

DELEGATED REPORT

Application No:	23/P/1437/EA2	Target date:	11.08.2023
Case officer:	Emma Hawthorne	Extended date:	23.08.2023
Proposal:	Request for a formal scoping opinion to determine the scope of an Environmental Impact Assessment for a proposed development of up to 515no. dwellings, vehicular access, bus/emergency link, community hub, primary school expansion land, public open space, landscaping and associated works on land at Grove Farm, Backwell THIS IS NOT A PLANNING APPLICATION		
Site address:	Land At Grove Farm, West Town Road, Backwell, North Somerset		

EIA SCOPING OPINION

Classification and the need for screening

Environmental Impact Assessment (EIA) is an iterative process that attempts to ensure that any significant effects on a range of environmental issues that might result from a particular development are fully understood and taken into account prior to any planning decision being taken.

Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 forms the basis for the scoping procedure, 'a person who is minded make an EIA application may ask the relevant planning authority to state in writing their opinion as to the scope and level of detail of the information to be provided in the environmental statement (a "scoping opinion").'

EIA Scoping attempts to identify all of the possible environmental impacts that a development project might cause. The Local Planning Authority's role is through consultation with others, to set out what it considers the main effects of the development are likely to be and determine which of those effects are likely to be significant. Once these aspects are identified, these potential impacts should be investigated, and the assessment reported within the applicant's Environmental Statement (ES). Where the potential for significant environmental effects have been identified as part of a scoping exercise, the ES should propose mitigation and monitoring measures.

The effects of the proposal on a range of environmental factors should be assessed in terms of the characteristic (adverse, beneficial, neutral, direct, indirect, cumulative), scale (international, national, regional, district, local) and significance (long-term, short-term, irreversible, reversible, major, minor) together with their timing (reconstruction, construction, operation/occupation, decommissioning, restoration).

In accordance with Regulation 25 of the Environmental Impact Assessment Regulations, the issuing of a Scoping Opinion does not prohibit the Local Planning Authority from requesting additional information, if it is considered necessary in connection with the ES submitted with an application or the application itself.

Background

A request for a formal scoping opinion for the above proposal was received on 7th July 2022. This scoping report was accompanied by:

- Site location plan
- Cover Letter
- Scoping Report

The associated proposed development is for up to 515 dwellings, vehicular access from the A370 West Town Road, a separate bus link/emergency access to the North, a community hub, land for expansion of the adjoining primary school, strategic landscaping, open space and associated works, together with on and off-site ecological mitigation and enhancement. The applicant has concluded that the location, scale and nature of the development means there is potential for significant effects on the environment, and therefore considers it to be EIA development.

As set out in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended), Regulation 2(1), the proposal falls within Schedule 2, column 1 part 10 (Infrastructure projects) (b) Urban development projects, and the exceeds the thresholds in column 2 as (i) the site area exceeds 1 ha; (ii) the proposed development is for more than 150 dwellings and (iii) the overall area exceeds 5 ha's.

Information for inclusion in Environmental Statements

Schedule 4 along with Regulation 18 (3) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – location, physical characteristics and land-use requirements during construction and operational phases
- A description of main characteristics of operational phase, for instance energy demand and energy used, nature and quantity of materials and natural resources uses
- An estimation of expected residues and emissions (water, air and subsoil pollution, noise, vibration, light, heat, radiation, and construction waste) resulting from the operation of the proposed development

- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the current state of the environment (baseline scenario)
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity, land, soil, water, air, climate, material assets, cultural heritage, and landscape
- A description of the likely significant effects of the development on the environment resulting from – construction and where relevant demolition, use of natural resources, emissions of pollutants, risks to human health, cultural heritage (due to accidents or disasters), cumulation of effects with other projects, impact of the project on climate, technologies and substances used
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information
- A description of the forecasting methods used to identify significant effects
- A description of measures envisaged to avoid, prevent, reduce or if possible, offset any identified significant adverse effects
- A non-technical summary of the information.

Further guidance is set out in Planning Practice Guidance on environmental impact assessment.

Consultation

In accordance with [Regulation 15 \(4\)](#) of the EIA Regulations: ‘An authority must not adopt a scoping opinion in response to a request under paragraph (1) until it has consulted the consultation bodies.’

The EIA scoping report has therefore been subject to consultation, including consultation with statutory and non-statutory organisations, various teams /officers within the LPA and notified on the LPA’s Website.

Responses have been received from Historic England, Natural England, National Highways, Bristol Airport and Network Rail. This report also contains advice from the Council’s Economic Development, Archaeology, Heritage, Ecology, Environmental Protection, Highways and Transport, Landscape Officer, Flood Risk and Drainage, Trees and Public Rights of Way Team. This report contains specific information relating to the requirements of the Environmental Statement.

Full detail of the advice received should be taken from the full consultation submission. Any consultation responses received after the delivery of the Scoping Opinion will be made available on the LPA’s website and forwarded to the Applicant. The Applicant should also give appropriate consideration to those comments in carrying out the EIA.

Summary of comments received on the Scoping Report

Bristol Airport

As regards the project, the main concern will be the creation of wetland areas and any areas of water retention such as ponds, lakes, reed beds as part of any flood relief

schemes and also recreational use. In this area there is a significant amount of existing bird activity due to Backwell Lake which may increase the potential for additional overflights of Bristol Airport. The applicant will have to demonstrate that the project will not increase the Bird strike risk to Bristol airport through an appropriate aviation Ornithological based study, if there are going to be wetland areas or water retention areas created.

