

DELEGATED REPORT

Application No:	21/P/3076/OUT	Target date:	03.02.2022
Case officer:	Jessica Smith	Extended date:	05.08.2022
Proposal:	Application for outline planning permission for the erection of up to 35no dwellings, allotments and associated access, parking, drainage infrastructure and landscaping, with new access off Weston Road for approval and appearance, layout, scale and landscaping reserved for subsequent approval.		
Site address:	Land To The South Of Warren Lane, North Of Weston Road, Long Ashton,		

SUMMARY OF MAIN ISSUES AND RECOMMENDATION

Planning History/Background – most recent applications

Reference	Proposal	Decision
20/P/1547/OUT	Application for outline planning permission for the erection of up to 35no dwellings, allotments and associated access, parking, drainage infrastructure and landscaping, with new access off Weston Road for approval and appearance, layout, scale and landscaping reserved for subsequent approval.	Refuse - 06/11/2020
19/P/2547/EA1	Request for a formal screening opinion as to whether an Environmental Impact Assessment is required to be submitted for the erection of 35no. dwellings with associated infrastructure including access onto Weston Road, parking, landscaping, drainage and allotments	EIA not required

Relevant Planning History – adjacent sites

Reference	Proposal	Decision
20/P/2145/FUL	3. no detached houses and demolition of double garage to construct private shared access driveway.	Approved - 31/03/2021
19/P/1045/FUL	4no. detached houses, with associated access driveway, bin store and landscaping	Appeal Dismissed

Affordable Housing / Monitoring Details

Solely affordable site proposing 35 affordable dwellings,

Social, affordable or intermediate rent

2 x 1 bed flat; 6 x 2 bed house ; 10 x 3 bed house ; 0 x 4 bed house

Affordable Home Ownership

2 x 1 bed flats; 4 x 2 bed house ; 9 x 3 bed house; 2 x 4 bed house

Policy Framework

The site is affected by the following constraints:

- Outside/ adjoining settlement boundary (Long Ashton)
- Within the Green Belt
- Within a Scheduled Ancient Monument (*Roman settlement, part of an associated field system and earlier Iron Age settlement remains at Gatcombe Farm*)
- In proximity to Listed Buildings/Assets Listed Milestone at the junction with Wildcountry Lane, Gatcombe Court and Gatcombe Farmhouse
- Within Consultation Zone C for North Somerset and Mendip Bats SAC
- Designated as best and most versatile Agricultural Land – Category 1
- Within aerodrome safeguard zones

The Development Plan

North Somerset Core Strategy (NSCS) (adopted January 2017)

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
CS1	Addressing climate change and carbon reduction
CS2	Delivering sustainable design and construction
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS6	North Somerset's Green Belt
CS9	Green infrastructure
CS10	Transport and movement
CS11	Parking
CS12	Achieving high quality design and place making
CS13	Scale of new housing
CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS16	Affordable housing
CS17	Rural exception schemes
CS27	Sport, recreation and community facilities
CS32	Service Villages
CS33	Smaller settlements and countryside

The Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016)

The following policies are particularly relevant to this proposal:

Policy	Policy heading
DM1	Flooding and drainage
DM2	Renewable and low carbon energy
DM6	Archaeology
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM12	Development within the Green Belt
DM19	Green infrastructure
DM24	Safety, traffic and provision of infrastructure, etc. associated with development
DM25	Public rights of way, pedestrian and cycle access
DM26	Travel plans
DM27	Bus accessibility criteria
DM28	Parking standards
DM32	High quality design and place making
DM34	Housing type and mix
DM36	Residential densities
DM48	Broadband
DM70	Development infrastructure
DM71	Development contributions, Community Infrastructure Levy and viability

The Long Ashton Neighbourhood Plan

The Long Ashton Neighbourhood Plan was formally 'made' by the council on 10 November 2015, at which point it became part of the statutory development plan.

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
LC6	Provision of allotments in new development (10+ dwellings)
ENV2	Protecting trees and woodland
ENV5	Conserving and enhancing wildlife, biodiversity and historic assets, including designated areas of local ecological and landscape value
ENV6	Protection against flooding
T1	Encouraging sustainable modes of transport
LHN1	Providing well designed energy efficient buildings and places
LHN2	Securing sympathetic village design in compliance with Village Design Statement
LHN3	Scale and type of new housing
LHN4	Provision of affordable housing for local people

Other material policy guidance

National Planning Policy Framework (NPPF) (February 2019)

The following is particularly relevant to this proposal:

Section No	Section heading
1	Introduction
2	Achieving Sustainable Development
4	Decision-taking
5	Delivering a sufficient supply of homes
8	Promoting healthy and safe communities
9	Promoting sustainable transport
11	Making effective use of land
12	Achieving well designed places
13	Protecting Green Belt Land
14	Meeting the challenge of climate change, flooding and coastal change
15	Conserving and enhancing the natural environment
16	Conserving and enhancing the historic environment

National Planning Policy Guidance (NPPG)
in particular guidance on the Historic Environment

Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- Residential Design Guide (RDG2) Section 2: Appearance and character of house extensions and alterations (adopted April 2014)
- North Somerset Parking Standards SPD (adopted November 2013)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (adopted March 2015)
- Travel Plans SPD (adopted November 2010)
- Affordable Housing SPD (adopted November 2013)
- Development contributions SPD (adopted January 2016)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)
- Accessible Housing Needs Assessment SPD (Adopted April 2018)

Consultation summary

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Long Ashton Parish Council

- Housing Needs Survey was undertaken by developer and not initiated by Parish Council who have not been permitted to see the results
- Proposal does not meet criteria to be classed as a rural exception site as not community led initiative

- Site is in the Green Belt and no exceptional circumstances that would allow the development apply to this scheme
- Site is outside the settlement boundary and was not included in the Neighbourhood Development Plan
- Site is part of a Scheduled Ancient Monument, and it appears the requirements of Historic England and the North Somerset Archaeologist have not been met
- Proposal would exacerbate existing problems caused by the volume of traffic on the main road
- Sites is good quality arable land

