

**NORTH SOMERSET SITES &  
ALLOCATIONS PLAN – INSPECTORATE  
EXAMINATION**

**REPRESENTATION ON BEHALF OF MR  
CHRISTOPHER SANDERS**

**IN RELATION TO**

**LAND AT THE WEST OF BRIDGE ROAD  
BLEADON  
(UNDER REFERENCE 14829195**

**TO BE HEARD ON THURSDAY 18<sup>TH</sup> MAY 2017  
UNDER MATTER 6 “OTHER MATTERS”)**

**SUTHERLAND PROPERTY  
& LEGAL SERVICES LTD**



**PLANNING & ARCHITECTURAL CONSULTANCY SERVICE**

The submissions made on behalf of Mr Sanders are in relation to land at Bleadon due to their proposed designation under the Site Allocations Plan as proposed “Strategic Open Space” and the failure of the LPA to consider a proposed mixed residential and community use at the Site.

Mr Sanders initial representations required consideration of points made within the above reference in relation to both housing and strategic green space allocations but Mr Sanders’ Representative withdrew from the Hearing sessions on these matters preferring instead to be heard in relation to matter 6; “Other Matters”. The Inspector is not able to accommodate the reinstatement of additional oral representations at Hearing in relation to these previously commented upon matters and accordingly, Mr Sanders makes the following comments in writing which the Inspector has stated she will consider.

**1. Re; Strategic Open Space designation – matter 6 (SA10)**

**- That the SAP as drafted is confusing**

In the S.A.P. there are several green space designations discussed in detail in relation to Policies SA8, SA9 and SA10 which deal with variously, designations as; “Local Green Space”, “Un-designated Green Space” and “Strategic Gaps”.

In addition, Policy is provided for Community Facilities under Policy SA10 in relation to allocation and safe guarding of “Relevant Community Uses” listed in Schedule 5. When one turns to Schedule 5, the relevant site is referred to as designated as “Strategic Open Space” and referred to as “Land at West of Bridge Road, Bleadon”.

Apparently, therefore there is a further designation of Strategic Open Space, not included in the previous three separate open space designations. This is overly complicated and means that it is difficult for community members to understand the designations or intentions behind them.

**- That the SAP as drafted is not evidenced in relation to need**

The comment made under schedule 5 in relation to the proposed designation as SOS is;

*“Carried over from Replacement Local Plan. Suitable for a Primary School if ever needed in the Village.”*

The Local Planning Authority are therefore stating that the designation of the land as “Strategic Open Space” is a designation carried over from the previous Local Plan (“the NSRLP”) and is for the allocation of the land for a school. This is incorrect and misleading. When you cross refer to the previous Local Plan, and consider Policy CF/4 (the Policy for planning and retaining community facilities) the site is listed thereunder as;

“POP1, Bleadon, West of Bridge Road, provision in Bleadon” and the comment made is;

*“Outdoor playing space incorporating playing pitches and children’s play area to meet identified under provision in Claverham.”*

Policy CF/4 is in relation to safeguarded sites for proposed cultural and community facilities and refers at sub-section ii, under the policy to the need to;

*“Safeguard for purpose identified in the schedule forming part of this Policy, the land shown on the Proposals Map as proposed Cultural and Community Facilities.”*

The land was therefore considered as a cultural or community facility (proposed) and specifically designated under the schedule to Policy CF/4 as “open space”. In the guidance to the policy at paragraph 11.46 it sets out clearly that the protection that CF/4 gives is based upon use rather than appearance and recognises that;

*“An assessment of needs will be undertaken to ascertain current shortfalls in open space provision as set out at 11.6.”*

When turning to 11.6 the paragraph is in relation to Developer contributions and the link between Developer contributions to meet the needs for open space and recreational facilities in association with forthcoming development. Reference is made to the need to *assess local recreational needs, identify efficiencies and ensure that provision is properly co-ordinated with other forms of development and land use policies*. However, it appears that no such needs assessment was carried out at this time and that at the very least, the designation of the land as “open space” at this time was considered to be necessary in order to provide for local play space. Unusually, it appears this relied on an undisclosed assessment of under provision of need in Claverham which is in no way connected to Bleadon. Of course, this could be an administrative error on behalf of the Local Authority within their previously adopted plan but in the absence of any disclosed evidence or information supporting the need for community facilities at the site, it is justified to criticise the Local Planning Authority for carrying over such a designation without any further consideration of the need and justification in support of the retention of the designation. Indeed, under Policy SA9 – Community Use Allocations within the proposed SAP at paragraph 4.55, it is clear that the Local Planning Authority recognise that land proposed for community use should only be reserved “where service providers have identified that a future need and suitable sites exist” and the land is not referred to.