In relation to Solar, any PV facing south could possibly have an impact on the 09 approach as they come down the ILS but only if there were to be any large arrays included in or in association with the development. If the plans include a significant solar array, a Glint and Glare assessment would be expected to be provided.

Coal Authority

The site location plan has been checked against the coal mining information and it can be confirmed that whilst the site falls within the coalfield, it is located outside the Development High Risk Area as defined by the Coal Authority. On this basis the Planning team at the Coal Authority have no comments to make.

Historic England

This development could, potentially, have an impact upon a number of designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Our initial assessment shows the attached list of designated heritage assets within 1km of the proposed development. We would draw your attention, in particular, to the following:

- Backwell West Town Conservation Area;
- Chelvey Conservation Area;
- Church of St Bridget, Chelvey (NHLE 1129822), Grade I listed;
- The Grove farmhouse (NHLE 1129809), a Grade II listed;
- The Manor House (NHLE 1129808), Grade II listed;
- Slight univallate hillfort east of Brockley Cottage (NHLE 1007909), scheduled monument.

While some distance from the site, the Environmental Statement should also consider the Grade II* Registered Park and Garden at Tyntesfield, which relies on views South from the park as 'borrowed' landscape.

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to

the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk <<http://www.heritagegateway.org.uk>>) and relevant local authority staff.

We would strongly recommend that you involve the Conservation Officer and the archaeological staff at North Somerset Council in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to *in situ* decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

National Highways

The proposals comprise the development of a c.54.6ha site for up to 515no. dwellings, vehicular access, bus/emergency link, community hub, primary school expansion land, public open space, landscaping and associated works. The proposed highway access to the site is from the local road network (West Town Road (A370)). The site currently consists of agricultural uses.

The Site is located approximately 7.4km to the southwest of M5 J19 and 6.3km to the southeast of M5 J20. The Site is located partially within the existing and extended Green Belt. The site is not allocated for development in the adopted Local Plan. National Highways understands that the most recent stage of the emerging North Somerset Local Plan 2039 proposed to allocate the site for c.600no. dwellings, including the adjoining Rodney Road site which has planning permission for 60 dwellings.

National Highways is aware of a number of sites for major development in the Nailsea and Backwell areas at various stages in the planning process. Some of those sites are also potential site allocations in the emerging North Somerset Local Plan 2039.

Our comments relate to matters arising from our responsibilities to manage and maintain the safe operation of the strategic road network (SRN), in this case focusing on the M5 motorway, and specifically M5 Junctions 19 and 20.

The response below considers the Environmental Impact Assessment Scoping Report prepared by Pegasus dated July 2023 on behalf of Taylor Wimpey. The report advises that the Environmental Statement will consider 'Transport and Access' with regards to the local highway network, however National Highways requires that the SRN is also considered. We request that a Transport Assessment, Travel Plan and Construction Traffic Management Plan are prepared.

National Highways would advise the applicant and North Somerset Council to engage with National Highways in pre-application discussions. We will then be able to provide an agreement of scope with regards to the requirements of a TA. The TA would then inform the subsequent Environmental Statement chapter.

North Somerset's adopted development plan documents cover the period to 2026. When adopted, the North Somerset 'Local Plan 2039' will replace the existing development plan. National Highways have been consulted on the Preferred Options Draft of the North Somerset 'Local Plan 2039'. It is noted that the proposed site is tabled as an allocation within this plan. The 'Local Plan 2039' is yet to be adopted and National Highways are still in the process of agreeing the transport evidence base. Should a planning application come forward ahead of an agreed Local Plan evidence base, relevant cumulative impact assessments will be required to be undertaken to assess the impact on the SRN.

As the site does not border National Highways operational estate, there will not be any direct impact on National Highways assets on the M5.

Comments set out herein are provided without prejudice to any future recommendations or advice which may be sought in response to the submission of further technical information or a planning application.

General aspects to be addressed

- An assessment of transport-related impacts of the proposal should be carried out and reported as described in the Department of Levelling Up, Housing and Communities planning practice guidance on '*Travel Plans, Transport Assessments and Statements in decision-taking*'.
- The TA should consider the traffic impact through both the construction and operational phases of development. The assessment years should align with the requirements set out in Paragraph 50 of the DfT Circular 01/2022.
- Environmental impacts arising from any disruption during construction, including traffic volume, composition or routing change and transport infrastructure modification, should be fully assessed and reported, along with the environmental impact of the road network upon the development itself.
- Adverse changes to noise and air quality should be considered, including in relation to compliance with the European air quality Limit Values and/or Local Authority designated Air Quality Management Areas (AQMAs) and World Health Organisation (WHO) criteria.
- Development must not lead to any surface water flooding on the SRN carriageway.
- No new connections are permitted to National Highways' drainage network. In the case of an existing 'permitted' connection, this can only be retained if there is no land use change.

Location specific considerations

- The TA should consider the impact of the development on the operation of the SRN, in line with national planning practice guidance and DfT Circular 01/2022. Where the proposals would result in severe congestion or an unacceptable safety impact, necessary infrastructure/mitigation will be required in line with current policy. The assessment should consider the development and cumulative impact on the safety and operation of M5 Junctions 19 and 20, as appropriate.
- The transport impacts of the proposed development should be assessed cumulatively with other sites. We will require the applicant to agree an appropriate list of development sites, including committed development in the area, with North Somerset Council and National Highways. The approach taken to committed developments should align with Paragraphs 48 and 49 (and footnote 21) of the DfT Circular. National Highways will require sensitivity tests to understand the impacts of the proposed development in combination with draft site allocations proposed in the emerging local plan.
- Should the applicant wish to use the North Somerset Strategic Model (NSSM) and/or WERTM to derive baseline traffic flows, fully auditable information should be provided, to enable the suitability of the traffic forecasting to be established for the proposals being considered. This should include details of the how the forecast flows have been validated.
- The 'Transport and Access' chapter of the Environmental Statement should follow EIA guidelines in terms of identifying traffic impacts and any necessary infrastructure requirements on the SRN. National Highways will also refer to DfT Circular 01/2022 whereby the applicant is required to demonstrate individual and cumulative traffic flow impacts of the development. Junction modelling may be required to inform the TA, if the trip rate and trip distribution analysis shows a potentially severe impact on the safety or operation of the SRN.
- The traffic impact should be considered through both the construction and operational phases of development. Construction issues will need to be addressed as part of a detailed Construction Traffic Management Plan.