Historic England

- Historic England objects to the application
- Will cause harm to the highly designated heritage asset of *Roman Settlement, part of an associated field system and earlier Iron Age settlement remains at Gatcombe Farm* (Mon No. 22848, NHLE 1011978).
- Harm has been assessed to be less than substantial, when assessed against the whole monument.
- Within the development site the complete removal of all archaeological remains, which forms the main significance of the heritage asset, means the level of harm is substantial.
- Harm will need clear and convincing justification and substantial public benefits to outweigh the harm. It will be for the Local Authority to decide if there are sufficient public benefits, but there are no heritage benefits to this scheme.
- The level of harm caused to the highly designated heritage asset is contrary to the National Planning Policy Framework paragraphs 195, 199, 200, 201, 202 and 205.
- Recommend the application is refused due to the harm it would cause to the significance of a heritage asset of the highest importance.

Archaeology

- Impact of the proposals to the Scheduled Monument will result in less than substantial harm (which is concluded in the accompanying Historic Environment Desk-Based Assessment and is also the view held by Historic England), through the complete removal of nationally significant archaeological remains. The proposals also have the potential to adversely affect the setting of this designated heritage asset.
- Great weight should be given in the planning balance as to whether the public benefit of this proposal outweighs the loss of nationally significant archaeological remains, and clear justification will need to be provided by the applicant to demonstrate this. No heritage benefits will result as part of this scheme.
- Application is contrary to paragraphs 195, 199, 200, 201, 202 and 205 of the NPPF, Policy DM6 of the North Somerset Sites and Policies Plan and CS5 of the Core Strategy
- Recommend refusal based on the harm it would cause to the significance of this nationally significant heritage asset.

Council for British Archaeology

- Development in SAM requires exceptional circumstances not presented
- Previous reason for refusal relevant

- Harm to buried archaeology would be substantial and is not justified contrary to para 200 of the NPPF
- Fails to meet paras 199, 201 and 202 of NPPF
- Objection and application should be refused

NSC Ecologist

- Site is within Consultation Band C for North Somerset and Mendip Bats SAC
- More information required to clarify width of corridor and wildlife strip to be planted
- Details of internal and external light lux levels to be provided
- Conditions for works to be carried out in accordance with approved Construction and Environmental Management Plan
- Condition required to secure details of Landscape and Ecological Management Plan

Natural England

- No comment to make

Affordable Housing

- Welcome 100% affordable housing
- Tenure split should be 77% social rent, 23% shared ownership
- Affordable housing should provide a choice of housing types, having regard to the recommendations of the Strategic Housing Market Assessment (SHMA)

Housing Needs Officer

- High numbers of bids are made on affordable homes that become available in Long Ashton however it is not known where the bidders reside at time of making bids therefore it cannot be guaranteed these are Long Ashton Residents
- LPA makes use of the data supplied from the HomeChoice Register showing the existing level of need for residents living within Long Ashton as recorded on this register (January 2022)

Lives in Long Ashton parish, Wants Long Ashton ward

	Band					Grand Total
	Emergency	Band A	Band B	Band C	Band D	
Family	0	0	2	5	2	9
2	0	0	2	1	1	4
3	0	0	0	3	1	4
4+	0	0	0	1	0	1
Non-Family	0	0	4	4	3	11
1	0	0	2	2	3	7
2	0	0	1	1	0	2
3+	0	0	1	1	0	2
Sheltered	0	0	0	2	0	2
1	0	0	0	2	0	2
2	0	0	0	0	0	0
Grand Total	0	0	6	11	5	22

Property Type, non-family: flats and maisonettes

Property Type, family: houses and bungalows

Property Type, sheltered: properties for applicants aged 60+

Band A: Urgent need to move

Band B: Significant need to move

Band C: Housing need (non-urgent)

Band D: No housing need / adequately housed

Avon Fire & Rescue

- Request for contribution towards fire hydrant

Avon & Somerset Police

- No objection - comments on illustrative layout

Highways

- Highway officers have agreed that a suitable traffic calming scheme to mitigate original speed concerns at the proposed access can be submitted as a condition and delivered through S278.
- No development can commence until a suitable speed reduction scheme has been agreed by the local highway authority and implemented. This to be delivered through S278 and subject to a Road Safety Audit Stage 2

Trees

- Full Arboriculture report and tree protection plan required
- Need to be coupled with a landscaping and tree planting scheme suitable for such a development, with climate change in mind
- Problems shown in Illustrative layout plan of the Design and Access Statement, are the location of trees within/adjacent car parking areas and on the corners of sightlines. Residents do not like tree debris, honeydew and bird fouling on their cars.
- The footpath (construction type unknown though it is suggested that this is also to be suitable for cycling) running from the north of the site in a northerly direction to join Warren Lane runs directly through the anticipated Root Protection Area of the large mature tree (species not identified) and needs to be relocated to run to the west of the allotment area.
- The southern triangle of orchard may not be successful if planted so close to the mature retained tree. Installation of an allotment within the RPA of the same mature tree cannot be accepted as root damage is likely to occur. It is worth noting that with the constraint of Warren Lane to the north of the tree, an amended RPA will balloon into the site significantly.

Landscape

- Landscape Character is moderate, but the landscape sensitivity (to housing) is high, so the landscape scheme is a key consideration.
- Updated LVIA and the revised Site Plan from previous refusal submitted
- open space has been substantially increased to the west and now has the scope to deliver a sufficient buffer to the wider landscape.
- Properties on descending slope less apparent and set back with potential for tree planting to the front (should note that tree planting cannot be done over any water storage tanks or existing retained archaeology).
- The LVIA notes that residents of Warren Lane and users of PRow LA12/29/10 would experience moderate adverse visual effects, but planting will assist in mitigating these localised views.
- Remainder of visual effects will be minor adverse to negligible.

