

MT/GW/Bleadon

Mr David Tate
Development Management
North Somerset District Council
By email only

15 May 2018

Dear Mr Tate,

Objection to planning application 17/P/5545/OUT: Outline planning application for the erection of up to 200 dwellings, a Health Centre, a Doctors Surgery, retail outlets and office/employment space with all matters reserved for subsequent approval at Land Off Bleadon Road Bleadon North Somerset

Introduction

I am writing on behalf of The Bleadon Action Group who wish to strongly object to the foregoing development. The objection pertains in the main to the principle of development and flood risk.

Planning statute requires that development proposals are determined in accordance with the Development Plan unless material considerations indicate otherwise.

In this instance, the salient Development Plan documents are the Core Strategy, the Development Management Policies document and the Site Allocations Plan. The most pertinent other material consideration is the National Planning Policy Framework.

In reviewing the development proposal in the context of the Development Plan and other material considerations, the main planning issues appear to be:

- The principle of development (including accessibility and landscape impact); and
- The impact of the development on Flood Risk.

The Principle of Development

The policy approach to residential development

The Core Strategy sets out a spatial strategy for North Somerset for the period to 2026. It is based on a comprehensive understanding of the District's particular social, economic and environmental characteristics.

The Core Strategy explains at 'Vision 1: North Somerset Vision', that the district strategy is to establish Weston-Super-Mare as a major economic centre whilst Clevedon, Nailsea and Portishead will increasingly support their populations catering for rural needs whilst protecting their character and that of the open countryside.

Elsewhere, 'Vision 6: Service Village Vision' explains that the service villages will be thriving rural communities and a focal point for local housing needs, services and community facilities. They are to become more self-contained in terms of serving the surrounding community.

Finally, 'Vision 7: Infill Villages and Countryside Vision' states that:

"rural areas will retain and enhance their countryside character where the quality of the natural environment is the prime objective and any new development will be small scale and strictly controlled. The infill villages will have maintained or enhanced their individual character, identity and sense of community. Accessibility will be improved to facilities and services not locally available within nearby larger settlements. The surrounding countryside will have retained its open natural character, its distinctive landscapes protected from inappropriate development, agricultural use supported and valued for its biodiversity."

The visions reveal a hierarchical approach to strategic growth across the district which is enacted at policy CS14. Policy CS14 explains as follows. Each tier of the hierarchy benefits from its own policies which are in brackets.

- I. **Weston-Super-Mare** will be the main focus for residential development (CS28-30);
- II. Most additional development will be directed to **Clevedon, Nailsea and Portishead** (CS31);
- III. Appropriate small scale development will be supported at **service centres** (CS32);
- IV. **Elsewhere** development will be strictly controlled although appropriate development will be acceptable within the settlement boundaries of infill village (CS33).

The application site is at Bleadon which is identified in the Core Strategy as an 'infill village', the lowest tier of the development hierarchy. Policy CS33 is most relevant to establishing the principle of development explaining that:

"Development outside the areas covered by the approaches set out in Policies CS28, CS30, CS31 and CS32 will be strictly controlled in order to protect the character of the rural area and prevent unsustainable development."

In terms of infill villages, it sets out the following which, in essence, is the test of the principle of development.

"Within the settlement boundaries of the infill villages of Bleadon, Claverham, Cleeve, Dundry, Felton, Flax Bourton, Hutton, Kenn, Kewstoke, Locking, Sandford, Uphill and Winford, residential development of an appropriate scale which supports sustainable development will be supported providing that:

- *The form of development respects the scale and character of the settlement;*

- *The size, type, tenure and range of housing has regard to local needs; and*
- *There is no significant adverse impact on service delivery and infrastructure provision and the local infrastructure is sufficient to accommodate the demands of the development.*

Policy CS33 goes on to explain that:

“elsewhere, new residential development will be restricted to replacement dwellings, residential subdivision, residential conversion of buildings where alternative economic use is inappropriate, or dwellings for essential rural workers.”

The proposed development

The Core Strategy advocates a proportionate approach to residential development, seeking to direct housing to areas which benefit from the greatest level of service provision and which, environmentally speaking, have the ability to accommodate substantial growth. This is to minimise unsustainable forms of transport and to protect the intrinsic character of the countryside.

At the other end of the spectrum, the Core Strategy strictly controls development outside of Weston, Super-Mare, Clevedon, Nailsea and Portishead and service centres to avoid perpetuating unsustainable patterns of development and to retain the character of villages and the openness of our countryside.

As an infill village, Bleadon falls within an area which is subject to those strict controls. Vision 7 explains that the primary objective for Bleadon over the plan period is to maintain the quality of its natural environment. The surrounding countryside will have retained its open natural character, its distinctive landscapes protected from inappropriate development, agricultural use supported and valued for its biodiversity.

To achieve this, Policy CS33 requires that residential development at Bleadon, inter alia:

- Is within the settlement boundary;
- Is small scale;
- Is infill development; and
- Benefits from sufficient local infrastructure to accommodate the demands of the development.

