

Parish Council Comments on Additional Regulation 16 Representations and North Somerset Councils Comments on the Submitted Plan

Parish Council Comments on Additional Representations to Regulation 16 (forwarded by NSC 16th January 2024)

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
Plan Section - About Wraxall & Failand Neighbourhood Plan Area				
Harrow Estates	Harrow Estates	<p>Overall, Harrow welcomes the production of the Neighbourhood plan. It sets out positive and proactive steps for the future of the two villages within the Neighbourhood Plan Area. Harrow also believes that the Draft Neighbourhood Plan meets the basic conditions identified in Paragraph 8 of Schedule 4B of the Town and Country Planning Act 1990 (as amended). As such, Harrow’s comments (as expressed below) focus on their proposals for strategic growth at Failand Triangle, which could help to deliver many of the Draft Neighbourhood Plan’s objectives and aspirations.</p> <p>Specifically, Harrow’s interest in the consultation relates to their ongoing promotion of three separate sites adjoining Failand Triangle. Together, these account for approximately 39.9 hectares (98.59 acres). Harrow considers this land suitable to accommodate strategic development, which will deliver new homes (including affordable homes), education facilities, green infrastructure, biodiversity net gain, public open space, and new pedestrian/cycle connections. These will be in addition to off-site upgrades to transport and other infrastructure.</p> <p>We trust that our comments are of assistance to NSC and Wraxall & Failand Parish Council, and we are happy to discuss any of the representations made here.</p> <p>An emerging Illustrative Masterplan is presented in Appendix 1 to illustrate the proposals envisaged by</p>	<p>Land at Failand Harrow Estates.pdf</p>	<p>Comments noted.</p> <p>Given the role and function of Failand and the Green Belt designation covering the area in question, any strategic development in this area would be a matter for any future Local Plan review, taking into account requirements of the NPPF to justify exceptional circumstances (NPPF 145).</p> <p>The site is not identified as a proposed residential site in the latest regulation 19 North Somerset Local Plan. The site (ref: HE2010107), was rejected and not taken forward for further considerations given it was not considered consistent with the spatial strategy (see pre-submission Sustainability Appraisal Report for the Local Plan, Appendix E, for further information).</p>

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		<p>Harrow. A Vision Document is provided in Appendix 2 to explain the proposals more fully.</p> <p>Failand</p> <p>Harrow makes no comments regarding the description of Failand, as set out in Section 2 of the Draft Neighbourhood Plan, as this is a factual statement that reflects the history of the settlement.</p> <p>However, Harrow does have the following observations:</p> <ul style="list-style-type: none"> •The Draft Neighbourhood Plan identifies that services are limited (paragraph 31) •There is no primary school and limited play areas service Failand Triangle (paragraph 32) •Lower Failand is geographically distinct from Failand Triangle (paragraph 34) <p>With respect to the above, Harrow has undertaken its own review of the services available at Failand Triangle and the surrounding area. Its emergent proposals are being developed to help address current shortfalls in provision. Indeed, a key benefit of a larger scale (but appropriately phased) strategic development at Failand Triangle will be the provision of a new primary school in conjunction with other community facilities and enhanced transport connections.</p> <p>The commentary under the heading ‘Neighbourhood Area’ (in paragraphs 2.65-2.66) also refers to ‘Development Pressure’. It explains that, whilst at the time of writing, no major development allocations have</p>		

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		<p>been identified within the Neighbourhood Plan Area (i.e., nothing has been proposed in the emergent Local Plan), North Somerset Council continues to face significant challenges in allocating and delivering sufficient levels of housing and employment growth.</p> <p>The Draft Neighbourhood Plan acknowledges that this context and future changes to planning policies could result in strategic growth within the Neighbourhood Plan Area. In paragraph 2.68, it is then explained that the Plan seeks to adopt a proactive approach. The document then sets out several policies intended to manage future large-scale development if this were to occur. Indeed, it is further acknowledged that this eventuality will trigger a need to review the Neighbourhood Plan.</p> <p>Harrow considers this approach a pragmatic and proportionate response to the prevailing planning context and the uncertainties described. Indeed, the Draft Neighbourhood Plan addresses the main strategic planning matter encountered locally. Namely, the document recognises that legitimate pressures for growth exist but also acknowledges that (because of the Green Belt designation) strategic development could only occur if enabled at the Local Plan level.</p> <p>In this environment, it is quite correct that the Neighbourhood Plan should introduce a framework to ensure that strategic growth (if it does occur) is shaped to meet local objectives and benefit existing as well as new residents. This approach is consistent with the National Planning Policy Framework (NPPF), in paragraph 16, which indicates that Plan-making should contribute</p>		

