

**NORTH SOMERSET COUNCIL
PRE-APPLICATION ADVICE REPORT**

Pre-application No 17/P/5072/PRE
Case Officer: Graham Quick
Location: Land at Lynchmead Farm Ebdon Rd
Parish: Weston-super-Mare

We understand your proposal to be

The development of land at Lynchmead Farm Ebdon Rd Weston-super-Mare for approximately 75 dwellings

Summary of our response

Planning permission would be refused as being contrary to Policy CS 28 (Core Strategy) and Policy DM10 (Sites and Policies Part1: Development Management Policies)

If you wish to pursue a planning application then there are a number of detailed matters raised in this report that will need to be addressed and primarily these relate to landscape, highways, archaeology, flooding and ecology

The scope of this report

The purpose of this advice is to identify whether your proposal has a realistic chance of success and, if relevant, highlight any potential problems before you submit a formal planning application. It is based on the information you have given us and aims to set out the policy issues that should be addressed with any future planning application and identify any potential problems. We also draw your attention to the advice notes at end of this report.

This document makes use of links to web sites and requires use of a computer. If you do not have access to a computer, or you require any information in an alternative format or a different language, then please phone our Customer Services Team on 01275 888811. All of the council's libraries have public computers for your use and staff available to help.

Planning policy and background

Legislation requires us to make decisions on planning applications in accordance with the 'development plan' unless there are other 'material considerations' that should take precedence (such as emerging national policy).

The 'development plan' for North Somerset comprises the North Somerset Core Strategy, the North Somerset Sites and Policies Plan (Part 1) and 'saved policies' in the North Somerset Replacement Local Plan (there are other documents relating to waste and minerals). There are a number of Neighbourhood Plans which also form part of the development plan. Copies of all of our development plan documents are available on our [website](#) where you can also view an up to

date table of extant and superseded policies and the current proposals map. You should satisfy yourself that your proposals comply with all relevant development plan policies before submitting an application.

'Material considerations' can include national policy, which mainly comprises [The National Planning Policy Framework](#) and additional guidance produced by the council in [Supplementary Planning Documents](#).

You can view the planning history of this site, the key planning constraints and the land based planning policies that apply to it on our interactive [planning map](#) which is available on our website.

Planning Assessment

Planning Policy

The adopted Core Strategy and Sites and Policies Part 1: Development Management Policies has a number of detailed policies that are relevant and these are listed below:

Core Strategy

| 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 |
| 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 |
| CS28 | Weston-super-Mare |
| CS34 | Infrastructure delivery and Development Contributions |

Sites and Policies Part 1: Development Management Policies

| Policy | Policy heading |
|---------------|--|
| DM1 | Flooding and drainage |
| DM2 | Renewable and low carbon energy |
| DM 6 | Archaeology |
| DM 8 | Nature Conservation |
| DM9 | Trees and Woodlands |
| DM10 | Landscape |
| DM19 | Green infrastructure |
| DM24 | Safety, traffic and provision of infrastructure etc. associated with development |
| DM25 | Public rights of way, pedestrian and cycle access |

| | |
|------|--|
| DM27 | Bus accessibility criteria |
| DM28 | Parking standards |
| DM32 | High quality design and place making |
| DM34 | Housing type and mix |
| DM36 | Residential densities |
| DM70 | Development infrastructure |
| DM71 | Development contributions, Community Infrastructure Levy and viability |

Supplementary Planning Documents

The following documents are relevant and can be viewed [here](#)

- 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)
- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (adopted March 2015)
- Affordable Housing SPD (adopted November 2013)
- Development contributions SPD (adopted January 2016)
- North Somerset and Mendip Bats SAC Guidance on development (2017 Draft)

Critical Policies

There a number of the above policies that are critical in the determination of any forthcoming planning application

The site lies adjacent to the settlement boundary of Weston-super-Mare and the relevant policy governing residential development in such locations is Core Strategy Policy CS28 which states:

Weston-super-Mare will be the primary focus for development within North Somerset. A minimum of 12,800 dwellings will be delivered over the plan period at Weston-super-Mare and the sustainable new communities, together with approximately 10,500 jobs as part of an employment-led strategy to deliver improved self-containment and reduced out-commuting during the plan period.

New development at Weston-super-Mare will be focused on two key locations:

- Town centre and gateway where the emphasis is on the regeneration of a range of key sites to stimulate investment, and will include residential, retail, employment and leisure opportunities (see Policy CS29).
- Weston Villages where the emphasis is on comprehensive development to create two sustainable new communities linked to the delivery of employment (see Policy CS30). Residential development will be delivered in accordance with the employment-led strategy (see policies CS20 and CS30 for more detail).

No strategic development will be permitted to the east of the M5 motorway. The settlement boundary of Weston-super-Mare will be amended to incorporate the new Weston Villages.

