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Town and Country Planning Act 1990

Proof of Evidence

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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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I INTRODUCTION

- I.1 My name is Alban Henderson, I hold a M.Phil in Town Planning and I am a Chartered Town Planner and have been a member of the RTPI since 1995.
- I.2 I am a Director of Walsingham Planning, based at the company's regional office in Bristol. Walsingham Planning principally advise private sector clients on town planning matters associated with existing and proposed developments.
- I.3 Prior to joining Walsingham Planning, I was Director at DLP and prior to that I worked for GL Hearn for 16 years. I am familiar with the North Somerset area, having previously advised clients on development proposals in various parts of North Somerset, and advised North Somerset Council (NSC) on planning issues relating to Weston-super-Mare (WSM).
- I.4 Walsingham Planning have advised Mead Realisations in respect of their Lynchmead site since 2017. I have been involved with the appeal proposal since joining Walsingham Planning in early autumn 2022, and in a day-to-day capacity since January 2023.
- I.5 This Proof of Evidence has been prepared on behalf of Mead Realisations in respect of the appeal by Mead Realisations Ltd (the applicant) against NSC's refusal of planning application ref 20/P/1579/OUT for the reasons set out in the decision notice dated 8th July 2022.
- I.6 My evidence considers only planning matters in relation to reason for refusal I, and specifically matters in respect of the methodology and application of the flood risk sequential test.
- I.7 My evidence should be read in association with the evidence presented by Ian Jewson of Oneleven, Nick Bosanko of SLR (Drainage and Flood Risk) and Mat Cowley of EAD (Ecology).

2 THE FACTUAL BACKGROUND

- 2.1 A formal pre-application advice request was submitted to NSC on behalf of the applicant on 2nd Nov 2017. The Council issued an initial advice letter in response to the pre-application advice request on 23rd January 2018 (CD3.3), and an updated formal advice letter on 23rd March 2018 (CD3.4)
- 2.2 Both the 23rd January 2018 and 23rd March 2018 advice letters referred to flood risk sequential test, highlighting that:
- “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.”*
- 2.3 Specifically in respect of the Sequential Test, both NSC pre-application advice letters advised *“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”*.
- 2.4 The appeal application was validated by NSC on 9th July 2020. The appeal application was accompanied by a suite of plans and supporting documents (CD 1.1-1.30) including a Sequential Test Report, dated June 2020. (CD 1.27)
- 2.5 The June 2020 Sequential Test Report assessed sites identified within the North Somerset SHLAA 2018 and located within WSM. Paragraph 4.10 of CD 1.27 confirms the sequential search methodology applied, which was to discount sites within Flood Zone 3 and to further consider four sites in WSM identified in the SHLAA 2018 which were located fully or partially outside Flood Zone 3.
- 2.6 The four sites to which further consideration was given were subsequently discounted based on the conclusion of the site assessment undertaken by NSC and set out within the SHLAA 2018.
- 2.7 On 21st April 2021 a letter titled *“Land at Lynchmead Farm, Weston-super-Mare (LPA Ref: 20/P/11579/OUT): Sequential Test Addendum”* was submitted to the Council, in response to a request from the Council. The letter (CD8.66) confirms the Council requested *“justification for the scope of the submitted Sequential Test and include assessment of additional sites if necessary”*.

- 2.8 The Sequential Test Addendum, April 2021 provided a sequential test assessment of 14 sites. These sites were identified and assessed on the basis of the criteria set out in NSC Development Management Advice Note, November 2019 (CD8.4). The Sequential Test Addendum concluded that none of the 14 assessed sites could be considered sequentially preferable.
- 2.9 The Council's comments in respect of the Sequential Test Addendum, April 2021 were provided by email on 12th May 2021. In his email the Council's planning case officer questioned the applicant's reasoning for not undertaking a North Somerset wide sequential test and advised that "reliance on policies CS13, 14 and 28 does not comply with the first bullet point CS3(1)" and that unless a district wide sequential test was provided "it will be treated as an 'in principle' objection".
- 2.10 In response to the 12th May 2021 correspondence from the planning case officer, further sequential test assessment work was carried out and a 'Sequential Test Addendum, July 2021', was subsequently submitted to the Council on 26th July 2021.
- 2.11 The Sequential Test Addendum, July 2021 provided a district-wide sequential test assessment of sites not previously assessed. The sites assessed were identified on the basis of whether they met one or more criteria. The criteria applied were:

"Site's subject of a valid planning permission for development of a similar character and scale (we have set the parameters as between 65-85 dwellings, between 3-6 hectares or smaller sites adjacent to each other which could accommodate a similar level of housing development).