These comments are only advisory, as the responsibility for determining the requirement for the scope and form of any EIA Report rests with the Local Planning Authority, and they imply no pre-determined view as to the acceptability of the proposed development in traffic, environmental or highway terms. However, we welcome further engagement with the developer in the scoping of the necessary TA for this site and the approach to identifying the necessary broader transport strategy.

Natural England

General Principles

Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

Further guidance is set out in Planning Practice Guidance on environmental assessment and natural environment.

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a) existing completed projects;
- b) approved but uncompleted projects;
- c) ongoing activities;

- d) plans or projects for which an application has been made and which are under consideration by the consenting authorities; and

- e) plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Environmental Data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal. Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The National Planning Policy Framework (paragraphs 174-175 and 179-182) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the natural environment.

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a duty to have regard to conserving biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available here - <https://www.gov.uk/guidance/complying-with-the-biodiversity-duty>.

International and European sites

The development site is within or may impact on the following **European/internationally designated nature conservation site(s)**:

- North Mendip Bats SAC

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>

The ES should thoroughly assess the potential for the proposal to affect nationally and internationally designated sites of nature conservation importance, including marine sites where relevant. European sites (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (the 'Habitats Regulations'). In addition paragraph 181 of the National Planning Policy Framework (NPPF) requires that potential SPAs, possible SAC, listed or proposed Ramsar sites, and any site identified or required as compensatory measures for adverse effects on habitat (European) sites, potential SPAs, possible SACs and listed or proposed Ramsar sites have the same protection as classified sites (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF). Under Regulation 63 of the Habitats Regulations, an appropriate assessment must be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically.

Should a likely significant effect on a European/Internationally designated site be identified (either alone or in-combination) or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an appropriate assessment in addition to the consideration of impacts through the EIA process. Further guidance is set out in Planning Practice Guidance on appropriate assessment <https://www.gov.uk/guidance/appropriate-assessment>.

This should also take into account any agreed strategic mitigation solution that may be being developed or implemented in the area to address recreational disturbance, nutrients, or other impacts.

Nationally designated sites

The development site is within or may impact on the following **Site of Special Scientific Interest**:

- Brockley Hall Stables SSSI
- King's Wood & Urchin Wood SSSI

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 180 of the NPPF. Further information on the SSSI and its special interest features can be found at www.magic.gov.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal - <https://naturalengland-defra.opendata.arcgis.com/datasets/sssi-impact-risk-zones-england/explore>.

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

Designated nature conservation sites

The proposal is unlikely to adversely impact any European or internationally designated nature conservation sites (including 'habitats sites' under the NPPF) or nationally designated sites (Sites of Special Scientific Interest, National Nature Reserves or Marine Conservation Zones).

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 174 and 175). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System* - <https://www.gov.uk/government/publications/biodiversity-and-geological-conservation-circular-06-2005>.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included

as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation licence for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A DLL scheme for GCN may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate licence or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here - <https://jncc.gov.uk/our-work/uk-bap-priority-habitats>. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here - <https://www.buglife.org.uk/resources/habitat-hub/brownfield-hub/>.

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient woodland, ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Natural England maintains the Ancient Woodland Inventory which can help identify ancient woodland. The wood pasture and parkland inventory sets out information on wood pasture and parkland.

The ancient tree inventory provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.

Biodiversity net gain

Paragraph 174 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

The ES should use an appropriate biodiversity metric such as Biodiversity Metric 3.0 together with ecological advice to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both. On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

Landscape

Landscape and visual impacts

The environmental assessment should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The ES should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies - <https://www.gov.uk/guidance/landscape-and-seascape-character-assessment>. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in *Guidelines for Landscape and Visual Impact Assessment 2013* (3rd edition) produced by the Landscape Institute and the Institute of Environmental Assessment and Management. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the National Design Guide and National Model Design Code. The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 100. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered in line with paragraphs 174 and 175 of the NPPF. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land - <https://www.gov.uk/government/publications/agricultural-land-assess-proposals-for-development/guide-to-assessing-development-proposals-on-agricultural-land#surveys-to-support-your-decision>.

As set out in paragraph 211 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (ES):

- The degree to which soils would be disturbed or damaged as part of the development
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any best and most versatile (BMV) agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).

- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg) [1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scail.ceh.ac.uk/>
- Ammonia assessment for agricultural development
<https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions
<https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>

- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels. Further information can be obtained from the Local Planning Authority.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the Committee on Climate Change's (CCC) Independent Assessment of UK Climate Risk, the National Adaptation Programme (NAP), the Climate Change Impacts Report Cards (biodiversity, infrastructure, water etc.) and the UKCP18 climate projections.

The Natural England and RSPB Climate Change Adaptation Manual (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's Nature Networks Evidence Handbook (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's Carbon Storage and Sequestration by Habitat report (2021) and the British Ecological Society's nature-based solutions report (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.