New development proposals at Weston-super-Mare within or adjoining the settlement boundary should take into account the following objectives:

- support the focus of the town centre as the location for higher order facilities and services, including retail, tourism and leisure opportunities;
- support existing community hubs of local retailing and other services located within the town;
- respect the characteristic heritage of Weston-super-Mare;
- provide high quality design;
- support the enhancement of its green infrastructure and biodiversity, including the ridges and hinterland to the north and south, the woodland areas, the rhynes network, and the seafront;
- improve accessibility within Weston-super-Mare by walking, cycling and public transport, particularly where they enhance connectivity with, for example, local facilities, service centres, the town centre and sea front and do not lead to significant adverse impacts on the transport network; and
- ensure that services and infrastructure are adequate to support the development.

Housing sites outside the settlement boundary in excess of about 75 dwellings must be

Given that the site is outside of the settlement boundary for Weston-super-Mare the impact on the surrounding landscape will need to be addressed and in that regard Policy DM10: Landscape of the Sites and Policies Part 1 Development Management Policies is very relevant. This states that:

All development proposals should:

- Not have an unacceptable adverse impact on the designated landscape character of the district as defined in the Landscape Character Assessment SPD (2005) and respond to the distinctive qualities of the landscape including both the nationally registered and unregistered Historic Parks and Gardens in North Somerset
- Be carefully integrated into the natural, built and historic environment, aiming to establish a strong sense of place, respond to local character, and reflect the identity of local surroundings, whilst minimising landscape impact.
- Where appropriate respect the tranquillity of an area.
- Include appropriate landscaping and boundary treatments in the scheme.
- Conserve and enhance natural or semi-natural vegetation characteristic of the area.

- Respect the character of the historic landscape including features such as field patterns, watercourses, drainage ditches, stone walls and hedgerows.
- Where outdoor lighting is proposed adopt a lighting scheme which minimises obtrusive light and where dark skies are an important feature of the area.

Where some harm to the local landscape character is unavoidable, but a development is otherwise deemed beneficial, then positive mitigation measures should be secured by a landscape condition or planning agreement (Section 106), involving works on or off-site as necessary.

Site Allocations Plan

The site is currently outside of the settlement boundary for Weston-super-Mare as shown in the North Somerset Replacement Local Plan and emerging Site Allocations Plan. The Site Allocations Plan was submitted to the Planning Inspectorate for examination on 24 February 2017. Hearings were held on 16–18 May 2017. Following the close of the hearings the Inspector wrote to the Council on 26 June 2017 requesting that the Council tests additional housing supply to provide flexibility and choice and to ensure that the Core Strategy housing requirement is delivered within the plan period. This assessment was undertaken and the additional supply identified for inclusion in the plan by the Executive Committee at its meeting on 5 September 2017. This was submitted to the Inspector who instructed the Council to publish the Proposed Modifications to the plan. Consultation over six weeks commenced on 18 September. All responses received will be considered by the Inspector prior to issuing her Report. The plan can then be adopted

Land at Lynchmead Farm, Ebdon Rd Weston-super-Mare was not included as a site to be reassessed and therefore its allocation for development does not form part of the Proposed Modifications to the plan

5 Year Housing Supply

The April 2017 Residential Land Survey concluded that the Council could demonstrate a housing supply of 5.15 years. This is being tested through the Site Allocations Plan examination process. Following the hearings held in May 2017 the Inspector wrote to the Council on 26 June 2017. She concluded that in order to secure the delivery of the Core Strategy housing requirement, the Council should test the provision of additional housing sites. *‘I consider that the rate of delivery expected by the Council in their housing trajectory is optimistic, and that their estimate of five year supply is unlikely to be achieved’* (paragraph 13). *‘Through the allocation of additional sites to provide increased choice and flexibility, there is the opportunity for alternative sites to come forward and compensate for delays in the delivery of those sites currently identified in the Plan. In this way the purpose of the SAP, to deliver the housing requirement of the CS and to secure the maintenance of a five year housing land supply is more likely to be achieved’* (paragraph 18). The Council undertook an assessment of potential additional housing sites and identified an additional 22 sites comprising 821 dwellings, all expected to be delivered within 5 years, to be included within the Site Allocations Plan. This boost to supply has been accepted by the Inspector and consultation on the Proposed Modifications commenced on 18 September 2017. While the Inspector’s Report is not anticipated until January 2018 it is clear that the Inspector is reassured that the plan can be made sound, The Council therefore expect to be able to demonstrate a housing land supply in excess of 5 years at the point of adoption of the plan

MAIN ISSUES

In addition to the main planning policy issue which is covered in the conclusion it is considered the principal technical matters to be addressed in the submission of any planning application is:

- (i) Effect on the surrounding highway network
- (ii) Flood Risk / Surface Water
- (iii) Ecology
- (iv) Landscape impact
- (vi) Assessment of impact on heritage assets

(i) Effect on the surrounding highway network and the principle of access off Ebdon Rd

The Council would request that the following points are considered in relation to any subsequent application:

Traffic Generation

National Planning Policy Framework 2012 (NPPF) states in paragraph 32 that *“all developments that generate significant amounts of traffic should be supported by a Transport Statement or Transport Assessment”*. In addition, Annex 2 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”*.