If the LPA are saying that the proposed “strategic open space” designation of the site is to identify sites to meet open space needs, then there should be evidence of need. If the land doesn’t meet the definition of any other open space designations due to lack of any particular merit or value then it should not be designated as strategic open space.

If the LPA are saying that the site is required to deliver community facilities then it should be listed under SA9.

**- That the site cannot practically be realised**

When one refers to document reference CS/15 (the Local Planning Authority response to SA10 queries by the Inspector) the Inspector is advised by the Local Planning Authority that the land is allocated due to “shortfall of one pitch”, which is apparently based on 2011 population projections although no evidence is submitted in support of this statement. It is noted, and the Inspector is requested to consider the fact, that this allocation has been in place since 2007, the land is in private ownership and used for agricultural purposes and that any use of the land for a playing pitch would need to be agreed with the site owner and delivered in partnership with potential users (i.e. local primary or secondary schools requiring pitches).

As set out in the initial representations on behalf of Mr Sanders, such delivery has not occurred in the last 10 years despite the designation of the land and at present, there are no plans to bring forward such a scheme nor is it reasonable or likely that the site owner would simply hand the land over for such purposes.

As part of drafting the SAP, the Local Planning Authority have had to consider the sustainability of the settlement and in doing so have considered that some form of enabling development will be necessary in order to realise the Council's long-term aspirations. The Inspector will note from the points made above that it was considered under the NSRLP in 2006/2007 that it would be necessary for any use of the land to be developed for community purposes to be as part of the delivery of a larger scale development in that references within the policy to the designation are in association with Developer contributions.

Whilst Mr Sanders recognises the importance of protecting land in community use and preventing the loss of land in community use, this allocation has not been realised for in excess of 10 years and the current SAP does not allocate the land for any enabling purposes which would allow for the designation requirement to be met in the future. Accordingly, it cannot be reasonable for the site to retain its community use (proposed) classification where no evidence is provided in support of the need for the classification and no possibility of the classification being delivered has been identified.

- **That, despite reference in the Councils own response to the March 2016 draft SAP consultation to refer to the need for allocation for schools where new development is approved in the village, the LPA have not proposed nor considered such an allocation with limited and unclear reference to it in the excerpt of schedule 65 referred to above.**

The Local Planning Authority have not addressed within their further comments at CS15 and those within Mr Sanders representations the facts put forward by Mr Sanders' Consultant in relation to the appeals now approved for additional residential development within Bleadon. The creation of an additional 92 dwellings within the Village has now been granted at two separate sites. The Inspector's decision in relation to these schemes is of interest in that it determined that there is an evidenced lack of capacity for primary education, special needs and youth services within the area of the site and a contribution was necessary to mitigate the impacts of the development in accordance with Policy CS25 of the Core Strategy. Contributions towards local facilities in terms of the provision of open space were approved and at no time did the Local Planning Authority consider, nor request, the open space contributions meet the "identified need" for playing pitches in Bleadon.

A copy of the Section 106 request document from the Local Planning Authority in relation to the Section 106 provided as part of the approved development sets out that a pitches contribution is necessary and could be used towards the provision of artificial pitch provision in the nearby area to enable increased usage on pitches. It is then proposed by the Local Planning Authority that the closest main leisure facility to the site is located at Hutton Moor Leisure Centre within Weston-Super-Mare, not within the Village of Bleadon and therefore any contribution would be used to increase capacity at that site for the new residents. This demonstrates that the Local Planning Authority, even when in receipt of funds in relation to the development of pitches to meet the needs of the Bleadon area have not allocated the funds to the relevant identified site and instead have dedicated them to a site within Weston-Super-Mare rather than Bleadon Village.