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		<p>to sustainable development and that Plans should be positively prepared.</p> <p>Harrow continues to welcome the opportunity to meet with Wraxall & Failand Parish Council and North Somerset Council (NSC) to discuss the potential development opportunities at Failand Triangle.</p> <p>For appendices see attached document.</p>		
Plan Section - Vision				
Harrow Estates	Harrow Estates	<p>Harrow supports the proposed Vision.</p> <p>Promoting healthy lifestyles, bringing the community together through providing and improving local services, and engaging with residents are all themes that find support within the NPPF. Likewise, Harrow agrees that there is a need for high-quality and locally distinctive design and to maintain and improve access to land within the Green Belt. The final sentence of the Vision also sets out a clear description of the kind of place Failand will have become by 2038, notably that it be an environment that allows <i>“people of all backgrounds to live, play and work peacefully in the Parish”</i>.</p> <p>Harrow believes there is a need for strategic growth at Failand Triangle to deliver on this Vision and its supporting objectives. Indeed, there is a real opportunity to improve the quality of life of existing residents and introduce new services to Failand Triangle in conjunction with providing new homes. This will include new affordable homes presently absent from the existing housing stock, rendering Failand Triangle a more inclusive and vibrant place.</p>	<p>Land at Failand Harrow Estates.pdf</p>	<p>Support noted.</p> <p>See comments above. Any strategic growth and necessary changes to the green belt would be matters the Local Plan level of plan making. We note the site was rejected for further consideration as part of the latest Local Plan reg 19 consultation.</p>

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		<p>Harrow has also adopted (and is committed to) a placemaking approach in forming its emergent proposals for Failand Triangle. This has been articulated through its previous representations, Vision Document, and initial presentations to NSC and Wraxall & Failand Parish Council. Harrow agrees that it is not enough to provide new homes. Instead, a sustainable expansion at Failand Triangle must deliver a package of infrastructure that enhances existing communities and makes the village a better place to live.</p> <p>Whilst Harrow's proposals are predicated on the release of areas of Green Belt land around the settlement, should this occur (through a future Local Plan), this will be in conjunction with the provision of new areas of publicly accessible parkland, recreational facilities, and open spaces. Indeed, securing compensatory improvements to the environmental quality and accessibility of remaining Green Belt land is an established planning principle, as set out in NPPF paragraph 142 and consistent with the Neighbourhood Plan's proposed vision.</p> <p>The third of the proposed objectives notes that should growth occur, this will need to be phased to ensure that infrastructure can be appropriately provided. Harrow is committed to maintaining an open dialogue with NSC and Wraxall & Failand Parish Council, such that future strategic growth at Failand Triangle is designed from the outset to integrate with the existing community and contributes towards strategic and local infrastructure per relevant national and local planning policies, and guidance.</p>		

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Plan Section - Objectives				
Hugh Pratt		<p>The Plan is to be encouraged as a green response to a green belt area.</p> <p>There are two issues which are not or inadequately addressed in this plan you are inspecting:</p> <ul style="list-style-type: none"> • Green energy <p>It is recommended that the Inspector allows: “ ‘great weight’ to be granted to the creation of green energy, especially novel methods”</p> <p><u>Rationale:</u> We have a National Energy crisis and Wraxall & Failand must play their part for the common good.</p> <ul style="list-style-type: none"> • Local landscape <p>Para 4.3 Objectives #4 “Encourage high quality and locally distinctive design which blends with the local vernacular rather than competing.”</p> <p>It is recommended that the Inspector clarifies objectives #4:” “Encourage high quality and distinctive designs”</p> <p><u>Rationale:</u> The existing definition is unworkable and a romantic error.</p> <p>The existing landscape character and vernacular of the settlement is “ filled with a mixture of various developments of various styles and settings.</p>	<p>Wraxall and Failand Neighbourhood Plan submission by Dr. Pratt 2.pdf</p>	<p>With regard to green energy we would not consider such an approach compatible with NPPF 156, given the extent of green belt covering the Neighbourhood Plan area.</p> <p>The wording of objective 4 is not considered inconsistent with NPPF 135 in terms development being sympathetic to local character. However, the PC would be open to considering revised/improved wording for this objective if it is not considered clear.</p>