Network Rail

Network Rail is a statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts.

The proposed development of 515 dwellings including a community hub, primary school, expansion of land and public open space will significantly impact on Grant Mills footpath LC with the proposed development undoubtedly changing the nature of the usage and therefore Network Rail would likely object to any application that comes forward.

The route over the level crossing is a PROW (LA13/26/40) which not only serves the proposed development but also several existing routes and will lead to a substantial increase in foot traffic over the crossing. It is therefore our Level Crossing Managers professional opinion that the development will need to include funding for the closure of the crossing via diversion or other means of mitigation such as a footbridge to suitably mitigate the additional risk the development will generate.

The Environmental Statement will therefore need to assess the Level Crossing through a submitted Transport Assessment and make suggestions for appropriate mitigation measures.

Any development of land which would result in a material increase or significant change in the character of traffic using rail crossings should be refused unless, in consultation with Network Rail, it can either be demonstrated that they safety will not be compromised, or where safety is compromised serious mitigation measures would be incorporated to prevent any increased safety risk as a requirement of any permission.

North Somerset Council:

Archaeology and Heritage

This proposal meets the requirements in terms of archaeology and heritage for an EIA. The scoping report covers what Officers would expect to see included.

Further work will be required when the proposal reaches the application stage, particularly geophysical survey and possible targeted archaeological evaluation, plus a detailed settings assessment for the listed buildings, conservation areas and the non-designated heritage assets.

Ecology

The inclusion of ecological impacts as a key topic area for the Environmental Statement is welcomed. The scope of ecological surveys and approach to an environmental/ecological impact assessment is generally acceptable. Comments made by Natural England should be addressed. Given the sites location in relation to the North Somerset and Mendip Bats SAC and its Bat Consultation Zones the development will require assessment under the Habitat Regulations. Evidence to support the conclusion of no significant impacts on horseshoe bat populations linked to the SAC will need to be clearly demonstrated *beyond reasonable scientific doubt* with any submission to inform a Habitats Regulations Assessment as well as the Environmental Statement, cumulative impacts of other plans and proposals will also need to be thoroughly considered. The submission of a shadow HRA would be welcomed.

The scoping report indicates an updated habitat survey in June 2023 assessed no significant changes in habitat structure therefore the suggested mitigation measures for protected species based on previous survey efforts are considered to still be relevant. An updated walkover assessment would be expected to inform any significant changes in material consideration at reserved matters stage. Table 6.18 indicated further advice is sought in relation to Great Crested Newts and District Level Licencing options, this advice will be provided separately.

Impacts during the construction phase and operation such as disturbance, recreational impacts and light spill will need to be thoroughly and clearly assessed in an Environmental Statement. Details of the mitigation measures will also need to be provided although the mitigation hierarchy must be followed. It is imperative that impacts are avoided in the first instance, or minimised if this is not possible, before mitigation is considered. Note that impacts without mitigation and with mitigation both need to be considered in accordance with the *People over Wind* judgement in relation to impacts on functionally-linked habitat for Special Areas of Conservation (SAC) and associated wildlife populations. It is essential that the most ecologically valuable features and functional linking habitats are retained in key locations within and around the boundaries of the site.

Use of the calculations for replacement bat habitat (Habitat Evaluation Procedure (HEP)) in accordance with the NSC bat SPD is welcomed. The ES will need to evidence the calculations to demonstrate sufficient bat habitat will be provided resulting in no net loss of horseshoe bat habitat. A robust approach to this mitigation including the location(s) should be clearly marked and detailed for any on or off-site mitigation required that would be accessible to horseshoe bats and should be counted outside of residential gardens. These calculations would inform the conclusion of the HRA.

Details of any lighting proposals to demonstrate that there will not be significant impacts or displacement from habitats suitable for horseshoe bat populations linked to the North Somerset and Mendip Bats SAC should be factored in. The Lighting Strategy should be designed to include dark corridors along key bat flight paths and robust buffer widths

would be expected along these dark corridors. A lighting plan should include a lux contour plan to demonstrate light spill below 0.5 lux for retained/created horseshoe bat habitat.

The scoping report also indicates a UK Habitat Classification and condition assessment was undertaken for the application site and an area for off-site mitigation relating to biodiversity net gain. This is welcomed however appropriate HEP calculations will need to be provided for the off-site location in line with the SPD, DEFRA BNG metric should be in addition to any bat replacement habitat calculated areas cannot be double counted.

Economic Development

We understand that there is no policy contained within local planning policy for residential development outside of Weston-super-Mare to contribute towards employment opportunities and therefore there is nothing employment-related that needs to be contained within the EIA statement.

Education Partnerships

The Council is a commissioner of places and operates within a complex and changing children's services environment. Its aspiration is to secure 'local schools for local children' whereby all children and young people should be able to attend a local school that enables them to achieve their potential. This aspiration also covers the needs of pupils with Special Educational Needs and Disabilities (SEND). North Somerset Council (NSC) will look to allocate a place to its residents within the Council's area or at the closest establishment offering appropriate education to their home where possible. When determining the impact of new developments on facilities affecting the delivery of Children's Services, the demand from a new development for early years/children's/family centre facilities, primary, secondary, post-16, Special Education Needs and Disabilities, transport to school and youth facilities are considered. The Place Directorate oversees youth and transport to school claims and will respond separately.