Sites allocated in the Site Allocations Plan which could potentially be reasonably available and appropriate for the proposed development.

A site (or combination of sites) adjacent to Weston up to 75 dwellings (anything else would not be policy compliant under CS28 and therefore not a reasonable alternative).

A site (or combination of sites) adjacent to Nailsea, Clevedon and Portishead up to 75 dwellings, e.g. a site of 50 dwellings next to a site of 25 dwellings (anything else would not be policy compliant under Policy 31 and therefore not a reasonable alternative).

A site (or combination of sites) adjacent to service villages up to 75 dwellings, e.g. 3 sites next to each other of 25 dwellings each (anything else would not be policy compliant and therefore not a reasonable alternative)."

- 2.12 The Sequential Test Addendum, July 2021 (CD8.67) assessed 42 sites, none of which were found to be sequentially preferable to the application site. Additionally, for completeness, the July 2021 Addendum included a list of 'all sites', including sites that were 'scoped out' on the basis of failing to meet any of the applied criteria.
- 2.13 The Council's comments on the Sequential Test Addendum, July 2021 were provided by email on 5th November 2021. In his email the Council's planning case officer advised that he and colleagues had reviewed the 42 additional sites that had been assessed, and the 'all sites' list including the scoped out sites, and provided specific comments in relation to 11 sites. In relation to those 11 sites, the Case officer advised that *"Unless officers are satisfied that these sites can be excluded through further information, we are minded to conclude that the sequential test has not been passed, and this will weigh heavily against the proposal"*.
- 2.14 In response to the case officer comments, further information was submitted to the Council on 12th Dec 2021, including addressing the case officer's specific comments relating to the 11 individual sites.
- 2.15 Following further correspondence with the Case Officer, including an email from the case officer dated 12th January 2022 (CD8.69) in which the case officer advised that he was *"satisfied with the further information"* and that *"it appears that there are no other reasonably available sites in a lower flood zone that could currently accommodate the proposed development"*, the Case officer advised by email on 24th March 2022 that he had *"taken advice"* on the Sequential Test and advised that, in the light of the release of the Council's 2022 SHLAA, the sequential test *"should be re-run taking account of the 2022 SHLAA"*.
- 2.16 In response to the case officer's 24th March email, further sequential test site assessment work was carried out, in respect of sites included within the Council's SHLAA 2022, and the completed assessment, titled *"Additional Site Assessments 2022 SHLAA"* (CD 2.25) was submitted to the Council on 12th May 2022.
- 2.17 The 12th May 2022 Additional Site Assessments 2022 SHLAA assessed 31 sites, and concluded that none were sequentially preferable.

3 PLANNING POLICY CONTEXT

- 3.1 The planning policy context relating to the sequential test is set out in the proof of evidence of Mr Ian Jewson.

4 THE SUBMITTED SEQUENTIAL TEST EVIDENCE

- 4.1 The sequential test which accompanied the original planning application, dated June 2020 (CD1.27), and the subsequent ‘Sequential Test Addendum, April 2021’ (CD8.66) were prepared in line with the advice provided by the Council at the pre-application stage. That is, that the area of search for potentially sequentially preferable alternative sites that could accommodate the proposal should be Weston-super-Mare.
- 4.2 The Sequential Test Addendum, April 2021 – which assessed 14 sites in addition to the original June 2020 test – identified sites on the basis of Policy CS3 criteria and the criteria set out in the NSC Development Management Advice Note, November 2019. This was specifically at the request of the Council, following discussions with the case officer.
- 4.3 The Sequential Test Addendum, April 2021 assessment included one site that was subject of a valid planning permission for development. The site, called “*Land at the Junction of Bleadon Hill and Bridgewater Road*”, had outline planning permission for “*up to 60 dwellings*” and was discounted as sequentially preferable on the basis that it “*would not accommodate 75 dwellings*”. I have seen no evidence that the Council disputed that conclusion.
- 4.4 As is evident from Section 3 of my evidence, further site assessment work was subsequently undertaken, in July 2021 and December 2021, again specifically in response to comments and requests from the Council for additional information. That additional evidence included the assessment of sites with a valid planning permission for development of a similar character and scale, in line with the Council’s applied definition of “*reasonably available*” set out in NSC’s Development Management Advice Note, November 2019.
- 4.5 Further information was then submitted in December 2021 (CD8.68), specifically addressing the Council’s further queries in relation to 11 of the July 2021 sites, which primarily related to the availability of each of the 11 sites.
- 4.6 At each submission of additional information, the appellant has consistently expressed to the Council that a district-wide sequential assessment should not be required in this case. Similarly, in the interests of assisting the Council and resolving the Council’s concerns on the acceptability of the sequential evidence submitted, the ‘additional’ sequential test assessments had regard to the Council’s Development Management Advice Note, and applied the criteria set out in that advice note. That is despite the fact that the Advice Note does not form part

of the development plan, has not been subject to formal consultation and has not been adopted as a supplementary planning document.