The proposed development is for 200 dwellings on a large parcel of land to the south-west of Bleadon. First and foremost, the application site is outside of the settlement boundary. Further, the development cannot be considered infill development given that it doesn't fill space between two buildings; rather, it is an extension to the village.

Furthermore, the development is not small scale given the extensive area of land which the site covers and large quantum of development which is proposed. The development proposal is well beyond any reasonable definition of 'small scale'.

Additionally, local infrastructure would be unable to support the demands of the development which would encourage unsustainable travel to facilities further afield. Specifically, there are no schools within safe walking distance of the application site. It is noted that the applicant alleges that local people would prefer that a school wasn't provided as part of the development but that is not a reason to promote unsustainable development – If the application aim was to accommodate the wishes of local people, it wouldn't have been submitted as there is no desire for the development.

Whilst there is a local post office and village shop, this is insufficient to provide for most shopping needs whereby prospective occupants would likely travel further afield for weekly food shops and certainly for any non-food shopping needs. Further, whilst there are some employment and leisure opportunities available, in reality, they are insufficient in number and type to provide for the varied requirement of a development of 200 dwellings.

Turning to matters of character and appearance, Policy CS33 seeks to protect both the village itself and that of the surrounding countryside. The development would cause demonstrable and substantial harm to both.

Presently, Bleadon has an attractive, rural disposition borne out of small, organic housing developments. It is typical of smaller villages in the County. Dwellings are well spaced and vary in height. Vegetation and land form has been used to minimise the cumulative massing buildings when viewed from within the village and from external vantage points, particularly Bleadon Road and the A370.

The provision of a large housing development on the edge of the settlement would be wholly at odds with the established character of the village. It would denude the settlement pattern and emasculate the village's traditional appearance.

The site is also very prominent to local views whereby its development would result in significant landscape impacts. As one approaches the village from the west along Bleadon Road, the roads curvature is such that the application site is central to views towards the village whilst from the A370, the village is situated to the background of views. The development proposal would extend the village right up to the A370 to the junction with Bleadon Road making it far more apparent to public view, eroding the character of the countryside as appreciated from these important vistas. The development of the site would erode the rural setting of the village.

The inability of Bleadon to accommodate growth of such a large scale is underpinned by the Council's plan making process. Firstly, it is notable that Bleadon falls within the lowest tier of the development hierarchy. It is not even a service village at which small scale development is supported by the Core Strategy (not that this development is small scale). Further, if the Council had considered Bleadon capable of accommodating an urban extension of 200 dwellings in this specific location, it would have advised as such by allocating the site for development in its Sites Allocation Plan which was only adopted last month (April 2018).

For all of the above reasons, the development proposal doesn't comply with any of the criteria of Policy CS33 whereby it would fail to protect the character of the rural area and prevent unsustainable development. The proposal is therefore wholly contrary to the Development Plan.

Flood Risk

The site is located in flood zone 2 which has a medium probability of fluvial flooding. Dwellinghouses are identified in the PPG as being development which is more vulnerable to flooding.

Policy CS3 of the Core Strategy explains that:

“Development in zones 2 and 3 of the Environment Agency Flood Map will only be permitted where it is demonstrated that it complies with the sequential test set out in the National Planning Policy Framework and associated technical guidance and, where applicable, the Exception Test.”

The Framework explains at paragraph 100 that development should pass a sequential test flood risk to people and property where possible and to manage any residual risk. Paragraph 101 explains the aim of the sequential test is:

“To steer new development to areas with the lowest probability of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The Strategic Flood Risk Assessment will provide the basis for applying this test. A sequential approach should be used in areas known to be at risk from any form of flooding”.

The area with the lowest probability of fluvial flood risk is flood zone 1. Thus, in the first instance, one should always seek to direct development thereto. This is confirmed by the North Somerset Council Strategic Flood Risk Assessment: Level 1 which states that:

“The aim of the Sequential test is to direct development to Flood Zone 1. Where there is no reasonable land available, development can then be considered in Flood Zone 2, and then Flood Zone 3, taking account of flood risk vulnerability where sites have to be placed in these higher risk areas.” (My emphasis)

It is somewhat surprising therefore that the applicant has not undertaken the Sequential Test. It is even more surprising that the Planning Statement states, contrary to national and local policy provision, that:

“The site lies in flood zone 2 and the sequential approach is not relevant in consideration of the application.”

Indeed, the exact opposite is true. As the site lies in flood zone 2, it is wholly necessary that the development proposal passes the sequential test. The onus is on the applicant to demonstrate that the proposal passes the sequential test, an obligation which has not been fulfilled here. Accordingly, the proposal fails to comply with Policy CS3 of the Core Strategy of the Framework

Nevertheless, even in the scenario that the applicant had made the appropriate submissions, it is highly unlikely that the sequential test would be passed. Policy CS3 of the Core Strategy advises that the search area for alternative sites will be North Somerset-wide unless:

- It can be demonstrated with evidence that there is a specific need within a specific area; or
- The site is located within the settlement boundaries of Weston, Clevedon, Nailsea and Portishead, where the area of search will be limited to the town within which the site is located.