In 2022, an independent review was commissioned to establish the accuracy of North Somerset Council's methodology for pupil projections. North Somerset Council's methodology is similar to that used by other LA's and it was considered we use appropriate source data. The methodology generates school projections which are then summed to planning areas (at which point housing child yield is added). School-led projecting is valued by schools but is complex, especially when adding major developments and adding new schools. The independent review found that the council's overall methodology is robust. Reception and Year 7 projections have generally been very accurate for 3 years forward, and Y7 has been accurate further into the future in areas with few developments (as this is easier to predict as the children have been born). After reviewing the historic projection accuracy, the review concluded that schools and decision makers should have confidence in future projections.

As housing development proposals are brought forward the Council wants to undertake detailed preparations for expansion / new schools / implications for existing schools using

local empirical evidence from completed housing and new schools since 2010. The main tool used to look at pupil projections from new housing developments is the 2021 North Somerset New Development Contributions Forecast.

2021 North Somerset New Development Developer Contributions Forecast

Notes:

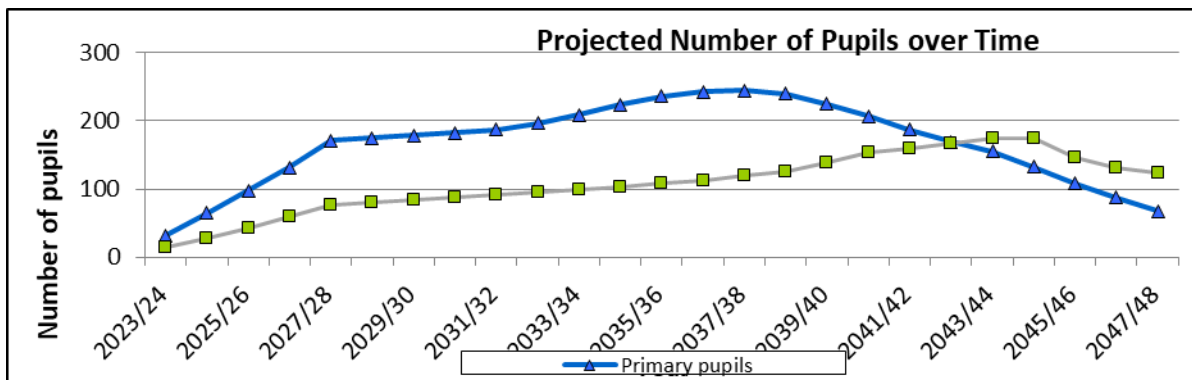
1. This model projects the number of primary and secondary school pupils that may live in a new development over time. The numbers will adjust depending on the number of properties and the time scale over which they are built. The model assumes that the pattern in the numbers and ages of children by house type, who previously and currently live in new North Somerset dwellings, will be the same in future developments, which is not necessarily the case.
2. The model uses pupil yield ratios for years 1-9 after a dwelling is completed, with a different ratio calculated for each year for each dwelling type. Separate ratios are used to calculate the number of Reception year pupils for years 1-9 after a dwelling is completed. The ratios are a 'line of best fit' or polynomial curve using North Somerset pupil and new development data, to smooth out fluctuations. From year 10, ratios calculated using 2011 Census data for areas in North Somerset with significant new development over the last 20 years are used to project the number of children who will be starting school each year. These feed into the model and work their way through primary and secondary school.
3. The model allows for transfer of primary pupils to secondary school.
4. The secondary figures are for years 7-11 only, not 6th form (an extra 2 years).
5. The numbers of dwellings entered into the yellow and orange cells will also update the Early Years Projection Model tab.
6. This model is subject to review and modification.

2021 North Somerset New Development Developer Contributions Forecast

Development Name	Land At Grove Farm West Town Road Backwell North Somerset 23/P/1437/EA2	
Number of dwellings	515	
Development start year	2023	
Number of years to build	5	
100% affordable scheme?	No	

Dwelling Type	% mix		No.dwellings based on % mix		No. dwellings if diff. to % mix	
	Market	Affordable	Market	Affordable	Market	Affordable
1 bed flat	8%	3%	41	15	40	15
2 bed flat	4%	2%	21	10	21	10
2 bed house	23%	10%	118	52	118	52
3 bed house	24%	10%	124	52	124	52
4 bed house	10%	5%	52	26	52	26
5 bed house	1%	0%	5	0	5	0
Total	70%	30%	361	155	360	155

At this stage no details have been submitted regarding the development mix. The standard mix has therefore been applied and this will need to be updated when the dwelling mix has been confirmed. An assumption on the development start date and number of years to build has also been made which will need to be updated to give more accurate data when known.



Projected numbers and ratios	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39	2039/40	2040/41	2041/42	2042/43	2043/44	2044/45	2045/46	2046/47	2047/48
No. primary pupils	32	64	98	132	171	175	179	183	187	196	209	224	236	243	244	240	225	207	187	169	155	132	108	88	67
Ratio per 100 dwellings	31.1	31.5	31.9	32.3	33.2	34.0	34.7	35.5	36.3	38.1	40.5	43.4	45.8	47.2	47.4	46.6	43.7	40.2	36.3	32.8	30.2	25.7	21.0	17.0	13.1
No. secondary pupils	14	28	43	59	77	81	85	88	92	96	100	103	108	113	119	126	139	153	160	167	174	175	146	130	124
Ratio per 100 dwellings	13.3	13.7	14.0	14.4	15.0	15.7	16.4	17.2	17.9	18.6	19.3	20.1	20.9	21.9	23.1	24.4	26.9	29.7	31.0	32.4	33.7	34.0	28.4	25.3	24.0
Projected Year R pupils	5	11	18	24	31	32	32	30	27	25	23	21	20	20	20	20	20	20	20	20	20	20	20	20	20

Projected number of pupils from the year after the development commenced that shows the most pupils who will require a school place at the same time		Year	Ratio per 100 dwellings
Primary	244	2037/38	47.4
Secondary	175	2044/45	34.0



This projection tool indicates the development will yield 244 primary aged pupils and 175 secondary aged pupils. As such a development of this size will require a 210-place primary school (with Early Years provision) to be provided by the developer to make it acceptable in planning terms.