- 4.7 Following appeal of the refused application, further sequential test assessment work has been undertaken, to re-examine the site assessment evidence previously submitted. The revised assessment, dated December 2022 (CD5.3), was submitted as Appendix I to the appellant's Sequential Test Statement of Case, and includes consideration of sites in line with up-to-date national guidance.
- 4.8 The methodology applied for the 'Sequential Test December 2022' is consistent with that applied previously. However, to reflect up-to-date national guidance, the Sequential Test December 2022 also considers whether assessed sites are or would be available to come forward at the point in time envisaged for the appeal proposal.
- 4.9 The appeal site is expected to be delivered as follows:
- Obtain outline planning permission: July 2023
 - Obtain Reserved Matters approval: June 2024
 - Obtain approval / discharge of conditions (as applicable): Dec 2024
 - Start on site: Early 2025
 - Completions:
 - 2025: 40 dwellings (minimum)
 - 2025/26: 35 dwellings
- 4.10 The Sequential Test December 2022 envisaged completion of 75 dwellings by the end of 2025, assuming a commencement of development in 2025. As a conservative 'belt and braces' approach, this proof of evidence proceeds on the basis of a commencement of development in early 2025 with delivery of a minimum of 40 dwellings within 12 months of commencement, and the remainder delivered no later than early 2026.
- 4.11 The applicable 'point in time' (in the sense used by the PPG) therefore, for the purposes of assessment of potential alternative sites, is that the site must be capable of the development being commenced by end of 2024. That is, that full planning permission for the development of the site is achieved and all necessary and applicable conditions are appropriately discharged by the end of 2024.

5 THE DISPUTED SITES

- 5.1 The Council's *"Interim Position on Sequentially Preferable Sites for Appeal: Lynchmead Farm Ref: APPD0121/W/22/3313624"*, issued to the Inquiry by NSC on 31st March 2023, (CD8.70) agrees with the applicant's conclusions in respect of 42 sites and disputes the conclusions of the December 2022 Sequential Test, in respect of 27 sites. Additionally, the Council refers to 12 further sites that it considers to be sequentially preferable sites to the appeal site. A total of 39 sites are therefore identified by the Council as sequentially preferable to the appeal site.
- 5.2 For each of the 39 sites disputed by the Council, the Council provides what it refers to as the *"key reason"* for concluding that the site is suitable as a reasonable alternative in sequential test terms.
- 5.3 For the 12 further sites, referenced as *"Appendix 2-Rest of District Sites"* in the Council's *'Interim Position on Sequentially Preferable Sites for Appeal: Lynchmead Farm'*, (CD8.70) the Council recognises that 5¹ of these sites are not in conformity with the current adopted Development Plan, but nevertheless considers the sites to be reasonable alternatives in sequential test terms on the grounds that the sites are identified as proposed allocation sites within the emerging local plan. Mr Jewson's evidence, at his Section 5, explains that the emerging Local Plan is only at Preferred Options stage and the current NSC forecast date for adoption of the emerging Local Plan by March 2024 is extremely unlikely to be achieved. On those grounds alone, it is reasonable to conclude that those sites (referenced ASI – AS5) cannot reasonably be considered sequentially preferable to the appeal site.
- 5.4 Appendix I to this proof of evidence re-assesses the 39 disputed sites and, for each site, provides an up-to-date sequential assessment of the site based on methodology that aligns with the expectations of Policy CS3 and national policy and guidance.
- 5.5 For convenience I set out, at Table I below, the conclusions for each of the 39 sites disputed by NSC, and, for each site, identifies the grounds for dismissing the sites as sequentially preferable, based on key criteria set out in national guidance (PPG), the NSC Core Strategy Policy CS3, and the NSC Development Management Advice Note, November 2019.