Green Infrastructure

- Green infrastructure requirements are:
 - 480m² open space
 - 960m² conservation site
 - Green corridors
 - 800m² woodland
 - Allotments or community garden
 - As previously noted there are enhanced GI and access opportunities as well.
 - It should be possible for the requirements to be delivered on site, subject to archaeological constraints

Flood Risk Management Team

- The revised surface water drainage strategy is not supported
- Water quality has not been fully addressed. The filter drain that provides a level of treatment prior to entering the underground storage tanks does not provide sufficient treatment of Total Suspended Solids for the estate road that is discharging into the tank. The length of filter drain is also not long enough to provide the effective treatment required.
- The use of geocellular tanks is not supported where there is space to manage the water on the surface.

Neighbours' views

The principal planning points made are as follows:

In Support (0)

In Objection (48)

- Applied soon after last refusal once again on site
- Virtually identical proposal to 2020 refusal with minor changes to appeal more appealing
- Contrary to Development Plan policy, Neighbourhood Development Plan and Principles for local development in Long Ashton
- Concerns over methodology used for Housing Needs Survey and the way in which the survey was carried out by developers and not the Parish Council
- Land is designated as Green Belt and development is therefore inappropriate

- Precursor to further ribbon development and future extension of development at this site if approved
- Site is outside village boundary and not infill development
- Site is not in Village Plan
- Alternative sites brownfield are available to develop
- Any additional development should not lengthen Long Ashton further
- Scale of proposal is out of proportion
- Other housing sites have recently come forward in Long Ashton and nearby settlements
- Site is not designated for development in Long Ashton Neighbourhood Plan
- Site is part of a designated Scheduled Ancient Monument
- Harm to the archaeological remains which are part of the significance of the Scheduled Ancient Monument and public information about the findings does not mitigate loss
- Trial trenches did not cover whole site only small area
- Site is good arable farmland and should be retained for agriculture
- Impacts on ecology
- Loss of green space and views of site
- Proposed 5m wildlife corridor is insufficient
- Impacts of flooding
- Impacts on landscape
- Viability issues for affordable housing and should be anon profit organisation putting forward
- Visual impact of proposal as gateway to village
- Cramped and modern development that is out of keeping with existing village character
- Encroaching on countryside
- Increase in traffic exacerbating existing main road congestion particularly with large construction vehicles
- Dangerous site access where speeds are high causing danger to all road users
- Restricted flow of traffic from bus stop
- Proposal will create noise and pollution and will be a less pleasant environment
- Impacts on residents in Warren Lane/Warren Close
- Impacts on neighbouring flower business
- Sequential approach not taken as 35 affordable homes can be delivered on several smaller sites in village
- Unwanted development by the community and not supported by consultees
- Strain on existing community facilities and amenities with no attempt to make contributions towards shortcomings or provide material benefit to community
- No school proposed to accommodate children form proposed development

Conclusions

The principle of development

The site lies adjacent to Long Ashton's settlement boundary, on land designated as Green Belt, and within the boundary of a Scheduled Monument.

The proposal follows a previously refused planning application 20/P/1547/OUT for outline planning permission for the erection of up to 35no dwellings, allotments and associated access, parking, drainage infrastructure and landscaping, with new access off Weston

Road for approval and appearance, layout, scale and landscaping reserved for subsequent approval. The current application proposes outline planning permission for the erection of up to 35no dwellings, allotments and associated access, parking, drainage infrastructure and landscaping, with new access off Weston Road for approval and appearance, layout, scale and landscaping reserved for subsequent approval and as such the principle issues remain the same as that under the previously refused application 20/P/1547/OUT.

Policy CS32 of the Core Strategy states that new development of up to about 25 dwellings will be supported adjoining the settlement boundaries for Service Villages, including Long Ashton, subject to a number of criteria. In the justification text of this Policy (Paragraph 4.86), it is clarified that this does not apply to sites in the Green Belt. The proposal is therefore contrary to Policy CS32.

Policy CS17 of the Core Strategy supports rural exception schemes for affordable housing which meet the identified local needs within small rural communities, subject to criteria. However, it specifically states that whilst rural exception schemes will be acceptable adjacent to the settlement boundary of Service Villages this will not apply to sites within the Green Belt unless justified by Very Special Circumstances. Paragraph 3.229 of the justification text of this policy makes specific reference to these rural communities living within the Green Belt which are generally well related to higher order settlements including Bristol where affordable housing should be concentrated.

The position set out in CS17 in relation to rural exception schemes on Green Belt sites reflected the national policy position at the time the Core Strategy was adopted in January 2017, at which point rural exception schemes fell within the national definition of inappropriate development within the Green Belt. The NPPF was updated in July 2018 and an exception to proposals that are regarded as inappropriate was added (and remains in the current version dated July 2021):

149. f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)

Paragraph 149. f) refers to development plan policies, in this case Policy CS17 of the Core Strategy. As explained, this in turn requires that Very Special Circumstances need to be demonstrated for such a proposal to be brought forward in the Green Belt. However, NPPF para. 147 states that Very Special Circumstances are required to be demonstrated where a proposal is considered inappropriate development. Following the update of the NPPF to include para 149. f) it is no longer the case that rural exception sites in the Green Belt are automatically considered inappropriate. The policy position here is somewhat circuitous, and it is necessary to consider the weight that should be placed on the policies in the Framework in comparison to those set locally.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. In relation to decision-taking, d) requires that:

11. d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

The Council is unable to demonstrate a 5 year supply of deliverable housing sites, the Core Strategy and Local Plan policies most important for determining the proposal are therefore deemed out-of-date and applications involving the provision of housing fall to be considered in the context of NPPF para. 11 d).

It is noted that there is a Neighbourhood Plan in place for Long Ashton, and this has been considered against the criteria of NPPF para. 14, which allows the adverse impact of allowing development that conflicts with a neighbourhood plan to take precedence over the presumption at NPPF para. 11 d), subject to criteria. Criterion a is that *the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made*. As the neighbourhood plan became part of the development plan in 2015, it does not meet the criteria set out in para. 14. The Neighbourhood Plan does not identify any alternative site for a rural exception site.