The scoping request indicates that there is a provision for primary school expansion land but does not give any proposals regarding the expansion of the school. West Leigh Infant School has a Published Admission Number (PAN) of 60 and an overall capacity for 180 children. At the end of their infant-aged education children normally transfer from this school to Backwell Junior that has a PAN of 60 and an overall capacity for 240 (420-places combined). Both West Leigh Infant and Backwell Junior Schools are on constrained sites, and it will not be possible to expand these schools that cater for the village’s current residential housing to allow for additional children from the development site.

Backwell School, that supports pupils aged 11 – 19, is currently full and does not have enough capacity to cater for significant numbers of additional pupils generated by new housing developments. The [Education Provision in North Somerset - A Commissioning Strategy 2021-2024 \(n-somerset.gov.uk\)](https://www.n-somerset.gov.uk/education-provision-in-north-somerset-a-commissioning-strategy-2021-2024/) provides an option for creating extra secondary-place capacity across North Somerset with the opening of a 12th secondary school in or around the Yatton area. By creating a new school catchment and re-aligning some others, local places can be secured at existing schools whilst those who may currently travel to school may be able to walk to an alternative setting, thereby releasing spaces that will

need to be paid for from schemes such as this one and delivered elsewhere. The Council will expect significant capital contributions from developers in areas of residential growth where pupils will expect to attend a local school at the expense of those living further away. The developers will be asked to contribute to the cost of the new secondary school to facilitate the release of places for pupils from their development.

School Places and Projections for Backwell and Nailsea

Primary School Pupil Projections 2022-2026

Primary School Projections including housing gain.	School Places						Projected demand					Predicted empty places (negative values = shortfall, please also refer to 2021-2025 Year R Pupil Projections sheet)					
	Net Capacity	2022	2023	2024	2025	2026	2022	2023	2024	2025	2026	2022	2023	2024	2025	2026	
Backwell - Backwell Group																	
Backwell Church of England Junior School	Academy	240	240	240	240	240	235	230	220	209	191	5	10	20	31	49	
West Leigh Infant School	Academy	180	180	180	180	180	149	138	123	110	102	31	42	57	70	78	
Year R not specifically allocated (excluding new housing)							0	0	0	0	0	0	0	0	0	0	
Estimated Year R pupils from new housing							0	0	0	0	0	0	0	0	0	0	0
Estimated Years 1-6 pupils from new housing and previously unallocated YR							0	0	0	0	0	0	0	0	0	0	
Group total	0	420	420	420	420	420	384	368	343	319	293	36	52	77	101	127	

Secondary School Predicted Pupil Numbers 2022 – 2028 including and excluding housing gain, years 7-13

SECONDARY SCHOOL PREDICTED PUPIL NUMBERS 2022 - 2028															Predicted empty places (negative values = shortfall)							
Secondary School Projections shown including and excluding housing gain, years 7-13																						
School	Net Capacity	*2022 Places	*2023 Places	*2024 Places	*2025 Places	*2026 Places	*2027 Places	*2028 Places	2022	2023	2024	2025	2026	2027	2028	2022	2023	2024	2025	2026	2027	2028
Backwell School		1739	1739	1739	1739	1739	1739	1739	1713	1700	1704	1710	1710	1703	1665	26	39	35	29	29	36	74
Y7-11 pupils from new developments	Academy								0	6	9	10	11	11	13							
Backwell School Total (incl new developments)									1713	1706	1713	1720	1721	1714	1678	26	33	26	19	18	25	61

Current Class Numbers (24/07/2023)

Full		Cohort Numbers					
School	R	1	2	3	4	5	6
Backwell C of E Junior School				61/60	60/60	60/60	60/60
West Leigh Infant School	50/60	48/60	57/60				

Full		Cohort Numbers				
School		7	8	9	10	11
Backwell School		271/270	270/270	270/270	270/270	261/270

SEND

The North Somerset 0 – 19 population is estimated to be 47,767, children and young people. Based on sub-national population projections this number is expected to increase to over 49,122 children and young people by 2030 and to over 50,220 by 2040. We have around 18,452 primary-aged and 14,062 secondary-aged pupils on school rolls in the 2022/23 school year.

Of this school-aged population as of December 2022 1,797 pupils have an Education, Health and Care Plan (5.5%) and 3,485 (10.7%) require extra SEND support. These numbers have risen from the 534 pupils with an Education, Health and Care Plan 3,051 requiring extra SEND support in 2015. The rate of increase is predicted to be around a 6% increase year on year for the next 5 years.

In addition to creating new places for pupils in special schools the Council intends to secure 10–12 place Resource Bases attached to mainstream schools across the district to support pupils with autism; anxiety; moderate learning difficulties; and speech, language and communication needs in every school cluster town and to secure specialist space in existing mainstream schools to support early intervention strategies for those with emerging SEND needs. Developers will be expected to contribute to the needs of SEND pupils living within their development that will count for c 16% of the pupils living in new homes.

Based on the provision of 515 homes, there will be c 29 pupils with an EHCP and c54 pupils requiring SEND support. Using DfE data (in accordance with the current commissioning strategy), the Council would be looking to secure support towards the provision of SEND places of **£98,404** per pupil. The table below highlights the National and Regional cost per pupil as published in the [DfE score cards 29 June 2023](#). Current DfE guidance suggests regional data is used.