¹ a further 3 sites - AS6, AS7 and ASI2 - are incorrectly referenced by NSC as in conformity with the current Development Plan

5.6 A plan identifying the location of the 39 disputed sites is included at Appendix 2

5.7 Table I

Site reference	PPG	Policy CS3	NSC Advice Note
ST5: Land at Bridgewater Road		<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p> <p>Site has a valid planning permission.</p>	Does not meet the requirements of the proposed development.
ST8: Walliscote Place	Not available at point in time.	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	Does not meet the requirements of the proposed development.
ST9: Dolphin Square	<p>Not available at point in time.</p> <p>Not suitable for type of development.</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p>	Does not meet the requirements of the proposed development.
ST10: Former TJ Hughes Store	<p>Not available at point in time.</p> <p>Not suitable for type of development.</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p>	<p>Does not meet the requirements of the proposed development.</p> <p>Does not have development potential within the required timescale based on Housing Trajectory 2021.</p> <p>No valid planning permission.</p>

ST14: Leighton Crescent	Not available at point in time.	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on the SHLAA 2022. No valid planning permission.
ST16: Rose Tree Farm	Not available at point in time.	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on SHLAA 2022 and site assessment (supporting evidence). No valid planning permission.
ST17: Land to west of Anson Road	Not available at point in time.		Does not have development potential within the required timescale based on SHLAA 2022.
ST18: Grange Farm, Hutton	Not available at point in time. Unsuitable location (Policy CS33).	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on SHLAA 2022.
ST21: Land at North West Nailsea	Not available at point in time.	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	
ST24: Land south of The Uplands Nailsea	Not suitable for type of development.	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not meet the requirements of the proposed development.
ST26: Trendlewood Way, Nailsea	Not suitable for type of development.	Cannot accommodate the requirements of the proposed development.	Does not meet the requirements of the proposed development.

		<p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	
ST29: Land south of Downside Portishead	<p>Not available at point in time.</p> <p>Not suitable for type of development.</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	<p>Does not meet the requirements of the proposed development.</p> <p>Does not have development potential within the required timescale based on site assessment (supporting evidence).</p>
ST33: Land off Wrington Lane, Congresbury	<p>Not suitable for type of development.</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	<p>Does not meet the requirements of the proposed development.</p>
ST34: Broadleaze Farm, Winscombe	<p>Not available at point in time.</p>		<p>Does not have development potential within the required timescale based on Housing Trajectory (2021).</p>
ST35: Land at Shipham Lane, Winscombe	<p>Not suitable for type of development.</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	<p>Does not meet the requirements of the proposed development.</p>
ST36: Land adj. Combe Farm, Winscombe	<p>Not suitable for type of development.</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p>	<p>Does not meet the requirements of the proposed development.</p>

		Not publicly owned land that has been declared surplus and available for purchase.	
ST40: Moor Lane, Yatton	Not available at point in time. Not suitable for type of development.	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase. Site has a valid planning permission.	Does not meet the requirements of the proposed development. Does not have development potential within the required timescale based on the draft Local Plan timetable.
ST41: Oxford Plasma, Yatton	Not available at point in time. Not suitable for type of development.	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not meet the requirements of the proposed development.
ST47: Land south of Nailsea	Not available at point in time. Unsuitable location (Policy CS31).	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on SHLAA 2022.
ST48: Yatton Rugby Ground	Not available at point in time. Unsuitable location (Policy CS32).	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on SHLAA 2022.
ST51: North of Pudding Pie Lane	Not available at point in time. Unsuitable location (Policy CS32).	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on SHLAA 2022.
ST52: Skinners Lane, Churchill	Not available at point in time. (67 units – SHLAA 2022).	Cannot accommodate the requirements of the proposed development.	Does not meet the requirements of the proposed development.

	Unsuitable location for type of development (Policy CS32)	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase. Site has a valid planning permission.	Does not have development potential within the required timescale based on SHLAA 2022.
ST55: Land East of Congresbury	Not available at point in time. Unsuitable location (Policy CS32).	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not meet the requirements of the proposed development. Does not have development potential within the required timescale based on SHLAA 2022 and site assessment (supporting evidence).
ST56: Land East of Wolvershill Road Banwell	Not available at point in time. Unsuitable location (Policy CS33)	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not meet the requirements of the proposed development. Does not have development potential within the required timescale based on SHLAA 2022 and site assessment (supporting evidence).
ST57: Summer Lane, Banwell	Not available at point in time. Unsuitable location (Policy CS33).	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not meet the requirements of the proposed development. Does not have development potential within the required timescale based on SHLAA 2022 and site assessment (supporting evidence).
ST68: Land at Farleigh Farm and 54 and 56 Farleigh Road Backwell	Not available at point in time. Not suitable for type of development.	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase. Site has a valid planning permission.	Does not have development potential within the required timescale based on SHLAA 2022.