In considering whether, under NPPF para. 11 d) i., the application of policies in the Framework that protect the Green Belt would provide a clear reason for refusing a rural exception site in principle, NPPF para. 149 f) excludes such proposals from consideration as inappropriate and this should be given considerable weight. Weight can also be applied to that part of Policy CS17 which considers the principle of such development inappropriate through a requirement that Very Special Circumstances be demonstrated.

It is concluded that a position exists whereby a rural exception site within the Green Belt could be found acceptable in principle. However, the requirement at NPPF para. 149 f) that a rural exception site proposal within the Green Belt *'provides for local communities needs under policies set out in the development plan'* is given considerable weight, and is further considered below through an assessment of the proposal against the criteria set out in Core Strategy Policy CS17.

EIA Screening

The proposed development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 – Column 1, Part 10 (Infrastructure Projects). Whilst the proposal does not meet the thresholds detailed in Column 2, it does affect a 'sensitive area' as defined in the Regulations as it affects a Scheduled Monument. The proposal has, therefore, been screened in accordance with these Regulations and found not likely to have significant effects on the environment. The proposal does not, therefore, constitute EIA development. A separate screening opinion to this effect has been made under reference 19/P/2547/EA1.

Rural Exception Criteria

Policy CS17 of the Core Strategy supports rural exception schemes for affordable housing which meet the identified local needs within small rural communities, subject to the following criteria:

- a) such need is demonstrated by an up-to date needs survey or other evidence;*
- b) the proposal is supported/initiated by the Parish Council;*
- c) the site search follows a sequential approach with priority given to sites within the settlement boundaries, sustainable principles, and avoiding sensitive locations;*
- d) the scale of the development is appropriate for the location; and*
- e) the affordable housing is provided in perpetuity.*

The Affordable Housing SPD provides guidance on Rural Exception Sites at chapter 7. This signposts applicants to the rural housing protocol “Guidance to Delivering Affordable Rural Housing on Exception Sites”, which sets out the stages required to deliver rural exception sites in more detail, including the assessment of housing need and site identification.

The application has been considered against each of the criteria, as supported by the Affordable Housing SPD as follows.

a) such need is demonstrated by an up-to date needs survey or other evidence

The applicant has submitted a Housing Needs Survey (HNS), which was initially undertaken by the applicant in May 2018 and subsequently updated in October 2021.

The submitted HNS relies upon a housing survey undertaken to ascertain local need. While the HNS was updated in October 2021, the findings of the household survey remain based on the result of the January 2018 survey as was the case for the previously refused planning application 20/P/1547/OUT. In addition, as was the situation under the previously refused application 20/P/1547/OUT, the HNS makes clear in paragraph 5.8 that the findings have been up-scaled using data weighting and combined with other data sources. The HNS identifies a “current need” based on the data collected from the Household survey in January 2018 and set out in Appendix 2 of the HNS of 56 households as being homeless, 0 households with overcrowding and 63 households with other needs (109 in total). This equates to a gross annual backlog need for affordable housing of 72 households as set out in table 23 of the HNS which is higher than the arc4 prevalence rates (63 households) and NSC Register (61 households).

The HNS in paragraph 6.17 states that the basic needs assessment model (BNAM) method shows similar estimated figures of need despite the source of data and goes on to state in paragraph 8.44 that the LPA have underestimated the actual need by only using the HomeChoice Register due to a lack of upliftment or consideration of future need. However, the identified need of 109 households as set out in the HNS survey is so significantly different to the 22 households in need of affordable housing as set out in the HomeChoice Register January 2022 that there appears to have been a significant upliftment in the figures to arrive at such a varying need estimate. This significant variance in actual need does not appear to be derived from any further detailed calculations or explanations on how the up-scaling has been weighted other than the details set out in Appendix 2 of the HNS and are the same calculations provided and rejected by the LPA under the previously refused planning application 20/P/1547/OUT.

Further extrapolation of the data provides an estimated housing need within Long Ashton Parish of 295 affordable dwellings over the next 5 years (59 dwellings per annum). As with the current need figure, this annual estimated housing need remains unchanged from the previously refused application 20/P/1547/OUT. As with the previously refused planning application, although an error margin is accepted, as set out above the Local Planning Authority has concerns regarding the up-scaling of data for a survey of this type.

It is not clear how the number of homeless households has been arrived at and what assessment or verification has taken place to establish the circumstances of these households (the HNS referred to this data coming from the “2018 Household Survey”) and only states a figure of 56 households in paragraph 8.9 of the HNS. It is clear from the HomeChoice data collected by the LPA in January 2022 that there are 0 households in an emergency need for affordable homes nor are there any households falling within the most critical bands A and B living in and wanting to remain in Long Ashton in need of affordable accommodation. Despite this being a matter raised under the refusal of the last application 20/P/1547/OUT, the updated HNS still only states a figure of homelessness need with no further explanation of how the figure in the HNS has been arrived at or how this is factored into the various modelling methods that have been undertaken in the HNS where this figure appears to underpin the calculation of housing need which the LPA considers to represent a major flaw in the HNS.

Further, ‘Guidance to Delivering Affordable Rural Housing on Exception Sites’ states that, if an affordable housing need is identified, the HNS should give an indication of the number, type and tenure of affordable homes that are needed by people with a local connection to the parish. This should include analysis of the respondents to any survey against the housing need criteria for NSC’s HomeChoice register, as well as further analysis of those already on the HomeChoice register who seek housing in the survey area. The analysis needs to consider information on the incomes and savings of applicants in relation to their needs and local housing costs.

While the updated HNS has included details of estimated needs of supply vs demand for affordable housing in tables 24 and 25 and sets out the net affordable housing requirements in table 26 with data obtained from the SHMA and Housing Needs Survey 2017 (which is assumed to be a typing error as was confirmed to be 2018 under the last refusal), it still appears no in-depth analysis of respondents to the survey against the housing need criteria for the HomeChoice register has been carried out. Once again, no analysis of the incomes and saving of potential applicants has been carried out. There is no evidence that the survey respondents would meet the HomeChoice criteria. While the proposal does include an indication of the number, type and tenure of affordable homes, this is based on extrapolation of data that may be flawed rather than on an assessment of the needs of specific households and their potential to qualify for allocation of affordable housing.