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		<p>See the pictures of some of developments in and adjacent and in direct visual connection to Tyntesfield House. How do you blend with Tyntesfield House and South Lodge?</p> <p>For images and Parish Plan see attachment.</p>		
Sport England	Sport England	<p>Thank you for consulting Sport England on the above neighbourhood plan.</p> <p>Government planning policy, within the National Planning Policy Framework (NPPF), identifies how the planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Encouraging communities to become more physically active through walking, cycling, informal recreation and formal sport plays an important part in this process. Providing enough sports facilities of the right quality and type in the right places is vital to achieving this aim. This means that positive planning for sport, protection from the unnecessary loss of sports facilities, along with an integrated approach to providing new housing and employment land with community facilities is important.</p> <p>It is essential therefore that the neighbourhood plan reflects and complies with national planning policy for sport as set out in the NPPF with particular reference to Pars 98 and 99. It is also important to be aware of Sport England’s statutory consultee role in protecting playing fields and the presumption against the loss of playing field land. Sport England’s playing fields policy is set out in our Playing Fields Policy and Guidance document.</p>	Sport England.pdf	<p>Policy WF1 affords protection to sports facilities in the parish, including the cricket club and playing fields north of Nailsea, consistent with NPPF 103.</p>

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		<p>https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#playing_fields_policy</p> <p>Sport England provides guidance on developing planning policy for sport and further information can be found via the link below. Vital to the development and implementation of planning policy is the evidence base on which it is founded.</p> <p>https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport#planning_applications</p> <p>Sport England works with local authorities to ensure their Local Plan is underpinned by robust and up to date evidence. In line with Par 99 of the NPPF, this takes the form of assessments of need and strategies for indoor and outdoor sports facilities. A neighbourhood planning body should look to see if the relevant local authority has prepared a playing pitch strategy or other indoor/outdoor sports facility strategy. If it has then this could provide useful evidence for the neighbourhood plan and save the neighbourhood planning body time and resources gathering their own evidence. It is important that a neighbourhood plan reflects the recommendations and actions set out in any such strategies, including those which may specifically relate to the neighbourhood area, and that any local investment opportunities, such as the Community Infrastructure Levy, are utilised to support their delivery.</p> <p>Where such evidence does not already exist then relevant planning policies in a neighbourhood plan</p>		

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		<p>should be based on a proportionate assessment of the need for sporting provision in its area. Developed in consultation with the local sporting and wider community any assessment should be used to provide key recommendations and deliverable actions. These should set out what provision is required to ensure the current and future needs of the community for sport can be met and, in turn, be able to support the development and implementation of planning policies. Sport England's guidance on assessing needs may help with such work.</p> <p>http://www.sportengland.org/planningtoolsandguidance</p> <p>If new or improved sports facilities are proposed Sport England recommend you ensure they are fit for purpose and designed in accordance with our design guidance notes.</p> <p>http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/</p> <p>Any new housing developments will generate additional demand for sport. If existing sports facilities do not have the capacity to absorb the additional demand, then planning policies should look to ensure that new sports facilities, or improvements to existing sports facilities, are secured and delivered. Proposed actions to meet the demand should accord with any approved local plan or neighbourhood plan policy for social infrastructure, along with priorities resulting from any assessment of need, or set out in any playing pitch or other indoor and/or outdoor sports facility strategy that the local authority has in place.</p>		

