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SPECIALIST PLANNING & DEVELOPMENT CONSULTANTS

1 Gas Ferry Road, Bristol, BS1 6UN

Tel: 0117 325 2000

Email: [bristol@walsingplan.co.uk](mailto:bristol@walsingplan.co.uk)

Web: [www.walsinghamplanning.co.uk](http://www.walsinghamplanning.co.uk)

**Our Ref:** PR.274  
**Date:** 21/04/21

Mr N. Underhay  
Principal Planning Officer  
Development and Environment  
North Somerset Council  
Post Point 15  
Town Hall  
Weston-Super-Mare  
BS23 1UJ

Dear Neil,

**Land at Lynchmead Farm, Weston-super-Mare (LPA Ref: 20/P/1579/OUT):  
Sequential Test Addendum**

On behalf of our client, Mead Realisations Ltd, I write further to the submission of the above application, which was validated on the 9<sup>th</sup> of July 2020, our meeting with you on the 3<sup>rd</sup> of September and 7<sup>th</sup> October, and our subsequent correspondence since this time. This letter is an addendum to the Sequential Test Report (June 2020) previously submitted in support of this application and should be considered in conjunction with that document. The original Sequential Test is attached at **Appendix I**.

As you set out during a phone conversation with my colleague Ian Jewson, we understand that you would like us to provide justification for the scope of the submitted Sequential Test and include assessment of additional sites if necessary.

**Sequential Test Search Area**

The original planning application was supported by a Flood Risk Assessment (FRA) confirming that the site is in Flood Zone 3a and therefore a Sequential Test is required. The submitted Sequential Test included evidence relating to other reasonably available sites in areas with a lower risk of flooding which could potentially accommodate the proposed development in Weston-super-Mare (WSM) to demonstrate the requirements of the test have been met. The submitted Sequential Test also included a section demonstrating that the Exceptions Test is passed.

Prior to the submission of the planning application, we engaged in pre-application discussions with North Somerset Council (NSC) and a written advice report was received on the 23<sup>rd</sup> of January 2018 (17/P/5072/PRE). The required scope and search area for the Sequential Test were set out in the pre-application report provided by NSC, which stated:

*'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.'*



(our emphasis)

Policy CS3 of the Council's adopted Core Strategy states:

1. *The area of search for alternative sites will be North Somerset-wide unless:*
  - *It can be demonstrated with evidence that there is a specific need within a specific area; or*
  - *The site is located within the settlement boundaries of Weston (including the new development areas), Clevedon, Nailsea and Portishead, where the area of search will be limited to the town within which the site is located.*
  - *Other Local Development Documents may define more specific requirements.*
2. *A site is considered to be 'reasonably available' if all of the following criteria are met:*
  - *The site is within the agreed area of search.*
  - *The site can accommodate the requirements of the proposed development.*
  - *The site is either:*
    - a. *owned by the applicant;*
    - b. *for sale at a fair market value; or*
    - c. *is publicly-owned land that has been formally declared to be surplus and available for purchase by private treaty.*

(Our emphasis)

As set out in the text extracted from Policy CS3 above the area of search for alternative sites should be North Somerset-wide unless it can be demonstrated with evidence that there is a specific need within a specific area or the site is located in the settlement boundary of certain settlements including WSM. The Council's Development Management Advice Note on development and flood risk issues (November 2019) which was published following the adoption of the Core Strategy takes this further by stating:

*"The area of search for alternative sites will be North Somerset-wide unless:*

- *It can be demonstrated with evidence that there is a specific need within a specific area. To avoid delay it is recommended that applicants contact the council early in the process to discuss the area of search and evidence of need. A development that includes a mix of uses may need to apply the Sequential Test using different areas of search for the different uses. For the test to be passed, each use within the proposal must pass."*

It is also worth noting that the guidance on applying the Sequential Test in the National Planning Practice Guidance (PPG) states:

*"For individual planning applications where there has been no sequential testing of the allocations in the development plan, or where the use of the site being proposed is not in accordance with the development plan, the area to apply the Sequential Test across will be defined by local circumstances relating to the catchment area for the type of development proposed. For some developments this may be clear, for example, the catchment area for a school. In other cases it may be identified from other Local Plan policies, such as the need for affordable housing within a town centre, or a specific area identified for regeneration. For example, where there are large areas in Flood Zones 2 and 3 (medium to high probability of flooding) and development is needed in those areas to sustain the existing community, sites outside them are unlikely to provide reasonable alternatives."*



(Paragraph: 033 Reference ID: 7-033-20140306)  
(*Our emphasis*)

As you will be aware Policy CS13 sets out a ‘minimum’ housing requirement of 20,985 dwellings in the plan period. To meet this requirement Policy CS14 confirms that WSM will be the focus of new residential development. Policy CS28 further confirms a ‘minimum’ requirement of 12,800 dwellings at WSM. To provide flexibility and to ensure that sufficient houses are provided in WSM Policy CS28 specifically permits housing development of ‘*about 75 dwellings*’ on land within or adjoining the settlement boundary subject to meeting certain criteria. This policy approach is unique to WSM as the most sustainable settlement in North Somerset and is an important part of the overall spatial strategy. Importantly though, to be consistent with Policy CS28 development proposals must be located within or adjacent to the settlement boundary of WSM.