The North Somerset Highways Development Design Guide (HDDG) sets out the thresholds for when a planning application is required to be supported by a Transport Statement or a Transport Assessment. The indicative threshold for provision of a Transport Assessment is 80+ dwellings. Given the current proposal for 75 dwellings falls short by only 5 units and considering local highway constraints, we would request a comprehensive Transport Assessment be provided to support any subsequent planning application closely following the NSC guidance on Transport Assessment.

If the development were to lead to an unacceptable traffic impact on this section of public highway and on the character of the surrounding area, this would be contrary to policy DM24 Highway Safety of North Somerset Sites and Policies Plan (Part One) and could provide grounds for refusal.

We note that you seek to submit an outline application with access to be determined. We think that it is crucial that you liaise with Highways officers at the earliest opportunity to agree the scope of a Transport Assessment which must be submitted in support of any outline application.

Site Access

No information regarding the proposed site access arrangements or indicative designs has been provided at this stage. With regards to operation, capacity assessment will need to be included within the Transport Assessment to demonstrate the appropriateness of any access.

You will need to demonstrate that junction geometry is fit-for-purpose in traffic and highways terms and meets the required design and safety criteria as set out within Manual for Streets and the North Somerset Highways Development Design Guide. This includes ensuring that two-way working is achievable and that appropriate visibility splays can be provided. A stage 1 / 2 Road Safety Audit will be required to support any subsequent application. Stage 3 and 4 would be secured via condition. The CVs of any audit team along with a brief should be submitted to our Road Safety Team (Mike.O’Sullivan@n-somerset.gov.uk) for approval before beginning an audit.

You will need to demonstrate that any proposed junction can accommodate the movement of large vehicles including refuse, emergency service and delivery vehicles in accordance with the required standards. Tracking plots will be required to demonstrate this.

Highway Connections

In addition to the site access, you must undertake assessment of relevant junctions to be agreed with us prior to submission of an application. This should include but not be limited to;

- A370 / Wick Road junction
- Queensway / Bristol Road

Both of these routes would be used by development traffic to reach M5 Junction 21 and must therefore be appropriately assessed. The Queensway junction is considered particularly sensitive to increased throughput and Highways officers have concern regarding the impact the development proposal may have on this junction.

In accordance with the NSC HDDG Appendix A, you may use a strategic transport model to identify the junctions likely to be adversely impacted and then use micro simulation to further test impacts upon these junctions.

The impact on the existing shuttle working scheme on Ebdon Road must all be taken into consideration.

Pedestrian Links

You must demonstrate that safe means of pedestrian access from the site to local facilities and services is provided. A Non-Motorised User Audit should be completed to ensure that appropriate pedestrian provision is identified and enhanced where necessary. Assessment of walking distances to facilities is essential in addition to commentary on sustainable mode provision.

Highways officers are particularly concerned that there is no footway provision on the northern side of Ebdon Road fronting the site. Pedestrian infrastructure including formalised footway on the northern side of Ebdon Road and appropriate pedestrian crossing provision would be expected to be provided by the applicant in support of any subsequent application. We will also take into account the impact on the rural appearance of the area as a result of any changes e.g. that may involve loss of hedgerows or grass verges.

Any application coming forward without the provision for pedestrians on Ebdon Road would raise significant pedestrian safety concern and this would be contrary to policy DM24 Highway Safety of North Somerset Sites and Policies Plan (Part One) and could provide grounds for refusal.

Parking

Policy CS11 of the adopted Core Strategy requires that a development provides adequate parking to meet the needs of the users and Parking Standards are currently set out in the North Somerset Parking Standards SPD. Parking and cycle parking provision in accordance with the SPD is required.

Please note that Highways officers are currently revising the Parking Standards SPD to include a visitor parking standard of 0.2 spaces per dwelling, (this amounts to a requirement to provide 15 parking spaces based on the 75 dwellings currently proposed).

Sustainability

A full travel plan will be required to support any subsequent application.

You will be required to provide homeowner travel information packs and a contribution per dwelling for sustainable travel initiatives administered by the Council which amounts to £120 per dwelling.

Further Considerations

In addition to the above, the following items must also be taken account of in any subsequent application;

- Committed development
- The applicant would be required to submit a comprehensive construction traffic management plan with any full / reserved matters application

(ii) Flood Risk/Surface Water

Surface Water

You will need to demonstrate that you have followed NPPF (paragraph: 103) plus the PPG and local guidance which is set out in SPD Creating Sustainable Buildings and Places in North Somerset.

The following hierarchy of drainage options should be followed

1. into ground (infiltration)
2. to a surface water body
3. to a surface water sewer

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>

We are aware from a desk study that the site may be suitable for infiltration and therefore storage could be reduced if infiltration was used, information from the (British Geological Society) BGS maps. If ground conditions will not allow for full infiltration we would recommend that source control is considered with green roofs or rainwater harvesting as indications to reduce the need for long term storage. Our aim would be to use the existing rhyme network with above ground swales used, which lead to the ponds and that pipe work is kept to a minimum. The pond structures should be designed with shelves to allow for treatment of pollution and integrated into the design of the site.

