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Town and Country Planning Act 1990

Rebuttal Statement

Alban Henderson

On Behalf of Mead Realisations Ltd

Land at Lynchmead Farm, Ebdon Road Weston-super-Mare

PINS Ref APP/D0121/W/22/3313624

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Walsingham Planning

1 Gas Ferry Road

Bristol

BS1 6UN

Telephone

0117 325 2000



bristol@walsingplan.co.uk

www.walsinghamplanning.co.uk

REBUTTAL STATEMENT

- I.1 This rebuttal statement is provided in response to the proof of evidence of Mr Marcus Hewlett, and responds specifically to Mr Hewlett’s contention at paragraphs 4.28 to 4.31 of his evidence that the meaning of the wording “*the point in time envisaged for the development*“, included within the definition of “*reasonably available sites*” within PPG (Paragraph: 028 Reference ID: 7-028-20220825) should be interpreted as 5 years..
- I.2 Mr Hewlett does not set out either the start or the end of his applied 5 year period but for the purposes of this rebuttal, it is assumed his 5 year timescale would apply from 2023, and thus expire at 2028. Mr Hewlett at para 4.31 of his evidence confirms that “*sites with availability likely to extend beyond this [5 years] I agree to reject*”.
- I.3 I do not concur with Mr Hewlett that a 5 year period is a reasonable interpretation of Guidance. In my view 5 years is not a “*point in time*” but rather a period of time.
- I.4 However, even if the Mr Hewlett’s interpretation of ‘point in time’ is applied in this case, it would not introduce any additional sites for consideration under the sequential assessment, and the evident housing need requirement within North Somerset will still not have been met.
- I.5 In the Farleigh Farm, Backwell appeal decision, dated 22nd June 2022 (Appeal ref APP/D0121/W/21/3285624) the Inspector identified a total housing requirement of 7,308 for the period April 2021 to March 2026, and a supply of 5,181 dwellings, giving a residual need of 2,127 dwellings based on a (then) Local Housing need (LHN) figure for North Somerset of 1,462 dpa. (Paragraph 46, CD9.1).
- I.6 The residual housing need as of 2026 therefore, as agreed within the SoCG at paragraph 5.4 (CD8.1), is 2,127 dwellings.
- I.7 Of the 39 sites disputed by NSC and put forward as sequentially preferable sites in this appeal, 17 are included within NSC’s April 2021 Trajectory (CD8.53) and so are already accounted as contributing to meeting housing need for the duration of the current plan period to 2026 and cannot contribute a second time to meeting the agreed 2,127 residual need. These sites are:

ST5: Land at Bridgewater Road
ST8: Walliscote Place
ST9: Dolphin Square
ST10: Former TJ Hughes Store
ST21: Land at North West Nailsea
ST24: Land south of The Uplands Nailsea
ST26: Trendlewood Way, Nailsea
ST29: Land south of Downside Portishead
ST33: Land off Wrington Lane, Congresbury
ST34: Broadleaze Farm, Winscombe
ST35: Land at Shipham Lane, Winscombe
ST36: Land adj. Combe Farm, Winscombe
ST40: Moor Road, Yatton
ST41: Oxford Plasma, Yatton
AS9: Land west of Trenchard Road
AS10: Pudding Pie Lane (West), Churchill
AS11: Weston College site, Somerset Sq, Nailsea

- 1.8 For eight of these 17 sites, the Farleigh Farm Inspector considered amendments were necessary to the delivery trajectory for the site, to reflect the likelihood that the site would fail to deliver the quantum of development forecast by the April 2021 trajectory. The majority of these 17 sites are proposed as allocated housing sites within the emerging NSC Local Plan 2023 – 2038 (CD8.23).
- 1.9 The emerging Local Plan (eLP), which is expected to cover the period 2023 – 2038, provides for a minimum housing provision of 20,085. The eLP, under the supporting text to draft Policy SP8 Housing, says that this minimum number of new dwellings over the 2023 – 2038 period has been informed by a LHN assessment, using the standard method, and as at February 2022 the annual housing need requirement was 1,339 dwellings per annum (dpa).
- 1.10 The LHN for North Somerset is currently 1,414 dpa using the standard method including a 5% allowance.

- I.11 Of the 20,085 minimum housing provision, 18,064 dwellings are identified as allocations, with the remainder expected to come forward as windfall sites. The sites allocated within the eLP include 31 of the 39 sites disputed by NSC and put forward as sequentially preferable sites in this appeal.
- I.12 Given the eLP minimum housing provision is expected to be substantially met by allocations, it would not be correct to expect these sites to also contribute to reducing the identified residual need of 2,127 at 2026 or 2028.
- I.13 Excluding trajectory sites and sites proposed as allocations within the eLP, 7 sites out of the 39 sites disputed by NSC are neither included within the April 2021 Trajectory or proposed as a housing allocation within the eLP.
- I.14 The 7 sites, and their assessed housing capacity, are

NSC Ref	Site	Capacity	Evidence source
ST14	Leighton Crescent	81	SHLAA
ST16	Rose Tree Farm	109	SHLAA
ST17	Anson Road	70	Plan.App 21/P/3529/OUT
ST52	Skinners Lane, Churchill	25	PP. 22/P/2991/RM
ST68	Farleigh Farm	125	PP 21/P/1766/OUT
ST69	Rectory Farm	98	PP 21/P/0236/OUT
AS8	Greenhill Road, Sandford	49	Plan.App 22/P/0227/OUT
TOTAL		557	

- I.15 As is evident, even if the above sites are delivered within the next 5 years, they will only address part of the existing residual need, and there will remain a residual need of some 1,570 dwellings.