Neither of the above applies here. It has not been demonstrated that there is a specific need in an area smaller than the district and the site is not within one of the four listed settlements. The appropriate catchment area is therefore 'North Somerset'.

A site is considered to be 'reasonably available' if it is within the agreed area of search, can accommodate the requirements of the proposed development and is:

- I. owned by the applicant;
- II. for sale at a fair market value; or
- III. is publicly-owned land that has been formally declared to be surplus and available for purchase by private treaty.

The applicant has not disclosed what other land they own whilst a quick search of local estate agent websites shows that there is a significant amount of land for sale which is in flood zone 1.

It is quite clear therefore that there is considerable potential for there to be reasonably available sites within the North Somerset district which have a lesser chance of flooding than the application site. Accordingly, the sequential test would be failed.

Other matters

Housing Land Supply

At points in the Planning Statement, the applicant alludes to the Framework's requirement that LPAs maintain a five year supply of housing land and the consequences of not doing so. At no point does the applicant contend or offer evidence that the Council's housing land supply is anything other than the 5.0 (20% buffer) – 5.7 years (5% buffer) set out in their most recent AMR. Accordingly, and on the evidence of this submission, it appears as though the Council have a five year supply of housing land and are 'continuing to boost the supply of housing' in accordance with paragraph 47 of the Framework.

The application of paragraph 14 is therefore quite straight forward in this instance and development should be determined in accordance with the development plan unless material considerations indicate otherwise. As has already been established, the proposal is in substantial conflict with the development whereby permission should be refused.

Noise

The site is immediately adjacent to the A370, a main road along which a significant volume of traffic passes. The A370 is therefore a noise source which has potential to significantly impact on residential amenity. The application is not accompanied by a noise survey.

There is potential for some if not all of the site being undevelopable for reasons of insufficient residential amenity. Whilst precise layout and design are reserved matters, given the potential impact on the developable area of land, it is highly likely that the site would be unable to accommodate the quantum of development proposed. Without a noise survey the scheme is contrary to Policy CS3.

Highway Safety

The scheme doesn't appear to be accompanied by a Transport Assessment which is essential for a scheme of this size to show that highway safety has been fully considered. Indeed the Council's supplementary guidance advises that a Transport Assessment is required for large residential schemes providing more than 80 dwellings. This is a particularly relevant provision in this instance given that the scheme proposes access directly off an 'A' road. Without such an undertaking, it is not possible to find that the development proposal wouldn't severely impact on highway safety, contrary to the provisions of the Framework and Policy DM24 of the Development Management Policies document.

Conclusion

It is demonstrated that the development proposal is contrary to the provisions of the Development Plan and the National Planning Policy Framework on the basis that:

1. **The principle of development is contrary to the spatial strategy set out in the Core Strategy.** This would result in very significant environmental harm given the inherent propensity for unsustainable travel and the impact on the character and appearance of the village-scape and the surrounding countryside. The proposal would also cause social harm in so much as it would entirely undermine the plan-led system and the public's confidence therein as is quite evident from the extent of local opposition to the scheme.
2. **It has not been demonstrated that the scheme is located as to minimise flood risk.** The Framework and the Core Strategy provide a clear hierarchical preference for development to be located in flood zone 1 which has the least chance of flooding. The proposal is in flood zone 2 whereby the sequential test must be passed to demonstrate that the scheme could not be accommodated elsewhere. The applicant has failed to undertake the sequential test or to provide sufficient information to allow the test to be undertaken. The development proposal is therefore contrary to flood risk advice in both local and national policy.
3. **It has not been demonstrated that the scheme would not severely harm highway safety.** The application does not appear to be accompanied by a transport assessment. This is contrary to the provisions of the Council's supplementary guidance which requires one where a development would provide more than 80 units. Even if it was argued this is an arbitrary threshold, a Transport

Assessment would certainly be necessary in this instance to demonstrate that traffic associated with 200 dwellings and commercial development could egress onto the 'A' category road safely.

4. **It has not been demonstrated that the scheme would provide acceptable levels of residential amenity.** The scheme fronts onto the A370, a main road with a significant volume of traffic. It is highly likely that the noise associated with the traffic would result in some of the site being undevelopable which may reduce the sites capacity to a level significantly below the 200 units proposed here. A noise survey would be required to assess this matter.

For these reasons, the scheme is contrary to the Development Plan which, on the evidence available, remains up to date, as well as the provisions of the Framework. There are no other material considerations which would outweigh this substantial conflict. Section 38(6) of the Planning and Compulsory Purchase Act (2004) therefore requires that planning permission is refused. It is politely requested that the Council agrees and resolves to refuse planning permission.

I trust that the above is useful to you but please let me know if you need any more information.

Yours sincerely,



Matt Tompkins
Hunter Page Planning