We will require percolation tests, ground water monitoring, plus a geotechnical report into the geology of the site to accompany the design. Systems which allow easy clearance of sediments must be used, and a full maintenance plan must be in place, which includes details of ownership and the maintenance company, because the ease of maintenance of these systems is both prohibitive and required on a regular base, also in the long term they could increase flood risk if not maintained correctly.

The proposed access point to the site would be flooded at a 1 in 30 year return we would therefore require a drainage study and drainage work at the access point to ensure no flooding occurs up to and at a 1 in 30 yr. return plus Climate Change. We are also aware that a surface water flow route crosses the site, although this is shown on the surface water maps, as following the watercourse. Therefore development in this area will need to accommodate the flow route and not cause any detriment to existing properties.

The drainage system must be designed so that, unless an area is designated to flood as part of the design, flooding does not occur on any part of the site for a 1 in 30 year rainfall event and that at 1 in 100 year rainfall event no flooding occurs to any part of: a building (including a basement) or in any utility plant susceptible to water (e.g. pumping station or electricity substation) within the development. Any flows resulting from rainfall in excess of a 1 in 100 year rainfall event should be managed in conveyance routes that minimise the risks to people and property.

The runoff volume from the developed site to any, sewer or surface water body in the 1 in 100 year, 6 hour rainfall event must not exceed the green field runoff volume however in this case we may ask for more storage in the form of long term storage, based on the design and the impact on the flooding regime downstream. The peak runoff rate from the development to any off site area, must not exceed the green field runoff rate from the site at equivalent green field event.

The site lies with the IDB area and their bylaws require a 9 metre access along all rhynes to be provided. North Somerset Council also require a maintenance access corridor along any watercourses (ditches) of 5 metres as stated in our Biodiversity and Trees SPD (Section 8.4). Any watercourse (ditch) network must remain open and culverted for access only this is in line with our LFRMS and our planning policies and where possible culverts should be opened up. From the mapping the site appears to have culverts which will require surveying and no development over, with an easement of 4 metres to either side for access

To discharge any drainage condition attached to the application our minimum requirements would be:

- A site layout which respects the natural drainage regime and deals with known flooding problems
- Source control measures, Infiltration tests to BRE Digest 365 revised 2016
- A detailed layout of the drainage scheme demonstrating an above ground drainage system, with the flooding routes and layouts
- The calculations to allow us to check the drainage runoff and storage
- Design of sustainable drainage to CIRIA 753, BS8582
- Plan showing the flooded area at a 1 in 100 year event before and after development
- A maintenance schedule with details of the ownership, and future maintenance regimes of all SuDS elements and any rhyne network.

Flood Risk

The site is located within a high risk flood zone (zone 3a). The principal way to manage flood risk is to avoid locating development within areas at risk of flooding. To encourage developers to avoid flood risk areas, Government policy set out in the National Planning Policy Framework and related guidance, requires that a Sequential Test and Exception Test are passed before planning permission is granted for a new dwelling in flood zone 3a. If you decide to proceed with your proposal, you will need to demonstrate that these tests have been met.

The Sequential Test is a tool to direct new development first to sites at the lowest probability of flooding. The test needs to demonstrate that there are no reasonably available alternative sites within the area of flood risk (in this case, Weston-super-Mare) which can accommodate the proposal. If the requirements of the Sequential Test are successfully met, the proposal must then also pass the requirements of the Exception Test.

For the Exception Test to be passed, you must satisfy the following tests:

1. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk; and
2. A site-specific Flood Risk Assessment must demonstrate that the development will be safe

for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Both of these requirements must be met. Failure to comply with any one will mean that the Exception Test has been failed and the planning application will be refused.

For further information and advice regarding this matter, please refer to the council's advice note entitled '[Development and Flood Risk Issues](#)' and to the [Environment Agency's website](#).

(iii) Ecology

Statutory Site Designations: Severn Estuary RAMSAR, SPA, SAC, and SSSI ~2.3km to the north and west.

Non Statutory Site Designations: Land Adjacent to Severn Estuary SSSI ~1.5km to the north and west; Worle Hill and Worlebury Golf Course ~1km southwest.

HRA Screening Required:

Yes: Severn Estuary SPA/SAC/RAMSAR – application site is in reasonable proximity to the Severn Estuary that there may be potential Likely Significant Effects – for example: habitats - pollution risk, recreational pressures; qualifying species – possible disturbance (visual, noise, recreation), possible loss of foraging/refuge habitat.