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		<p>In line with the Government’s NPPF (including Section 8) and its Planning Practice Guidance (Health and wellbeing section), links below, consideration should also be given to how any new development, especially for new housing, will provide opportunities for people to lead healthy lifestyles and create healthy communities. Sport England’s Active Design guidance can be used to help with this when developing planning policies and developing or assessing individual proposals.</p> <p>Active Design, which includes a model planning policy, provides ten principles to help ensure the design and layout of development encourages and promotes participation in sport and physical activity. The guidance, and its accompanying checklist, could also be used at the evidence gathering stage of developing a neighbourhood plan to help undertake an assessment of how the design and layout of the area currently enables people to lead active lifestyles and what could be improved.</p> <p>NPPF Section 8: https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-communities</p> <p>PPG Health and wellbeing section: https://www.gov.uk/guidance/health-and-wellbeing</p> <p>Sport England’s Active Design Guidance: https://www.sportengland.org/activedesign</p> <p><i>(Please note: this response relates to Sport England’s planning function only. It is not associated with our funding role or any grant application/award that may relate to the site.)</i></p>		

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		<p>If you need any further advice, please do not hesitate to contact Sport England using the contact details below.</p> <p>Yours sincerely,</p> <p>Planning Technical Team Planning.South@sportengland.org</p>		
Plan Section - Policy WF1: Community Facilities				
Harrow Estates	Harrow Estates	<p>Policy WF1 seeks the protection of community facilities and includes a list of facilities to be protected. The draft policy also supports proposals that provide services and facilities for young people. It is noted that the draft policy also states:</p> <p><i>“Proposals which make provision for services and facilities for young people, in particular, recreation, sport, informal leisure and youth club provision, and those which would provide new or improved local services, will be supported. Schemes to increase the recreation and play on offer for all ages of children and young people at the Failand Village Hall and Millennium Green will also be supported.”</i></p> <p>Harrow supports draft Policy WF1, which is consistent with NPPF paragraph 93. Harrow can confirm that its proposals for Failand will not harm any existing community assets in the settlement. These include the Failand Inn and Failand Village Hall, located on the northwestern side of Failand Triangle, adjoining the promoted land. Indeed, Harrow’s proposals provide a clear opportunity to provide better linkages to enhance accessibility to these community facilities.</p>	Land at Failand Harrow Estates.pdf	Comments noted.

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		<p>With the benefit of future discussions with the Parish Council, Harrow will also seek to bring forward additional community facilities, as may be required. This will include substantial open space provision, community parks, activity zones and play provision. There is also the potential to enlarge or replace the existing village hall and scope to bring forward a primary school at the settlement.</p>		
Plan Section - WF2 Local Green Space				
Wain Homes (Severn Valley) Limited		<p>On behalf of our client, Wain Homes (Severn Valley) Ltd (WHSV), I set out below comments in response to the consultation on the Regulation 16 version of the Wraxall and Failand Neighbourhood Plan (WFNP).</p> <p>Previously, Blue Fox Planning Ltd submitted comments in response to the Regulation 14 consultation, identified as 'Comment ID 40' within the WFNP Consultation Statement (May 2023).</p> <p>Our comments are focused specifically on land controlled by WHSV, circa 28 hectares, adjoining the north-eastern edge of Nailsea, to the south of the B3130, Bristol Road. This land is identified in the North Somerset District Council Strategic Housing Land Availability Assessment (Site Ref: HE20223). To assist in identifying this land, we include a site location plan as an appendix to our comments.</p> <p>The Regulation 16 WFNP proposes to designate land which includes land controlled by WHSV as a Local Green Space (LGS) through emerging Policy WF2, specifically 'The Elms Open Space'. The extent of the proposed Elms</p>	<p>WFNP Reg 16 Blue Fox Planning on behalf of Wain Homes Severn Valley Ltd.pdf</p>	<p>The PC do not have any further substantive comments to add to the justification details set out in the submitted Local Green Space Assessment, which considers the identification of each LGS against the NPPF criteria. Where appropriate we have however provided points of clarification below.</p> <p>Whilst promoted through in the SHLAA the site (ref: HE20223) was discounted on the basis of flood risk and being detached from main settlement (see NSC SHLAA schedule here). This is also set out as a reason for reject of the SA of the emerging Local Plan (Appendix E).</p>