	New School - National Average cost per place (2022)⁶	Expansion - National Average cost per place (2022)⁶	Average National New & Expansion cost per place (2022)	Average Regional (SW) New & Expansion cost per place (2022)
Primary ¹	£23,192	19,425	£21,309	£21,522
Secondary ¹	£28,096	26,717	£27,407	£27,681
Early Years ²	£23,192	19,425	£21,309	£21,522
Ave SEND ³	£102,576	92,284	£97,430	£98,404

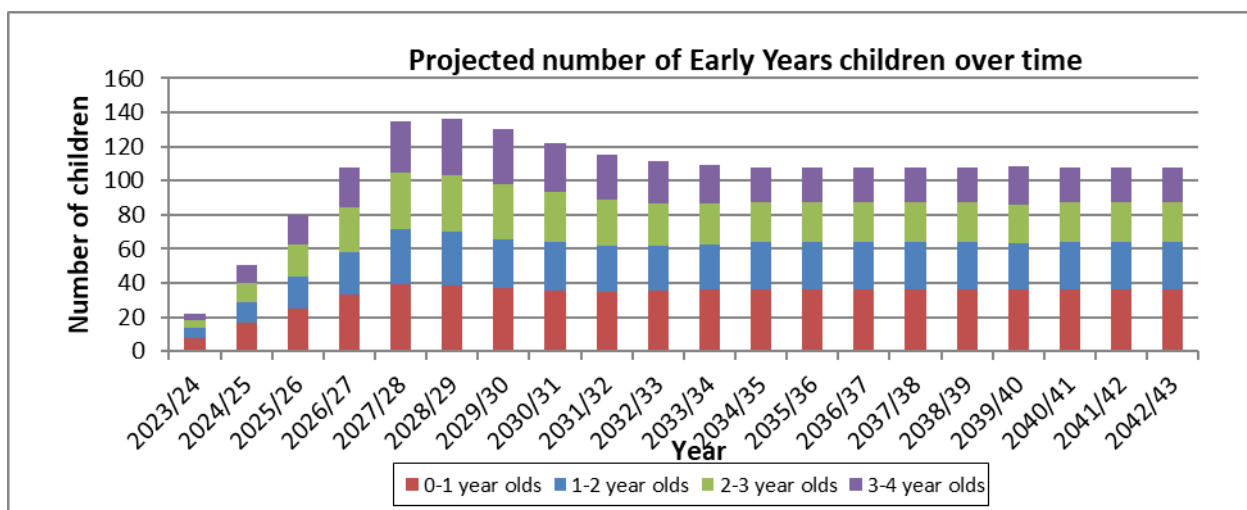
1 - updated as per 2022 score card published June 2023

2 – As per DfE guidance, the Primary costs per place are used

3 – As per DfE guidance, SEND cost per pupil is x4 primary/secondary data

Early Years

Based on the projected numbers of pupils living in this new development, we would expect the developer to include nursery provision for around 60 places for 2 – 4-year-old pupils attached to the 210-place primary school (Term Time Only) and to contribute to the increased availability of c 76 places at Private, Voluntary and Independent Sector nursery-place providers for the under 2s and 2 – 4- year - olds (All Year Round) at a cost of c **£21,522** per place.



Projected number of children by age	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	2033/34	2034/35	2035/36	2036/37	2037/38	2038/39	2039/40	2040/41	2041/42	2042/43
0-1	8	17	25	33	40	38	37	36	35	36	36	36	36	36	36	36	36	36	36	36
1-2	6	12	19	26	32	32	29	28	27	26	26	28	28	28	28	28	27	28	28	28
2-3	5	11	19	26	33	33	32	30	27	25	25	23	23	23	23	23	23	23	23	23
3-4	4	10	17	24	30	33	32	29	27	24	22	21	21	21	21	21	22	21	21	21
Total	22	51	80	108	135	136	131	122	115	111	109	108	108	108	108	108	108	108	108	108
Ratio	21.8	24.8	26.1	26.5	26.2	26.5	25.3	23.7	22.4	21.6	21.2	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0	21.0

Summary

In summary, North Somerset Council would seek the following CIL contributions:

	Places	Cost per place (based on regional average)	Total	
Primary	244	£21,522	£5,251,368	Plus land of 2.4ha*
Secondary	175	£27,681	£4,844,175	
Early Years	76	£21,522	£1,635,672	
SEND	29	£98,404	£2,853,716	
Total			£14,584,931	

*Based on DfE guidance August 2023, “When development proposals come forward on non-allocated sites that are large enough to justify a new school, it is equally important that sufficient suitable land is safeguarded for education, and you should advise local planning authorities of the education requirement as early in the planning process as possible, ensuring that education land required to serve the development is provided (freehold) at the appropriate time and at no cost to the local authority”.

Environmental Protection

The submitted report confirms that Noise & Vibration, Air Quality and Land Quality have been “Scoped In”. Therefore, there are no further comments to make at this stage.

Flood Risk Management Team

Constraints:

- The site lies within a Source Protection zone 1c ground water quality information will be needed this means any infiltration will have constraints;
- Part of the site has watercourses and ditches including the River Kenn;
- The site has several springs with flow paths; and
- Ponds along the railway line need safeguarding.

The site layout must respect the natural drainage pattern across the site. Flooding on the highway has been noted on several occasions, plus garden flooding in and around the school. Therefore, the location of springs and ditches on site must be established. Any ponds and the natural watercourses plus their flood plains need to be considered within the environmental impact statement, many of the watercourses on site have not been modelled therefore the flood plain locations are unknown. Springs must be monitored and safeguarded, and their flow paths considered. The EA areas susceptible to ground water flooding define the area as <25%.