TCB: North Somerset and Mendip Bats SAC considered unlikely as the application site falls outside of the SPD consultation zone. However, should the bat survey work identify presence of greater and/or lesser horseshoe bats, screening may be required – refer to North Somerset and Mendip Bat SAC SPD : <http://www.n-somerset.gov.uk/my-services/planning-building-control/planningpolicy/supplementary-planning-advice/adopted-supplementary-plans/supplementary-plans-adopted/>

Anticipated Scope of Surveys:

- Extended Phase 1 Habitat Survey (results of phase 1 will inform the scope of phase 2 surveys)
- Bats – building inspections, trees (if affected by proposals) and activity surveys – in line with best practice BCT guidelines (3rd Ed, Collins 2016).
- Badger
- Over-wintering bird survey
- Otter (historic record in vicinity of the application site at Ebdon Farm)

Possibly:

- Great Crested Newts – extended phase 1 will need to include an assessment of waterbodies on site and within 500m of the site using the Habitat Suitability Index.
- Reptiles

Masterplanning:

Whilst there is no indicative layout plan at this stage, it is noted in the pre app letter that the houses are proposed to be sited along the existing settlement boundary, leaving open space to the north.

Key ecological objectives for the development are considered to be:

- Boundary habitats and traversing linear features are likely to be important and should be retained within the proposed layout, with minimal fragmentation of hedges for access and kept dark with sensitive lighting strategy;
- Adequate buffering of hedgerows and rhyne networks – minimum of 5m for hedgerows and 8m for rhynes. Should ecological surveys identify particularly important features/corridors, buffers should be increased accordingly;
- The rhyne network with the development site is connected to Statutory and Non Statutory site designations. Pollution risk and quality of surface water run-off must be appropriately protected from the impacts of development – both for temporary risks during construction, and incorporation of robust measures for water quality in operation;
- Incorporation of habitat enhancements, for example bird and bat roosting opportunities in building design, SuDS, wildflower meadows, dedicated cattle/sheep grazing area; native species planting (enhancement of existing habitat/ creation of new habitats).

| Ecology reports: | Please <input checked="" type="checkbox"/> all which apply |
|--|--|
| Methodology | |
| Details of the surveyors including confirmation that they are suitably qualified ecologists | <input checked="" type="checkbox"/> |
| Date of surveys, including justification if completed in sub-optimal conditions | <input checked="" type="checkbox"/> |
| Results | |
| Ecological desk study, including BRERC data search. | <input checked="" type="checkbox"/> |
| Assessment and details of all semi-natural habitats within the site, including important habitats (Biodiversity Action Plan/Section 41 habitats) | <input checked="" type="checkbox"/> |
| Assessment of any buildings/trees within the site for potential for/evidence of roosting bats and nesting birds | <input checked="" type="checkbox"/> |
| Assessment and details of any potentially impacted semi-natural habitats outside of the site boundary (e.g. adjacent habitats, impacts of enabling works, etc) | <input checked="" type="checkbox"/> |
| Assessment of well-connected waterbodies within 500m using Habitat Suitability Index or equivalent | <input checked="" type="checkbox"/> |
| Assessment of potential for and evidence of legally protected species within the site or potentially impacted by the proposals, with avoidance and mitigation measures | <input checked="" type="checkbox"/> |
| Assessment of potential for and evidence of notable species, including Biodiversity Action Plan/Section 41 species, with avoidance of harm and habitat mitigation measures | <input checked="" type="checkbox"/> |
| A site plan showing key findings | <input checked="" type="checkbox"/> |
| Site photographs showing key features including key habitats and buildings | <input checked="" type="checkbox"/> |
| Impact Assessment and Recommendations | |
| An assessment of likely impacts of the proposals based on current plans | <input checked="" type="checkbox"/> |
| Recommendations for compliance with EU and UK legislation. Requirements for licensing if appropriate | <input checked="" type="checkbox"/> |

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| Recommendations for enhancement measures to meet planning policy (NPPF and North Somerset Adopted Core Strategy CS4) | √ |
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(iv) Landscape impact

This proposal extends residential development into the A1: Kingston Seymour and Puxton Moors (see North Somerset Landscape Character Assessment) north of Ebdon Road. The road provides a well-established settlement edge, following relatively recent northern expansion of the town, although some cottages and a small industrial estate lie to the north of it. A strong edge to the town is a desirable objective, although the number of dwellings is within the threshold set by Policy CS28

It is considered that even with good landscaped buffers and careful control of design, scale and height, this addition to the settlement edge might have a slight to moderate adverse impact on the overall landscape character. Built development should not project too far into the moor, reserving the northern parts of the site for open space provision and landscape mitigation, to ensure the 'slight' influence of the settlement edge noted in the NSC Landscape Character Assessment does not become more significant.

In the absence of a suggested layout it is difficult to comment further at this stage, but the proposals should respect the rural nature of the site retaining key features such as hedges and rhynes. Note also that there are few surviving orchards (none in Ebdon, but some east of Wick St. Lawrence) in an area where they were once prevalent, so these might be re-introduced where appropriate. A Landscape Visual Impact Assessment and Landscape Character Statement would be needed for a development of this scale. The developer would need to show that the number of dwellings suggested could be accommodated, along with suitable buffers to hedges / rhynes and the provision of open space.