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		<p>Open Space LGS is presented at Inset Map 7 to the Reg 16 WFNP. Land controlled by WHSV and the proposed Elms Open Space LGS is shown at Appendix 1 to these representations.</p> <p>This Regulation 16 consultation is concerned with the compliance of the WFNP in respect of the Basic Conditions.</p> <p>The North Somerset District Council Executive Committee held on the 6th September 2023 concluded that the WFNP satisfies the necessary conditions, in accordance with Schedule 4B of the 1990 Town and Country Planning Act (as amended).</p> <p>For reasons set out in our comments below, we do not agree that the Basic Conditions have been satisfied and in light of these comments, the examination of the WFNP must provide for appropriate opportunities for our position to be discussed.</p> <p>The Planning Practice Guidance expects the examination of a draft Neighbourhood Plan to be conducted via written representations. However, where an examiner considers it necessary to ensure adequate examination of an issue, or to give a person a fair chance to put a case, they must hold a hearing to listen to the oral representations about a particular issue.</p> <p>Given the nature of our representations to this Regulation 16 consultation, we consider that is necessary and fair to request that a hearing is held in order to make oral representations.</p>		

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		<p>The Basic Conditions are summarised below:</p> <ol style="list-style-type: none"> 1. A plan must have appropriate regard to national policy and advice; 2. Have special regard to the desirability of preserving any listed buildings or its setting; 3. Have special regard to the desirability of preserving or enhancing the character or appearance of any conservation area; 4. Contribute to the achievement of sustainable development; 5. Be prepared in general conformity with the strategic policies contained in the development plan; 6. Should not breach and is otherwise compatible with, EU obligations; and, 7. Prescribed conditions are met and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan. <p>The WFNP Basic Conditions Statement considers policies contained within the plan against each of the basic conditions. In respect of having regard to national policy and advice (A), Table 1 of the Basic Conditions Statement lists each policy, alongside the 'key' NPPF paragraphs, providing a summary of how regard has been had to those paragraphs identified.</p> <p>For WFNP Policy WF2 (Local Green Space), the Basic Conditions Statement lists paragraphs, 101, 102, 103, and 147-151 of the NPPF and concludes:</p> <p><i>"The NPPF supports the communities identifying and protecting green areas of particular importance to them as Local Green Space. Consistent with the NPPF the policy</i></p>		

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		<p><i>for managing the local green space is consistent with those for Green Belts.”</i></p> <p>The national Planning Practice Guidance (PPG) requires that if land is already protected by Green Belt policy, then consideration should be given to whether any additional local benefit would be gained by designation as LGS. The PPG does recognise that LGS could provide potential benefits where protection from development is the norm, but where there could be exceptions, by identifying areas that are of ‘particular importance to the local community.’</p> <p>In the context of the specific LGS proposed at the ‘Elms Open Space’ it should be noted that this land is located within the designated Green Belt. We explain below that there is no obvious rationale as to what, if WF2 is consistent with the Green Belt and the protections and requirements for the management of these spaces provided by this designation, additional protection the proposed LGS would provide.</p> <p>Paragraph 101 of the NPPF allows local communities to designate land as LGS where these areas are of particular importance to them. There is therefore a requirement for areas which are proposed to be designated as LGS, to have a demonstrable and clearly identified importance to the local community it serves.</p> <p>Paragraph 3.4 of the Consultation Statement explains that:</p> <p><i>Given the significant extent of Green Belt it was considered that identification of Local Green Space Designations was <u>important to help differentiate areas</u></i></p>		

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		<p><i>that are of particular importance to the local community for reasons other than those associated with the Green Belt. (Our emphasis)</i></p> <p>It is therefore the case that the LGS designation is premised on factors, i.e. matters of particular importance, which differentiate this land from the strategic protection provided by the Green Belt designation. In this context it is noted that paragraph 3.5 of the Consultation Statement goes on to explain that:</p> <p><i>Identification and designation of Local Green Spaces where appropriate was therefore considered to be an important role for the Neighbourhood Plan; <u>providing locally specific policies for sites that differentiate it from the wider Bristol Green Belt</u>. This approach is considered consistent with the North Somerset's adopted Local Plan, which already identifies a number of Local Green Space designations within the Green Belt. (Our emphasis)</i></p> <p>Reference to other LGS designations also includes land at the southern extent of the Elms Open Space LGS which is an existing LGS designation (Land North of Vowles Close). The extent of this area was considered during its designation process and this did not extend further north. Furthermore, the justification for the Vowles Close LGS did not consider that a wider geographical area was either necessary or appropriate, or that there were any locally specifically policies that differentiate such land from the wider Bristol Green Belt that would justify any extended area to form part of the LGS.</p> <p>Therefore, the approach and justification for the LGS as now proposed within the WFNP (Elms Open Space) is</p>		<p>For the examiners benefit the NSC justification of current Land north of Vowles Close LGS is set out on page 76 (Schedule 3) of NSC Sites and Policies Plan, Part 2, available here. A background paper was also prepared in 2016 available here and is referred to the Neighbourhood Plan Local Green Space Assessment. The previous identification of LGS at the Local Plan level is not considered to preclude the ability for communities to seek to identify additional land as LGS through further assessment at the Neighbourhood Plan level.</p>