Regard has been taken to the status of the guidance, which is referenced within the Affordable Housing SPD but has not been subject to adoption as part of the development plan in its own right. As such it has limited weight, however it demonstrates an approach to identifying housing need that would be acceptable to meet the requirements of the NPPF para. 149 f), Core Strategy Policy CS17 and the Affordable Housing SPD. It is considered the applicant’s HNS has failed to either follow the suggested methodology or provide a convincing alternative approach to identifying housing need.

The applicants updated HNS includes data which is largely the same as that submitted under application 20/P/1547/OUT which was found to be insufficient. In particular, while it is noted that NSC would welcome affordable housing across the district, the specific requirements of NPPF paragraph 149 f) and Policy CS17 is to meet a local community need for affordable housing to be acceptable. In this particular case the data provided has been subjected to inadequate scrutiny as to the circumstances of individual households responding to the applicant’s survey as to whether the individuals would qualify for affordable housing allocations by the LPA. Moreover, this data has then been up-scaled, with this process magnifying any underlying flaws. It is considered that the submitted

updated HNS is not adequate to demonstrate the level of local community need in Long Ashton.

The applicant considers that the HomeChoice Register is a significant underestimated figure of actual need for affordable housing across the district and Long Ashton and fails to include future need, therefore given the high need identified in their HNS and the comparative quantum of development proposed they believe that the HNS should be considered adequate to demonstrate that there is a need. In considering this point regard has been had to the Council's HomeChoice Housing Needs Register, which identifies only 22 households within Long Ashton (and wishing to remain there) in housing need. This is substantially less than the 35 dwellings proposed by the applicant. In conclusion, the evidence submitted to demonstrate housing need is considered insufficient.

b) the proposal is supported/initiated by the Parish Council

As with the previous application, there is no support from the Parish Council for this proposal, this criterion is not met.

c) the site search follows a sequential approach with priority given to sites within the settlement boundaries, sustainable principles, and avoiding sensitive locations

The applicant submitted information in part 6 of the Design and Access Statement (DAS) of other sites known to the applicant within and adjoining Long Ashton, and attempted to explain why these sites had been discounted. This includes the discount of several sites on the basis that smaller sites have not delivered affordable housing, they are detached from built up areas, subject to other existing strategic development, would create ribbon development and do not have suitable or safe access and are not in sustainable locations. The applicant does not agree with the SHLAA discounting the application site based on being within the Gatcombe Farm Scheduled Ancient Monument (SAM) of which this site is a part as the applicant concludes that there is no unacceptable harm caused to the SAM and therefore rates the harm to the Conservation Area/ Townscape as amber rather than red in figure 6.3 of the submitted DAS. The applicant has concluded that in relation to all other identified sites in the SHLAA the application site would be sequentially preferential.

While it is accepted that much of the land surrounding Long Ashton is constrained, such constraints also apply to the application site which is designated as a SAM. As set out in more detail below, the LPA have found the harm to be significant to the SAM and therefore wholly unacceptable rather than amber as concluded by the applicants. It is considered that the submitted evidence is insufficient to demonstrate that an acceptable sequential approach fully assessing the harm to the SAM has been taken, or that smaller sites within the settlement boundary of Long Ashton have been fully considered for development of 100% affordable housing before selecting this site. It is further considered that some or all of the affordable housing needs identified via the HomeChoice Register could be delivered on one or more smaller sites, the discounting of sites due to such sites historically not providing any affordable housing is not considered appropriate.

d) the scale of the development is appropriate for the location

As the proposal has been found below to be inappropriate development in the Green Belt, and to cause harm to a Scheduled Ancient Monument, it is necessarily concluded that the scale of development is not appropriate for the location, and this criterion is not met.

e) the affordable housing is provided in perpetuity

This requirement could be secured through a S106 agreement, but as the recommendation is for refusal such an agreement has not been progressed.

In conclusion, it is considered that the evidence provided in support of the proposal does not satisfactorily demonstrate that the proposal is providing '*limited affordable housing for local community needs under policies set out in the development plan*' as set out in para. 149 f) of the NPPF.

Green Belt

The site is designated as part of the North Somerset Green Belt. Paragraphs 147-149 of the NPPF are relevant to this proposal and set out how proposals affecting the Green Belt should be considered. Paragraph 147 states that '*a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt*'. Exceptions are stated, including the provision of '*limited affordable housing for local community needs under policies set out in the development plan*', but for the reasons given above, it is considered that the proposal falls outside this exception.

The proposed development therefore constitutes inappropriate development which is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Given that the proposed development does not meet the criteria of Policy CS17 or constitute '*limited affordable housing for local community needs*' as set out in paragraph 149 f) of the NPPF the LPA do not consider that any Very Special Circumstances exist in this particular case to outweigh the harm to the Green Belt and as such the proposed development is contrary to the NPPF paragraphs 147-149.

Impact on the Scheduled Monument, including its setting in the wider historic landscape

The proposal is for a housing development of 35 dwellings with associated infrastructure within the eastern part of Bridgeman's Field, alongside Warren Lane, Long Ashton. Bridgeman's Field lies within the Scheduled Monument of *Roman Settlement, part of an associated field system and earlier Iron Age settlement remains at Gatcombe Farm* (Mon No. 22848, NHLE. 1011978), known more commonly as Gatcombe Roman Town.

Scheduled Monuments are designated by the Secretary of State and are considered to constitute heritage assets of the highest significance in accordance with paragraph 200 b) of the NPPF.

Core Strategy Policy CS5 aims to conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as scheduled monuments. The Sites and Policies Plan Part 1 Policy DM6 (Archaeology) explains that it is nearly always preferable that archaeological remains are preserved as even archeological excavation means the total destruction of evidence, apart from removable artefacts. NPPF paragraphs 195, 199-202 & 205 set out the approach to be taken when considering potential impacts on a designated heritage asset.