(v) Assessment of impact on heritage assets

The proposed development sits within an area characterised historically as 'post-medieval (15th-17th century) irregular fields enclosed from anciently reclaimed moors'. Within the immediate vicinity of the proposed application boundary there are two recorded non-designated heritage assets in the form of a findspot of Romano-British pottery southwest of Ebdon (MNS189) and former field boundaries west of Ebdon (MNS1769). The Romano-British pottery is recorded as being found at Poplar Cottage. The field boundaries are recorded as banks and linear depressions suggesting remains of strip fields.

There are further non-designated heritage assets in the form of historic core settlements of Lynchmead Farm (MNS5433) and Ebdon (MNS5434) close to the proposed development site. Core settlements are identifiable on late 18th or early 19th century maps. They may still preserve medieval or even earlier outlines, and building fabric may originate from the 17th and 18th centuries.

A desk based assessment should be compiled and submitted to assess the impact of development on known heritage assets within the vicinity, and the potential for as yet unrecorded archaeological remains within the site in line with NPPF. Geophysical survey of the application area should also be undertaken with a view to undertake investigation in the form of trial trenching, dependent on the results of the survey.

OTHER ISSUES

Green Infrastructure

Based on 75 dwellings, with an average 2.3 person occupancy, equating to 172 people and calculated in accordance with Section 8 (Green Infrastructure) of the adopted Development Contributions SPD. See also Area Profile extract for POS in Kewstoke (incorporates Wick St Lawrence).

The proposed development is a significant increase in dwellings and population. Due to the size of the development useable informal public open space should be provided on site to ensure that space is accessible to all residents

Formal Park and Public Garden (rural) – It is only practical to provide new on-site provision as part of a larger Strategic Development Area.

Community Park – Not required, as threshold not met.

2,232 m2 Neighbourhood Open Space – Under supply. This should be delivered on-site to provide for the new residents.

1,720 m2 Woodland – There is an under supply of accessible woodland in the area, but no sites in the immediate vicinity because of the open nature of the levels landscape. The nearest Council owned woodland is at Worle Hill some 1800m away. This site is approx.10,000 m2 of mixed woodland which would benefit from thinning. Also improvement to public footpath AX31/23/20, which has a series of steps in need of renewal, would be desirable to ensure continued safe access. Off-site contribution to this project is requested (See sum at section 3).

2,064 m2 Conservation Site (rural) – As there is an under supply of Conservation sites in the area, it would be desirable to enhance the perimeter hedges and field margins where retained.

Green Corridors – On site delivery (where possible) should aim to integrate existing green corridors, with new provision across the development.

430 m2 Allotments – The site is outside the 1000m threshold to existing allotments, so off-site provision may be required if the Wick St. Lawrence Parish Council have any demand for allotments (See sum at section 3). This site cannot deliver the above allotment request, but we would accept off-site contributions to improve existing provision in or near the village.

On-site provision will require 15 year commuted maintenance sums to be paid prior to adoption, where the land is to be transferred to and maintained by North Somerset Council (See TABLE 1 below).

Note that landscape buffers and SUDS areas are not included in any calculation as POS, although they may also be considered for adoption if offered with a 15 year commuted maintenance sum.

Cash Contributions calculated in accordance with the rates in the Development Planning Obligations SPD (as at May 2015 and subject to indexation), would be as follows:

1,720 m2 Woodland = £ 17,045.20

430 m2 Allotments = £ 50,881.90 This will need discussion with the Parish Council who are responsible for allotment provision.

Education

Based on the current submission for 75 residential units it is estimated that the following number of pupils of school age will be reside on site:

Early Years 9

Primary 26

Secondary 15

Special Educational Needs 0.44

Total 40

A financial contribution through the Community Infrastructure Levy (see later) will be required to accommodate these children in local schools

Sustainable Construction

Policy CS2 of the Core Strategy requires development to be of a good standard of design and include sustainable construction techniques with high levels of energy saving. Should you decide to proceed with your proposal, you will need to submit a sustainability/energy statement with your planning application.

Your sustainability/energy statement must show how the dwelling has been designed to reduce its energy use by reason of its design, and how 15% of the energy needs of the development will be provided by decentralised (preferably on-site), renewable and/or low-carbon technologies. Further information on this subject is available in the council's Supplementary Planning Document (SPD) entitled [Creating Sustainable Buildings and Places](#) (adopted 24 March 2015).

The sustainability/energy statement should show how sustainable design principles have been incorporated into the development. A checklist is provided in the SPD which outlines the documentation which must be submitted with different development types to comply with policy CS2. Please note that the government released a planning statement on 25 March 2015 to confirm that the Code for Sustainable Homes will cease to exist, so this will not form part of policy CS2 from this date.

Space Standards

Policy DM42 of the North Somerset Sites and Policies Plan (Part 1) states that '*Where practical and viable, the Council expects all new build market and affordable housing (across all tenures) to comply with the DCLG's 'Technical housing standards – nationally described space standard'*'. If you decide to submit a planning application, your plans and drawings must demonstrate that your proposal meets this standards set in this document.