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		<p>inconsistent with that which informed the designation of the Vowles Close LGS.</p> <p>Therefore, the approach and justification for the LGS as now proposed within the WFNP (Elms Open Space) is inconsistent with that which informed the designation of the Vowles Close LGS.</p> <p>In this context it is necessary to consider paragraph 102 the NPPF which confirms that a LGS designation should only be used where the green space is:</p> <ul style="list-style-type: none"> <i>A) in reasonably close proximity to the community it serves;</i> <i>B) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and</i> <i>C) local in character and is not an extensive tract of land</i> <p>Our comments are focused predominantly on b), and the requirement for the WFNP to demonstrate with sufficient clarity and evidence that the LGS is demonstrably special to the local community and holds a particular local significance. We do however also set out brief representations in respect of a) and c) below.</p> <p>a). in reasonably close proximity to the community it serves</p> <p>The LGS assessment (Page 15) explains that:</p>		

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		<p><i>“The land proposed to be designated lies wholly within 200-400m walking distance from existing populations. It serves hundreds of homes in The Elms alongside residents using routes from Wraxall to the east and Nailsea to the west via direct Public Rights of Way.”</i></p> <p>Reference to distances depend on the point at which the distance is measured and from the southern extent of the LGS this would encapsulate significantly higher number of homes within the The Elms, than if this was measured from central point of the site. Notwithstanding this, it is acknowledged that the existing LGS at Vowles Close is located at the settlement edge of Nailsea and The Elms residential area. The wider LGS area, as now proposed is more remote and a greater distance from the Elms residential area.</p> <p>Reference to the site and its Public Rights of Way serving residents further afield should be considered carefully and there is particular concern that the use of the Public Rights of Way is being referenced to elevate the importance of this land in LGS terms. The Public Rights of Way exist irrespective of LGS designations and do not confer any wider rights of access beyond these designated routes on to private land.</p> <p>b). demonstrably special to a local community</p> <p>The Local Green Space Assessment was not published in support of the Regulation 14 consultation which ran from the 5th December 2022 until the 1st February 2023, despite being referenced within the Reg 14 consultation document at paragraph 1.5.</p>		

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		<p>This was recognised by North Somerset District Council within their report to the September 2023 Executive Committee, where it states:</p> <p><i><u>“Although the Regulation 14 consultation version Neighbourhood Plan contained a number of Local Green Space designations there was no accompanying evidence report which explained the basis on which each of the designations was being proposed. This omission was commented on by North Somerset Council and also another respondent. The final submitted Consultation Statement explains that no report was published at the time because responses to the Regulation 14 consultation version of the Plan were intended to be used to inform the Local Green Space evidence report. The Consultation Statement and Local Green Space Assessment paper do reference that discussions have taken place with the relevant landowners in accordance with government advice, however the omission is regrettable. Should Executive be minded to accept the recommendations of this report then the regulation require that a period of consultation must be undertaken by North Somerset Council prior to the Plan being submitted for examination. This will provide an opportunity for interested parties to respond to the additional evidence as necessary.”</u></i> (Our emphasis).</p> <p>In terms of ‘discussions’ with relevant landowners referenced above, it is noted that within the Consultation Statement (see paragraph 2.15) it states that <i>registered landowners of all the relevant land were consulted by email or letter in December 2022</i>. This is not correct in respect of the landowners whom WHSV have entered into a promotional agreement with. It was only with the</p>		<p>The PC has been in contact with Blue Fox Planning since the May 2022 face-to-face event and have kept them updated to Neighbourhood Plan progress since. A subsequent meeting was held between the PC and Blue Fox Planning, Wainhomes and the landowner which included sharing the</p>