Any open watercourses or ponds should remain open and the impacts of environmental change e.g. culverting sections for access should be assessed and minimised. It is not known if the invasive species penny wort has spread to this area therefore a survey is

required and the correct biosecurity will be required on site. There may also be water voles along the River Kenn. Watercourse banks form corridors of biodiversity these should be evaluated and enhanced to maintain the banks into the future a minimum of 5 metres should be allowed as is set out in our Biodiversity and Trees SPD (section 8.4).

For further advice on design and concepts - West of England Sustainable Drainage Developer Guide Section 1:

<http://www.n-somerset.gov.uk/wp-content/uploads/2015/12/West-of-England-sustainable-drainage-developer-guide.pdf>.

The surface water drainage proposals should provide the necessary flow attenuation and water quality benefits, How the surface water drainage features will be maintained needs to be included with the landscaping and SuDS maintenance. It should be noted that the drainage path is through the lowland moors and the SSSI therefore water quality is an important element of the drainage system.

Sustainable Drainage methods must be used together pollution treatment trains for the drainage with green field runoff rates for the discharge rate for the site. All new extensions and existing drainage must be considered holistically to ensure the combined system works without exacerbating flooding and early consultation with Wessex Water about a connection would be advisable.

There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively and that land owners upstream and downstream of the site are not adversely affected.

Highways and Transportation

Guidance on Transport Assessment:

Irrespective of whether this application is determined to require an EIA, Planning Practice Guidance (launched March 2014 by the Department for Communities and Local Government) states:

“Paragraph 32 of the National Planning Policy Framework (NPPF) sets out that all developments that generate significant amounts of transport movement should be supported by a Transport Statement or Transport Assessment.

Local planning authorities must make a judgement as to whether a development proposal would generate significant amounts of movement on a case by case basis (i.e. significance may be a lower threshold where road capacity is already stretched or a higher threshold for a development in an area of high public transport accessibility).”

In addition, Annex 2 of the NPPF outlines that a Transport Assessment (TA) is

“a comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking,

cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development”.

Development Proposals:

The applicant is to refer to Appendix A of the North Somerset Highways Development Design Guide (HDDG 2020) which outlines the types and sizes of development that trigger the need for a transport assessment or statement. Due to the size of the proposals, the HA consider a TA as appropriate to support any subsequent planning application.

The main issues (not exhaustive) to be considered in a TA are:

- The traffic generated (trip generation) by the operation of the proposed development once completed and occupied, and its impact on the surrounding highway network compared to its current conditions. Consider all types of vehicle movements anticipated resulting from the expansion from construction (including the temporary compound) through to operation of the site on the highway and on nearby network key junctions.
- Full details (including tracking) of the proposed junctions
- Separate Travel Plan for the approval of the Sustainable Travel and Road Safety Team (STARS).
- Plans must consider pedestrian and cyclist movements in the vicinity of the site.

Additional EIA Highways and Transport Requirements:

If an EIA is necessary to support the proposed application, the applicant is encouraged to pay due regard to parts 1 and 2 of schedule 4 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, Circular 02/99 Environmental Impact Assessment and Guidelines for the Environmental Assessment of Road Traffic (IEMA) in respect of the assessment of highway and traffic issues. These outline the additional transport assessment requirements required for an EIA and may include preparation of traffic data to support the assessment of road traffic noise or environmental pollution etc. It is strongly recommended that the regulations and guidelines are followed closely if a prompt and favourable highways recommendation is to be achieved.

Presentation of Transport and Traffic Assessments:

Should an EIA be required, the presentation of any construction traffic/transport assessment work can either form a transport chapter within the main EIA or form an Appendix with a summary chapter in the main body of the EIA.

Whilst H&TDM are not in a position to justify provision of an EIA based on the limited information provided at this stage, it is likely that the highways and transport impacts of the proposal can all be dealt with as part of a full planning application.

Landscape

The landscape and visual assessment is scoped in.

We have been advising Tyler Grange on this area for a number of years and agree with what they have stated in the report in relation to landscape.

No further comments.

Public Rights of Way Team

Numerous public footpaths criss-cross the application site and should be considered in the EIA and included in the Environmental Statement.

Trees

Policies CS4 and CS9 of the Core Strategy and Policy DM9 of the Sites and Policies plan Part 1 seek to protect trees as they can make a positive contribution to the character and biodiversity value of an area. As protected and non-protected trees & hedgerows will be affected, they should be retained as part of the development and protected against future adverse impacts and pressures upon their natural life span. Furthermore, the Residential Design Guide – Section 2 paragraph 3.6.2 outlines the council's guidance on trees. The British Standard BS5837:2012 which relates to the Design, Demolition and Construction in proximity to trees, provides guidance on design. Paragraph 5.2 and 5.3 advise works should allow adequate space for long term retention of trees and consider future maintenance.

In particular, section 5.2.4 states 'Particular care needed regarding the retention of large, mature, over mature or veteran trees (4.5.11). Where such trees are retained, adequate space should be allowed for their long-term physical retention and future maintenance.'

Conclusions

The above recommendations and comments set out the level of detail expected within each chapter of the Environmental Statement. In some cases, this highlights where there are likely to be omissions to meet the minimum requirements of an Environmental Statement. The Environmental Statement must contain the information specified in Schedule 4 and Regulation 18(3) and meet the requirements of regulation 18 (4) of the EIA Regulations 2017. The Environmental Statement should be proportionate and not be any longer than is necessary to assess properly those effects.

Signed: Emma Hawthorne