Living conditions of neighbours

Policy DM32 of the Sites and Policies Plan (Part 1) states that the design and layout of development should not prejudice the living conditions for the occupiers of the proposal or that of adjoining occupiers through loss of privacy, overlooking, overshadowing or overbearing impact.

Policy DM37 also requires that the living conditions of the occupiers and adjoining properties are not prejudiced.

Any new dwelling should not cause significant harm to the living conditions of neighbouring residents when using their gardens or habitable rooms and the scheme should also be designed to provide adequate living conditions for the occupants of the proposed dwelling. For further information and advice, please refer to the council's design guide on the subject, which can be found on our website at: [Residential Design Guide - Section 1](#)

Waste Storage

New dwellings must be provided with sufficient space for a waste storage area and collection point. Provision should be made for every household to store 1 x 180 litre wheeled bin, two recycling boxes and a food waste caddy. For single dwellings, an area of 1.2m² should be sufficient to provide for storage of waste containers and provide space for access. Storage areas should be sited so that the distance householders are required to carry refuse does not usually exceed 30m. A refuse collection point must also be made available that is no more than 15m away from where the refuse collection vehicle can manoeuvre. The surface treatment for the collection point and storage area should be non-permeable to prevent potential contamination from liquids seeping into the ground. Care will need to be taken to ensure that the storage area and collection point are designed in such a manner as to respect the character of the development and the wider area. The council has produced a guidance note on this subject entitled: [Residential Design Guide - Section 4 - Recycling and Waste](#).

Accessible Housing

Access for disabled people is a material consideration in the determination of a planning application for new dwellings. Policy DM42 of the Sites and Policies Plan (Part 1) and policy CS2 of the Core Strategy, promote the development of accessible housing to standards that enable all housing to be capable of adaptation and use by everyone.

Any [Design and Access Statement \(DAS\)](#) that you submit with your planning application should, amongst other things, describe how your proposals will meet the standards set out in the national Building Regulations 2010 [Approved Document Part M, Volume 1: Dwellings – M4\(2\) Category 2: Accessible and adaptable dwellings](#).

Your DAS should address each of the features in the Approved Document one by one, where relevant.

If, due to the scale and nature of your proposals, you are not required to submit a DAS (as set out in the [Planning Practice Guidance](#)), you should explain in writing how you have addressed the above requirements and annotate your plans accordingly.

Further advice and help on the interpretation of this advice is available by contacting the council's Access Officer, Anthony Rylands, on 01934 634989 or email: Anthony.rylands@n-somerset.gov.uk.

Affordable Housing

All sites proposed for 11 or more dwellings, or comprising 1000m² or more are required to provide a minimum of 30% on-site affordable housing, at nil public subsidy, with a tenure split of 77% social rent and 23% shared ownership.

This application proposes **75 dwellings**; therefore the affordable housing requirement is **23 of** these units. If the total number of dwellings change during the planning application, then required amount of affordable housing will change according to the revised number of dwellings.

The Council will only accept a lower affordable housing contribution if the economics of provision are such that the provision of affordable housing renders the development economically unviable. In this circumstance, the Council or an independent expert employed by the Council, will undertake a full review (funded by the developer) of the development costs and projected sales values in order to determine the level of provision that may be sought from the developer. Please see section 6.1 of the Affordable Housing Supplementary Planning Document (AH SPD) 2013 for more information.

Discussions on housing need, mix, unit type and affordability should take place early on with the Council's Housing Strategy & Enabling Team. The affordable housing should provide a choice of housing types, having regard to the recommendations of the Strategic Housing Market Assessment (SHMA), the existing mix of dwellings in the locality and the character and accessibility of the location.

Breakdown of the requested mix:

77% social rent

| Unit size/type | Number of Occupants | Percentage to be provided |
|----------------|---------------------|---------------------------|
| 1 bed | 2 | 20% |
| 2 bed flat | 3 | 18% |
| 2 bed house | 4 | 23% |
| 3 bed house | 5 | 31% |
| 4+ bed house | 6+ | 8% |

23% intermediate affordable housing (shared ownership):

| Unit size/type | Number of Occupants | Percentage to be provided |
|----------------|---------------------|---------------------------|
| 1 bed | 2 | 13% |
| 2 bed flat | 3 | 21% |
| 2 bed house | 4 | 25% |
| 3 bed house | 5 | 35% |
| 4 bed house | 6 | 6% |

Community Infrastructure Levy (CIL)

The community infrastructure levy is a charge which developers will have to pay towards the cost of infrastructure to support development. The levy will be a charge per square metre of development. It can vary according to the size, type and location of the proposal

North Somerset Council has adopted a Community Infrastructure Levy (CIL) Charging Schedule, which took effect on 18th January 2018. This means that certain types of development will be required to pay a per square metre levy towards the costs of delivering infrastructure to support the growth of the area. Affordable housing and site specific requirements will still need to be addressed through s106 agreements.

