating to concept master planning and land use budgets have been held. And, discussions have taken place in respect of methodologies to establish ecological net gains and air quality and noise assessments. Detailed considerations and discussions between the Parties have also been given to the application of the Garden Village principles of land value capture, governance and the role of the master developer. Co-ordination has taken place between the Parties in respect of wider stakeholder engagement⁶. The reports attached at **Appendix 8** map the outcomes from two of those stakeholder events.
- 2.21. Additionally, detailed technical joint working has taken place in respect of matters of strategic transportation between the Council, Tortworth Estate and St. Modwen and the promoters of the Charfield Strategic Development Location, along with a number of other relevant public authorities and stakeholders.

Viability of the SDL

- 2.22. The Tortworth Estate and St. Modwen team have reviewed the West of England Topic Paper 4: “*Assessment of viability potential within the SDLs*” dated November 2017 (SD.13) which includes BNP Paribas Real Estate’s report as an appendix. The team broadly agree with the inputs for that high-level appraisal of the Buckover Garden Village SDL; although note that the land that is being promoted as a Strategic Development Location extends to 220ha, rather than the notionally assumed 150ha noted as required to deliver 3,000 homes.
- 2.23. With much of the detailed design work yet to be concluded and costed, the Tortworth Estate and St. Modwen agree with BNP Paribas’ conclusion that Buckover Garden Village is viable but that “*further viability testing is required as the plan making process advances and site constraints and*

⁶ The extent of Stakeholder Engagement taken place to date is detailed within the Statement of Common Ground between the Council, St. Modwen and the Estate.

opportunities continue to be better understood, infrastructure modelling and financing evolves and landowner objectives and relationships develop..."

- 2.24. The Buckover Garden Village team has also reviewed Dixon Searle Partnership's ("DSP") 'Updated Viability Assessment' dated November 2018, prepared for the four West of England Local Authorities (WED005). Again, those inputs, methodologies and conclusions on viability are broadly agreed, save for comments that the Buckover Garden Village team (through GVA, now, Avison Young) made through duly submitted written representations dated 9th January 2019.
- 2.25. In the absence of a finalised position with respect a number of the key valuation variables including housing mix and design, infrastructure requirements and site constraints, the Buckover Garden Village team concur with DSP's conclusion that SDLs within the West of England should be able to generate a "surplus" of approximately £12,000-£23,000 per dwelling, excluding the £5,000 per dwelling transport infrastructure, related contribution that is being proposed across the SDLs equivalent to support all currently unidentified costs, including s.106.infrastructure.
- 2.26. In conclusion, the evidence set out above demonstrates the Buckover Garden Village SDL is viable and developable. St. Modwen also make that assertion based on its experience across a range of development projects within neighbouring authorities.

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