It therefore stands to reason that for the purposes of undertaking a Sequential Test for proposals being considered under Policy CS28 the area of search must be limited to sites within or adjacent to WSM. In this instance the fact that WSM has been identified as the focus of growth in the adopted Core Strategy provides the necessary evidence that there is a specific need within a specific area. On this basis the area of search in the submitted Sequential Test was limited to WSM including the Parish areas of Kewstoke, Ebdon, Worle and St George.

### **Additional Sites**

The submitted Sequential Test was based on the requirements in Policy CS3 of the adopted Core Strategy. The approach included identifying and considering sites in the agreed search area which could potentially accommodate the proposed development. This included a review of sites in the Council’s Strategic Housing Land Availability Assessment 2018 (SHLAA). The sites considered were located either fully or partially outside Flood Zone 3a according to the Environment Agency’s Flood Map for Planning (i.e. all sites in either Flood zone 1 or 2). An assessment of these sites concluded that based on the evidence available there were no reasonably available sites appropriate for the proposed development in the agreed search area with a lower risk of flooding.

The Council’s Development Management Advice Note (November 2019) does not form part of the Development Plan for North Somerset but provides guidance on what is meant by a reasonably available site. It states:

*“A site is considered to be “reasonably available” if all of the following criteria are met:*

- *The site is within the agreed area of search.*
- *The site can accommodate the requirements of the proposed development. Applicants should consider the potential for splitting the development over more than one site. This will be particularly relevant to sites for housing.*
- *The site is either:*
  - *the subject of a valid planning permission for development of a similar character and scale; or*
  - *identified as having development potential within the required timescale, either in the SHLAA or in a Local Plan policy or supporting evidence; or*
  - *in the case of small sites, for sale and not subject to known planning constraints.”*

Based on this guidance we have now also included an assessment of the following sites:

- Site’s subject of a valid planning permission for development of a similar character and scale

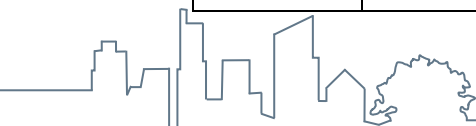


- Sites allocated in the Site Allocations Plan which could potentially be reasonably available and appropriate for the proposed development.

We have not considered emerging allocations for housing as the Council's new Local Plan is still at a very early stage and is yet to identify any potential sites.

The table below provides an assessment of the sites that have been considered in further detail:

Permissions					
LPA reference	Address	Size (ha)	No. of Units	Reasonably available and appropriate for the proposed development?	Sequentially Preferable (Yes/No)
17/P/1138/O	Land at the junction of Bleadon Hill and Bridgwater Road, BS24	2.63	Up to 60	Outline permission was granted 22/07/19. The site is approved for up to 60 dwellings and would not accommodate 75.	No
Allocations					
	Queensway/midhaven Rise, BS22	1.2	35	Site in use as football pitch and not available for purchase. The site is also too small for the proposed development. Site is also not deliverable in 5 years according to Council's housing trajectory.	No
	Parklands Village (former RAF Locking site)	148.25	3679	Partially within Flood Zone 3 and site is too big for proposed development. Development has also commenced so not available.	No
	Land North of Oldmixon Road	12.6	130	Partially within Flood Zone 3 and site is too big for proposed development.	No
	Land at Wentwood Drive	2.73	50	Development has commenced and site is too small for proposed development.	No
	Land at Bridgwater Road	2.62	60	Outline permission was granted 22/07/19 for up to 60 dwellings. Site is too small for proposed development.	No
	South of Herluin Way, Avoncrest Site, BS23 3YN	27	750	Site is not deliverable in next 5 years according to Council's housing trajectory and is too big for proposed development.	No
	Station Gateway, BS23 3DE	2	300	Partially within Flood Zone 3 and site is too big for proposed development.	No



	Walliscote Place, BS23 IEE	0.42	70	No planning application has been submitted and site is too small for proposed development of housing.	No
	Dolphin Square	0.74	183	Site is not deliverable in next 5 years according to Council's housing trajectory and site is not available for purchase. The site is also too small for the proposed development of housing.	No
	Former TGJ Hughes Store, High St, BS23 IST	0.12	18	Site is too small for the proposed development.	No
	Land at Atlantic Road South, BS23 2DE	0.21	23	Site is too small for proposed development.	No
	Birnbeck Pier	6.55	50	Site cannot be delivered within 5 years according to Council's housing trajectory and is not available for purchase.	No
	Lynton House Hotel	0.14	41	The site is too small.	No

### Conclusion

We trust the above provides you with additional justification on the scope of the original Sequential Test and you will agree that there are no sequentially preferable sites which could accommodate the proposed development. Even if there were other appropriate and reasonable available sites in an area at lower risk of flooding in WSM it is important to note that the Council cannot currently demonstrate a five year housing land supply and therefore Paragraph 11 is engaged. In this case as much of WSM is located in Flood Zone 3a it was always anticipated that sites such as this would be required to deliver housing requirements in the area.

Yours sincerely,



**Jonathan Chick MA (Hons) MRTPI  
Consultant**

**Email:** [jonathan.chick@walsingplan.co.uk](mailto:jonathan.chick@walsingplan.co.uk)