The playing pitches contribution for the Wentworth Drive scheme is £31,620.00 which is in addition to the £45000.00 required in respect of sport and leisure facilities. On page 2 of the Local Planning Authority document, it sets out that the contributions will be used to increase the capacity and accessibility for new residents “within existing facilities” and justifies this on the basis that increasing capacity at those locations will provide the new residents with a local venue to attend to become involved in sport and leisure facilities. Clearly, it was not considered by the Local Planning Authority that it was appropriate to utilise the existing designation on the subject land, nor to investigate whether or not that land would be available for sale or development for these purposes and instead an assumption has been made that the funding for open space and pitches provision for new residents in Bleadon should be used within Hutton Moor in Weston-Super-Mare. Whereas the Local Planning Authority stated that Bleadon was not a sustainable site for further development, the Inspector disagreed. The Section 106 Agreement completed and approved by the Inspector in relation to the decision required the payment of;

*“£17403.00 for 50 dwellings or pro-rata the sum of £348.06 x the number of dwellings, whichever is the less, to enhance the pitch provision at Drove Road pitches, Weston-Super-Mare as well as a contribution to public open space in the sum of £20000.00 for a local equipped play space at Oldmixon in Weston-Super-Mare.”*

Given the continued protestations by the Local Planning Authority that this site should remain allocated for the delivery of pitches, why are they still considering the use of contributions made by developments within the Village towards public open space and playing pitch space should be used within Weston-Super-Mare?

In addition, the appeal against the refusal for up to 79 open market dwellings at Bleadon Hill was dismissed but the Inspector held that the Village was a sustainable position for the redevelopment for additional residential development and a second replacement application has been submitted to the Local Planning Authority in an attempt to overcome the previous determination. The proposed Section 106 request in relation to playing pitches made by the Local Planning Authority in relation to this scheme was for an off-site contribution of £24000.00 plus indexation. The Inspector is asked to note the following excerpt from the request document which was the Local Planning Authority justification in relation to the contribution which states as follows;

*“There are no playing pitches within Bleadon and the closest pitches are within the local Town and Villages which is where local people travel to play grass sports. The contribution would be used to increase the capacity of pitch facilities at Drove Road, by making improvements to the changing rooms to enable more teams to play at the site.”*

It is clear that the Local Planning Authority again considered the needs arising from the development in relation to Bleadon and the fact that pitches were required but again determined that rather than considering the allocated site it would be more appropriate to request financial contributions towards increasing facilities within Weston-Super-Mare which those community members within Bleadon would travel to.

The key point being made by reference to these applications is that the Local Planning Authority have no intention whatsoever to utilise this area of land for the provision of playing pitches to serve the Village of Bleadon. There have been ample opportunities over an

extended period of time to do so and at no time have they considered doing so, nor have they utilised any funds provided by development within Bleadon for open space and pitch provision within the Village.

It is therefore considered that the carry-over of the proposed allocation from the NSRLP in 2006 cannot be adequately justified and is not needed in association with the Village. In addition, no such development is going to come forward unless it is in partnership with an enabling development for which the site has not been allocated.

Finally, for some unknown reason, the proposed designation is for part of an area of a field in agricultural use. The designation does not correspond with field boundaries and we are unable to understand the basis for the proposed designation size or siting. No evidence was supplied for the 2007 adoption of the designation as open space in relation to size or siting either.

## **2. Village Sustainability – Bleadon assessment ( Matter 1)**

In LPA doc CS2, the LPA comments in relation to the Inspectors queries as to Bleadon sustainability that;

*Bleadon is an infill village and site allocations are a reflection of the classification as an infill village within the Core Strategy settlement hierarchy. When the assessment was carried out, it was judged that Bleadon did have fewer job opportunities. It should be noted that the information provided within the assessment was verified by Parish Councils and was subsequently subject to two rounds of public consultation. No previous comments were received with regards to Bleadon to warrant any re-assessment.*

We disagree with this statement and would refer the inspector to the fact that representations were made by R Burrows which significantly queried the LPA findings and which do not appear to have been considered or responded to. No evidence supporting the assessment is provided other than reference to having asked the PC to confirm assumptions made. On the contrary there is significant evidence from Mr Burrows and recent planning applications which do not support the LPA statement as to the sustainability of the Village. In addition, as set out above, the LPA have failed to consider the potential arising from already permitted schemes as to the revised needs and sustainability of the village.

It is noted that within the Sites Allocation Plan, the Local Planning Authority have failed to assess the site for residential redevelopment despite the representations made by Mr Sanders' representatives and accordingly, no evidence has been put to the Inspector by the Local Planning Authority in relation to why that site has not been designated for residential development in order to enable the delivery of the facilities allocated for the Village.

Yours

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