As this development is proposed within a Scheduled Monument, consideration of the government's policy *Scheduled Monuments and Nationally Important but non-scheduled monuments* (DCMS 2013) is required. Works to a Scheduled Monument also need a separate application for Scheduled Monument Consent as part of the controls for works under the *Ancient Monuments and Archaeological Areas Act 1979*.

The NPPF paragraph 174 states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Core Strategy Policy CS5 seeks to protect the character, distinctiveness, diversity and quality of North Somerset's landscape. It states that close regard will be paid to the character of National Landscape Character Areas.

The North Somerset Landscape Character Assessment SPD identifies the site as within the J5: Land Yeo and Kenn Rolling Valley Farmland LCA. It is classified as of 'moderate' character *'due to the frequent villages with modern outskirts and ubiquitous ribbon development along major roads which weakens the rural character of the otherwise largely pastoral landscape'*. The landscape condition is however described as 'good' *'with large areas of intact pasture with thick hedgerows and hedgerow trees'*. The land west of Warren Lane is part of the historic field system associated with the SAM, and is also open and visually prominent, rising up to George's Hill Plantation. The area has been identified within the North Somerset Landscape Sensitivity Assessment as of 'High' landscape sensitivity to housing.

NPPF para. 195 states that *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'*

With regards to significance of a heritage asset, as set out above, para. 200 b) of the NPPF identifies Scheduled Monuments as being of the highest significance where any harm to, or loss of, the significance of the designated heritage asset should be clearly and convincingly justified.

In considering the significance of the application site, the walled Roman settlement, with its associated field system and earlier Iron Age settlement remains, was designated as a Scheduled Monument for the following principal reasons:

- as a Roman small urbanised settlement with associated field systems, and with evidence of earlier occupation, the Gatcombe settlement is relatively rare in a national context;
- the site as a whole has a high potential for adding to our understanding of the contemporary agricultural and industrial methods, and the social and economic changes that the Roman Conquest brought;
- the area probably formed part of a wide network of Roman sites, with links to settlements in Bath and most probably Bristol.

Taking the above into account, the archaeology within the application site is recognized as being of national importance partly for the survival of industrial activity and partly for its association with the walled Roman settlement and its landscape. This has the potential to tell us more about the development of Gatcombe and how the land was used and managed.

Para. 199 of the NPPF states that *'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.'*

Taking into account that the application site is a Scheduled Monument and of the highest significance, great weight should be given to its conservation. With regards to the impact of the proposed development on the Scheduled Monument, the development would see the removal of over half of the scheduled archaeological remains within Bridgeman's Field (the red line area – application site). It is noted that an associated mitigation strategy to record what is being lost has been submitted as part of the application. However, this archaeology forms part of the archaeological interest which contributes to the significance of the Scheduled Monument as set out above and its removal would cause harm to that significance. The loss of all the remains in the developed part of the site would result in a serious impact on the significance of the monument as a whole.

It is however noted that the size of the monument, the concentration of remains within the Roman walled town, and the extent of extra-mural remains that would still be preserved and therefore needs to be considered. Taking the site within the context of the scheduled monument as a whole the level of harm caused would therefore be less than substantial harm identified on the development site in isolation.

Historic England have advised that the wider setting of the Scheduled Monument is the rural landscape it sits within, currently ending at Warren Lane to the east. The fields around the walled Roman settlement in which the application is located form part of its setting and contribute to the current experience of the monument within its wider rural landscape. The rural character of the area forms part of its aesthetic and historical significance.

Historic England have gone on to advise that the development of this field (application site) would also remove some of the rural character of the monument and would bring the urban edge of Long Ashton closer to the walled Roman settlement. This would also cause harm to the heritage assets' significance through loss of that rural landscape.

The applicant's submitted Landscape and Visual Impact Assessment (LVIA) describes the site as of medium sensitivity in paragraph 2.77, however this is contrary to the recent assessment within the North Somerset Landscape Sensitivity Assessment which is considered to be highly sensitive to housing development. In arriving at this conclusion, it is considered that the findings of the impact on the historic landscape is reduced by having no regard to the impact the extension of the existing urban edge of Long Ashton towards the walled Roman settlement would have should the site have correctly been assessed as highly sensitive to housing development.

The applicant has also submitted a Historic Environment Desk-Based Assessment which makes an assessment that the application site is an element of setting of the Roman Settlement Scheduled Monument which makes a small contribution to its significance due to the presence of related buried archaeological remains. The proposed development would introduce a degree of change to the setting of the Roman Settlement Scheduled Monument. On this basis the submitted assessment concludes in paragraph 6.7 that that the harm will be less than substantial.

While the submitted Historic Environment Desk-Based Assessment states that the application site only makes up an element of the setting of the Scheduled Monument making a small overall contribution, the Council's starting point for assessment of impacts of this proposal on the setting of the Scheduled Monument and the historic landscape are the principal reasons for the designation of the Scheduled Monument. As set out above, the development site forms part of the Gatcombe Roman site, that the archaeology of the site has high potential for the understanding of Roman occupation and that the application site does form part of the Scheduled Monument since being extended in 2014 to include

the application site due to its archeological value and contribution to the Scheduled Monument.

The proposal would see the loss of all archaeological remains within the development area as well as an extension of the urban edge of Long Ashton towards the walled settlement thereby resulting in harm to the significance of the Scheduled Monument.

Both Historic England and the NSC Archaeologist have found that the overall harm caused by this proposed development when taking all the above into account and the whole of the Scheduled Monument into consideration, is less than substantial which is the same conclusion that the submitted Historic Environment Desk-Based Assessment has reached in paragraph 6.7.

Given that the heritage asset is of national significance great weight is placed on the harm the proposal would cause to the significance of this SAM regardless of the level of harm in accordance with para. 199 of the NPPF. Moreover, as set out above para. 200 b) of the NPPF makes clear that any harm to assets of the highest significance requires clear and convincing justification.