Residential and retail development is likely to be liable for CIL charges if:

- it contains at least 100 square metres of extra floor space (new build); or
- it is less than 100 square metres but results in the creation of a new dwelling; or
- you are converting a building that is not 'in-use'.

Liable applications consented after the 18th January 2018 are required to pay CIL. For more information please see www.n-somerset.gov.uk/cil and <https://www.gov.uk/guidance/community-infrastructure-levy>

The rates are as set out in the table below:

| Location(s) | Development type (use class) | CIL charge £/m ² |
|-----------------------------|---|--------------------------------|
| Zone A: Weston Town Centre | Residential (C3/C4). | 0 |
| Zone B: Outer Weston: sites | Residential (C3/C4) development on sites designated as Strategic Development Areas. | 20 |
| | Residential (C3/C4) development on sites not designated as Strategic Development Areas. | 40 |
| Zone C: Rest of District | Residential (C3/C4) development on sites designated as Strategic Development Areas. | 40 |
| | Residential (C3/C4) development on sites not designated as Strategic Development Areas. | 80 |
| All (zones A, B, C) | Extra-care (C2) housing. | 0 |
| | Purpose-built student accommodation / halls of residence. | 40 |
| | Large-scale retail (A1/A2/A3/A4/A5): more than 280m ² net sales area. | 120 |
| | Small-scale retail (A1/A2/A3/A4/A5): less than 280m ² net sales area. | 60 |
| | Commercial (B1/B2/B8). | 0 |
| | All other qualifying development. | 0 |

Definitions and maps showing zones are available on our website at www.n-somerset.gov.uk/cil
Your site would appear to fall within Zone C.

Conclusion

On the assumption that technical issues such as drainage, highways and flood risk can be overcome the fundamental test is whether the scheme is in accordance with Policy CS28 and if not, does the harm outweigh the benefits from additional housing and the need to address the 5 year housing supply (Para 14 of NPPF)

Although the scheme is just within the threshold set by Policy CS28 and is adjacent to the settlement boundary there are serious concerns regarding the impact on the landscape, the rural character of the area and the breach of the strong northern boundary to Weston-super-Mare

In addition it is the Council's view that by the time a planning application is submitted and /or determined the Council will be able to demonstrate a 5 year housing supply and therefore the settlement boundary and relevant housing policies in adopted Development Plan policies will carry full weight.

If you wish to pursue a planning application then there are a number of detailed matters raised in this report that will need to be addressed and primarily these relate to landscape, highways, archaeology, flooding and ecology

It is likely that previous s106 contributions mentioned here, with the exception of affordable housing and any site specific ones may be subsumed within the new Community Infrastructure Levy, mentioned above.

Things we recommend you do

Should you decide to proceed with your proposal you are advised to contact the local parish/town council and your elected North Somerset ward councillor. You can find contact details for your local council and ward councillor on our [planning map](#) on our website.

You are also strongly advised to speak to any neighbours that may be affected by this proposal. You will find helpful advice about how to get your project completed and avoid unnecessary delays and costs on our [website](#).

What to submit if you choose to submit an application

In addition to the relevant application form you will also need to submit the items identified on our validation checklist. If you do not submit all these items we may not be able to process your application which will result in delays. Our [planning application requirements](#) can be viewed on our website.

The following document/s will be particularly important and must be included if you submit a formal planning application

- Affordable housing statement
- Ecology Report
- Tree Survey
- Draft heads of terms for a planning obligation
- Design and Access Statement
- Energy statement
- Flood Risk Assessment
- Open space assessment
- Street scene drawing
- Landscape Visual Impact Assessment and Landscape Plan
- Transport Assessment including Travel Plan

Detailed advice about each of the documents referred to above can be found on our [website](#).

Advice notes

1. The views expressed are informal views on and based on the information currently available. They are without prejudice to the consideration of any planning application, which may be submitted, and the more detailed assessment of the issues involved at that stage.
2. Any advice given in relation to the planning history of the site, planning constraints or statutory designations does not constitute a formal response of the council under the provisions of the Land Charges Act 1975.
3. The weight given to our advice will reduce the more time that lapses between the advice given and the application being submitted because circumstances may change.
4. Whilst we try to give you all the information available at the advice stage, new information may come to light once a planning application has been submitted that we were not previously aware of. We reserve the right to take a different view if this occurs, however, we will contact you first to discuss the best way forward.
5. We do not normally undertake consultation with external bodies when considering pre-application requests. If you decide to submit a planning application we will formally consult and this process may raise new and relevant issues that need to be taken into account in reaching our formal decision.
6. We do not normally undertake a site visit at the pre-application stage. If you decide to submit a planning application we will carry out a site visit and this may raise new and relevant issues that need to be taken into account in reaching our formal decision
7. Should you require any further advice and information there may be an additional charge.
8. Further fees or contributions may be required prior to the granting of planning permission under S106 agreements or unilateral undertakings.

Signed: Graham Quick

23/01/2018