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		<p>publication of the Reg 14 consultation which, as noted above, was not supported by the main evidence base (the Local Green Space Assessment), that the landowners became aware of the intent to designate this land as LGS.</p> <p>The omission of the Local Green Space Assessment as part of the Regulation 14 consultation was more than just regrettable. This omission denied the opportunity to scrutinise the justification for LGS designations at the early stage, limiting the opportunities of WSHV and landowners to comment on the evidence base until this current Reg 16 consultation stage.</p> <p>The following section of our comments deal specifically with the justification of the Elms Open Space LGS as set out in the Local Green Space Assessment (Site Ref: WF0001), with specific regard to paragraph 102, part b, of the NPPF.</p> <p>The site description does not identify from the outset that land which adjoins the settlement of edge of Nailsea forms part of an existing LGS designation, 'Land north of Vowles Close', as designated through the North Somerset Sites and Policies Plan. This is however acknowledged within the WFNP at paragraph 2.57. The failure to clearly identify the existing LGS within the LGS Assessment results in an analysis that is artificially skewed and in doing so, fails to differentiate key features which distinguish land which forms the existing LGS and the additional land to the north which the WFNP now seeks to designated as part of an expanded LGS.</p> <p>The extent of the existing LGS is shown below. It should be noted that this LGS area is owned and managed by</p>		<p>relevant parts of the draft Local Green Space Assessment that related to Elms Open Space area, to ensure transparency and inform discussion between the parties.</p> <p>Whilst we agree it could have been made clearer, the LGS assessment does identify that there is an existing LGS designation in the 'statutory designations' part of the assessment table, as well as the reference in paragraph 2.57 of the Neighbourhood Plan itself.</p>

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		<p>North Somerset District Council and it is wholly open to the public – access is not restricted to specific routes or paths. This is in stark contrast to the wider area to the north, controlled by WHSV, which is privately owned and access limited to designated Public Rights of Way (see attachment for map).</p> <p>In order to determine whether part b of paragraph 102 has been satisfied it is important to consider the LGS Assessment (May 2023) and the basis upon which it demonstrates that this land is demonstrably special to the local community and holds a particular local significance.</p> <p>We reiterate the fact that land immediately north of Vowles Close is already designated as LGS and therefore what is being proposed through the WFPN is an extension to an existing LGS. This should be the basis upon which the LGS Assessment is framed, however this is not the case and, in our view, this approach and the associated analysis misrepresents and fails to recognise the distinction between land which is currently an LGS area and land which would form an extension to it.</p> <p>The LGS Assessment recognises that land immediately north of Vowles Close (the existing LGS) is reasonably formal in nature, comprising a Play Area (The Elms Playground). It then goes on to note that as users travel north <i>the area becomes more rural and less formal, although footpaths remain clearly defined and frequently travelled</i>. Beyond the River Land Yeo and outside of the proposed LGS area, the LGS Assessment concludes that <i>the land becomes further from the local communities which it serves and more akin to the wider countryside,</i></p>		

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		<p><i>becoming arguably less demonstrably special to the local community and seen as part of the wider countryside.</i></p> <p>The LGS Assessment concludes this analysis by recognising that “a judgement is required to be made as to where this differentiation is to be drawn”. The LGS Assessment seeks to differentiate land (and therefore its value/importance to the local community) in terms of land north of the River Land Yeo and land between Nailsea and the River Land Yeo.</p> <p>It is our position that the clear line of differentiation is between land which is currently designated as a LGS and land to the north, controlled by WHSV. A key distinguishing feature is that the existing LGS area, directly north of Vowles Close, is publicly owned and is fully open to the public, where access is not restricted to specific routes or path and this includes The Elms Playground. Land to the north is privately owned and access is limited to designated Public Rights of Way. There is no wider recreational value to this land beyond access to existing Public Rights of Way and this represents a clear distinction between the two land areas and should be the basis upon which the LGS assessment differentiates its assessment.</p> <p>Within the LGS Assessment it explains that 65% of residents identified The Elms Playground as important or very important. The Elms Playground is located within the existing LGS designated area, which is publicly owned and wholly open to the public, where access is not restricted. It is a misrepresentation to suggest that The Elms Playground is a feature which is of direct relevance to the wider proposed LGS area. Moreover, the extent to</p>		<p>Whilst we appreciate the different land ownership and that public access arrangements differ between land parcels, it is our understanding land ownership is not identified in the NPPF criteria regarding the identification of LGS (NPPF 106). The guidance in the PPG is also relevant in this regard (Reference ID: 37-017-20140306 to 37-020-20140306).</p>