NPPF para. 202 states that *'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

The above is also supported by The Department of Culture Media and Sports Policy Statement on Scheduled Monuments (October 2013) which clearly states that the purpose of scheduling is to preserve monuments, as far as possible, in the state in which they have come down to us today (Paragraph 6).

It goes on to say that for

'..works proposed for development related purposes, the Secretary of State has particular regard to the following principles:

- *Only in wholly exceptional cases will consent be granted for works that could result in substantial harm to, or loss of, the significance of a Scheduled Monument*
- *In cases that would lead to less than substantial harm to the significance of a Scheduled Monument the harm will be weighed against the public benefits of the proposal.*

Given that the applicant has failed to demonstrate a local need or sequential approach to site selection as required by Policy CS17, it is considered that limited public benefits to this proposal have been demonstrated. However, even if the proposal were to meet the criteria of Policy CS17, it is unlikely that the public benefits of the proposal would have outweighed the great weight that must be attached to harm to the Scheduled Monument.

The applicant has stated that one of the benefits of the scheme will be the archaeological recording of features on the site and the dissemination of the results. NPPF para. 205 makes it clear that, while any assets to be lost should be recorded and archived, *'the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted'*. Therefore, no weight is given to the recording of archeological features as a potential benefit of the scheme where both the NSC Archaeologist and

Historic England have found that the development would bring no heritage benefits (PPG 020 Reference ID: 18a-020-20190723).

It should be noted that even if planning permission were to have been granted, it is very unlikely that Department of Culture Media and Sports (DCMS) would grant Scheduled Monument Consent for this proposal as there are no identified public benefits that would outweigh the harm and any development would be contrary to Paragraph 6 of The Department of Culture Media and Sports Policy Statement on Scheduled Monuments (October 2013) where the purpose of scheduling is to help preserve monuments, so far as possible, in the state in which they have come down to be scheduled by the DCMS.

It is therefore considered that the level of harm caused to the significance of the heritage asset of the Scheduled Monument which is of the highest importance, when taking all the above and the whole of the Scheduled Monument into consideration, is less than substantial which is given great weight. There is no clear or convincing justification for the harm caused by this proposal to the heritage asset submitted with this application, nor are there considered to be any public benefits that outweigh this level of harm to the significance of this heritage asset and its setting. The proposed development is therefore contrary to NPPF paragraphs 195, 199, 200, 201, 202 and 205, Policy CS5 of the Core Strategy and Policy DM6 of the North Somerset Sites and Policies Plan.

Highways

Core Strategy Policy CS10 encourages development proposals that improve the integrated transport network and allow for a wide choice of means of transport, including the enhancement of facilities for pedestrians and cyclists. Policy DM24 of the Sites and Policies Plan Part 1: Development Management Policies requires that development must not prejudice highway safety, and should be readily integrated with cycleway and footpath links. Paragraph 111 of the NPPF states that development can be refused on highways grounds if there would be an unacceptable impact on highway safety.

It is noted that concern has been raised over the proposed development having unsafe access for all road users with insufficient visibility which is obscured by an existing bust shelter. While highways safety issues formed part of the grounds for refusal of the previous planning application 20/P/1547/OUT, under the consideration of the current planning application further negotiations and consultation have taken place between the applicant's highway consultant and the NSC highways officer who have agreed that a suitable traffic calming scheme to mitigate speed concerns at the proposed access could be submitted as a pre-commencement condition and delivered through S278 works and subject to a Road Safety Audit Stage 2 should this application have been approved. In the event this application was to have been approved, the traffic calming scheme would have been required to sufficiently demonstrate a reduction in traffic speeds to an appropriate level in order to ensure that an acceptable level of visibility could be achieved in each direction and would be in accordance with the Design Manual for Roads and Bridges (DMRB). While this would have been secured through a pre-commencement condition, discussions between the NSC highways officer and applicants highways consultant have agreed that such a scheme would be possible to achieve should this application have been approved.

Taking the above into account, it is therefore considered that subject to conditions, the proposals would comply with Policy DM24 of the Sites and Policies Plan Part 1: Development Management Policies and NPPF Paragraph 111.

Housing Mix

The Affordable Housing SPD states that the size and mix of affordable dwellings to be provided on site should depend on housing need and provide a suitable mix of house types and sizes. As this is a rural exception site, the expectation is that it would provide a housing mix that would meet the needs of Long Ashton residents identified as being in need of affordable housing.

As explained above, the methodology used in the applicant's HNS is not accepted. However, the HomeChoice Register identifies 18 households within Long Ashton who are in need of rented accommodation. The need identified through the register is compared to the proposed housing mix below.

Property Type	HomeChoice Register bands A-C In Long Ashton, Want Long Ashton Rented	Proposed Housing Mix	
		Rented	Affordable Home Ownership
1-bed	7	2	2
1-bed sheltered	2	-	-
2-bed	6	6	4
2-bed sheltered	-	-	-
3-bed	6	10	9
4+-bed	1	2	0
TOTAL	22	20	15

The proposed housing mix does not meet the needs of Long Ashton households known to be in need on the HomeChoice Register. In particular, too many 2 and 3 bed properties being proposed with too few 1 bed properties proposed. In this respect, the proposal does not comply with the Affordable Housing SPD.

Impacts on Setting of Listed Buildings/Assets

The proposal falls within the wider setting of Gatcombe Court - a Grade II* Listed Building. The proposal is not considered to have an adverse impact on the setting of this Listed Building due to the local topography and the proposed boundary screening.

The proposal falls within the wider setting of Gatcombe Farmhouse - a Grade II Listed Building. The proposal is not considered to have an adverse impact on the setting of this Listed Building due to the local topography and the proposed boundary screening.

The proposal is located 30m from a Listed Milestone at the junction with Wild Country Lane - a Grade II Listed asset. It is considered that the setting of this Listed Asset is confined to its roadside surroundings.