ST69: Land at Rectory Farm		<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p> <p>Site has a valid planning permission.</p>	Does not meet the requirements of the proposed development.
AS1: Wolvershill Strategic Growth Area	<p>Not available at point in time.</p> <p>Unsuitable location (Policy CS33).</p>	<p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	Does not have development potential within the required timescale based on SHLAA 2022.
AS2: Land at Mead Farm	<p>Not available at point in time.</p> <p>Unsuitable location (Policy CS33).</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	<p>Does not meet the requirements of the proposed development.</p> <p>Does not have development potential within the required timescale based on SHLAA 2022.</p>
AS3: Land west of Sandford	<p>Not available at point in time.</p> <p>Unsuitable location (Policy CS33).</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	<p>Does not meet the requirements of the proposed development.</p> <p>Does not have development potential within the required timescale based on SHLAA 2022.</p>
AS4: West of Hill Road, Winscombe	<p>Not available at point in time.</p> <p>Unsuitable location (Policy CS33).</p>	<p>Cannot accommodate the requirements of the proposed development.</p> <p>Not owned by applicant or for sale.</p> <p>Not publicly owned land that has been declared surplus and available for purchase.</p>	<p>Does not meet the requirements of the proposed development.</p> <p>Does not have development potential within the required timescale based on SHLAA 2022.</p>

AS5: Land east of Ladymead Lane	Not available at point in time. Unsuitable location (Policy CS32).	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on SHLAA 2022.
AS6: North and south of Youngwood Lane	Not available at point in time. Unsuitable location (Policy CS31).	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not have development potential within the required timescale based on SHLAA 2022.
AS7: Grove Farm, Backwell	Not available at point in time. Unsuitable location (Policy CS32).	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Cannot accommodate the requirements of the proposed development. Does not have development potential within the required timescale based on SHLAA 2022.
AS8: Greenhill Road, Sandford	Not available at point in time. Unsuitable location (Policy CS33).	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not meet the requirements of the proposed development. Does not have development potential within the required timescale based on SHLAA 2022.
AS9: Land west of Trenchard Road	No reasonable prospect that the site is available.	Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase. Site has a valid planning permission.	
AS10: Pudding Pie Lane (West), Churchill	Not available at point in time. Unsuitable location (Policy CS32).	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale.	Does not meet the requirements of the proposed development.

		Not publicly owned land that has been declared surplus and available for purchase.	
AS11: Weston College site, Somerset Square, Nailsea	Not suitable for type of development.	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale.	Does not meet the requirements of the proposed development.
AS12: Elm Grove Nursery, Locking	Not available at point in time. Not suitable for type of development.	Cannot accommodate the requirements of the proposed development. Not owned by applicant or for sale. Not publicly owned land that has been declared surplus and available for purchase.	Does not meet the requirements of the proposed development. Does not have development potential within the required timescale based on SHLAA 2022 and site assessment (supporting evidence).

6 CONCLUSION

- 6.1 The appellant has engaged with the Council in relation to the sequential test assessment since 2017, including at pre-submission stage and throughout the appeal application determination period. My evidence confirms that throughout the application process the applicant has responded positively to address the planning case officer's requests.
- 6.2 In addition to the original June 2020 Sequential Test assessment, 5 further sequential assessments have been completed, including the re-assessment of sites undertaken in December 2022 and submitted as Appendix I to the appellant's Sequential Test Statement of Case (CD 5.2)
- 6.3 In total 343 sites have been assessed, including 94 in or adjoining WSM and 249 elsewhere within the North Somerset district.
- 6.4 The Council disputes the conclusions in respect of 27 of these sites and has put forward a further 12 sites which it considers to be sequentially preferable to the appeal application site.
- 6.5 The location of the 39 sites disputed by the Council are identified at Appendix 2 of my evidence and a sequential assessment of each site is provided at Appendix I. In each case the sequential assessment applies the approach set out by the Core Strategy (Policy CS3) and national policy and guidance. Additionally, the site assessments provided at Appendix I also have regard to the sequential assessment approach advocated by the Council's 2018 Advice Note.
- 6.6 This sequential test analysis demonstrates that there are no sites that can be reasonably considered sequentially preferable to the appeal site.