The proposal is therefore in accordance with policy CS5 of the North Somerset Core Strategy, policy DM4 of the Sites and Policies Plan (Part 1), section 16 of the NPPF and section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Appropriate Assessment and Impacts on Bats

The site falls within Bat Consultation Zone C within which it is necessary to consider the impacts on the North Somerset and Mendip Bats SAC which is designated as a Site of Special Scientific Interest and as a European wildlife site. The proposal for 35 dwellings, in combination with other plans and projects and in the absence of avoidance and mitigation measures, is likely to have a significant effect on the site. As the recommendation is of refusal it has not been necessary for the Council, as the appropriate authority, to undertake an appropriate assessment of the implications for the protected site, in view of the site's conservation objectives.

However, were such an assessment to have been carried out, the outcome would be likely to find that with the proposed mitigation measures included in the ecologist's report secured, with the addition of further mitigation of light spill from security lighting, the development would not result in an adverse effect on the integrity of the designated site. In this respect, regard has been paid to the requirements of the Conservation of Habitats and Species Regulations 2017 and the North Somerset and Mendip Bats SAC Guidance on Development SPD.

Other Ecology Impacts

Core Strategy Policy CS4 seeks to protect the variety of wildlife habitats and species found in North Somerset, in particular by protecting important habitats and ensuring that new development is designed to maximise benefits to biodiversity. The NPPF paragraph 170 states that planning decisions should enhance the natural environment by protecting sites of biodiversity value and providing net gains for biodiversity.

An updated Ecological Survey dated 14 October 2021 has been submitted which concludes the site is of limited ecological importance with no priority habitats present and that, with the implementation of mitigation and enhancement measures which are welcomed by the NSC Ecologist, the proposed development should, with the provision of details of the ecological buffer width and the width of the wildflower strip, more than mitigate adverse effects, leading to a slight biodiversity net gain. The proposed mitigation and enhancement strategy could be secured by condition and a condition could have been requested to secure the details of a Landscape and Ecological Management Plan.

In this respect, regard has been paid to the requirements of the Natural Environment and Rural Communities Act 2006, and to policy CS4 of the North Somerset Core Strategy, policy DM8 of the Sites and Policies Plan (Part 1) and the council's Biodiversity and Trees SPD.

Drainage

Details of surface water drainage have been submitted with the application and while the proposal could not be supported by the Lead Local Flood Authority at this time based on the details submitted, it is considered that should this application have been approved it is likely that amended details could have been submitted as were agreed under the

previously refused application 20/P/1547/OUT where all drainage details were found to be acceptable with no objection from the Local Lead Flood Authority, subject to conditions. In this respect, should this application have been approved subject to conditions for sufficient drainage details to be submitted, the proposal could have been in accordance with policy DM1 of the Sites and Policies Plan (Part 1) and section 10 of the NPPF. Foul drainage is dealt with under the Building Regulations.

Character and Appearance

While concern has been raised over the proposed development significantly altering the gateway into Long Ashton and resulting in a loss of open green space, as with the previously refused planning application 20/P/1547/OUT, layout and scale are reserved matters. However, parameter and illustrative plans have been submitted indicating the proposed development has been set further back from the western site boundary (circa 18-22m) and enhancing open landscaped areas to the western boundary adjoining the open field.

It is considered that the Landscape Character of the application site is moderate, but the landscape sensitivity (to housing) is high and as such the landscape scheme would have been a key consideration under any reserved matters application should this outline application have been approved.

With regards to the details submitted with this outline application, regard has been taken to the permitted development at an adjacent site at 1 Warren Lane (LPA Ref: 20/P/2145/FUL) and an allowed appeal development at Builders Yard Weston Road Long Ashton (LPA Ref: 20/P/0640/PIP) directly opposite the current application site, due to the impact on the character of the local area and the entrance to Long Ashton. However, while both these sites would add development to the existing village edge, and would be viewed in that context, this current proposal proposes a significant extension which would create a new edge, with sufficient space to distance this site from existing development.

Impact on neighbours

There is no indication that a suitable layout avoiding unacceptable impacts on neighbouring properties and businesses could not be achieved on the site as part of a reserved matters application.

Trees

Trees of amenity value are on site. The Council's Tree Officer has no objection subject to conditions. A full Arboriculture Report, tree protection plan and landscaping plan would have been required to be submitted alongside any reserved matters application. It is also noted that any reserved matters application would need to place development outside of the Root Protection Areas of retained trees.

Loss of Agricultural Land

The site is designated as Category 1 Agricultural Land; whilst this is a matter that would weigh against the scheme, the site is relatively small and so the loss of agricultural land would not be so significant as to warrant a refusal of the proposal.

Conclusions and Planning Balance

The Council is currently unable to demonstrate a 5-year supply of housing land. Therefore, the presumption in favour of sustainable development outlined in Paragraph 11 d) of the NPPF is engaged.

It is proposed that the development would deliver affordable housing as part of a rural exception scheme, a type of development which the policies in the NPPF do not consider inappropriate in the Green Belt, subject to the proposal providing for local needs under policies in the development plan. However, the proposal fails to demonstrate compliance with Core Strategy Policy CS17, and consequently fails to demonstrate that the development falls within the exception for rural exception schemes set out in the NPPF. The proposal therefore remains to be considered inappropriate development in the Green Belt and this provides a clear reason for refusal in accordance with NPPF para 11 d) i.

The proposal would cause less than substantial harm to the Scheduled Monument as a whole. This provides a clear reason for refusal of the proposal in accordance with NPPF para 11 d) i.

All other matters raised by the consultees have been taken into account, but none is of such significance as to outweigh the considerations that led the recommendation below.

Recommendations

REFUSE (see decision for reasons)

Reason for Overriding Parish Council comments (if appropriate)

n/a

In recommending this application, I have taken into consideration the relevant policies of the Development Plan and the comments made by the consultees and other interested parties and the:

- Natural Environment and Rural Communities (NERC) Act 2006
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Public Sector Equality Duty, Equality Act 2010

Signed: Jessica Smith