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		<p>which an existing play provision and the importance attached to it in survey responses, is of direct relevance to proposals for LGS designation is not explained within the LGS Assessment.</p> <p>The LGS Assessment then states that around 45% of feedback forms supported the protection and enhancement of this area during the summer 2022 consultation activities". It is our position that 'around 45%' fails to satisfy the requirements of paragraph 102 of the NPPF (part b) in terms of a green space being <u>demonstrably special</u> and <u>having a particular local significance</u>.</p> <p>Notwithstanding this, the LGS Assessment goes on to explain that <i>"Those in support generally grouped together The Elms Playground, Pastures Pond and Land between Nailsea and Wraxall (south of Bristol Road) as being special to them, suggesting that these areas are used in combination for recreational activities."</i></p> <p>Once again, the LGS Assessment is basing its judgement for the whole extent of the LGS on specific features within it, namely The Elms Playground and Pastures Pond. The former already being within an LGS and the latter being located some distance to the main LGS extended area.</p> <p>The LGS Assessment draws conclusions in terms of these areas being used in combination for recreational purposes, without any specific evidence to demonstrate that this is the case. This does not recognise, or seeks to ignore, that public access and recreational opportunities vary significantly between the existing LGS which is under</p>		<p>It should be noted that the 45% referred to in the LGS assessment refers to feedback forms received across the whole Parish area, not just from those in the immediate vicinity of the proposed Elms Open Space LGS.</p>

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>public ownership with unfettered public access, with land to the north which is privately owned and where access restricted to Public Rights of Way.</p> <p>The LGS Assessments extrapolates assumptions based on specific matters which are not relevant to this wider LGS area, such as the Elms Playground and Green Pastures Pond and seeks to conclude on that basis that the requirements for LGS are satisfied. It is a self-serving case to extrapolate such matters to the wider LGS area and in doing so it misrepresents the clearly distinguishable features associated with the existing LGS and the wider LGS area.</p> <p>The LGS Assessment then goes to state that <i>“97% consider the rural character of the Parish to be important or very important”</i>, as a basis upon which this area is special to the local community. The rural character of the Parish, and the importance attached to it, is not specific to the land which is proposed to be designated as LGS. This represents a Parish- wide matter of importance which reflects the recognition within the WFNP that it is the <i>distinctly green and rural nature of the Parish which makes Wraxall and Failand an attractive are to live, work and visit..”</i> (see paragraph 2.56 of the WFNP). The LGS Assessment fails to identify specific features related to the ‘rural character’ of the area proposed to be designated as an LGS, rather it relies upon value / importance attached to the rural character of the Parish as a whole.</p> <p>The LGS Assessment refers to the ‘land’s special characteristics’ as being underpinned by its importance within an area of high landscape sensitivity. Which,</p>		

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		<p>alongside the role of Green Belt “<i>make it demonstrably special to the local community which use it</i>”. The ‘role’ of the land within the Green Belt has no bearing whatsoever in terms of the importance of land and its suitability for LGS designation, the location of land within the Green Belt does not support the decision to designate land as LGS. Rather, being within the Green Belt requires neighbourhood plans to consider whether an LGS is necessary, given the level of protection already provided by the Green Belt designation.</p> <p>In terms of landscape sensitivity, the LGS Assessment seeks to present a case that its landscape context is somehow unique and therefore an important factor that makes this land particularly special. The 2018 Landscape Sensitive Assessment classifies the majority of land surrounding the built edge of Nailsea as high landscape sensitivity, including land which is allocated for development. Landscape sensitivity is an important consideration in assessing the suitability of development and the capacity to accommodate development appropriately within its landscape context. It is not a blanket restriction on development. The LGS Assessment does not provide any specific details as to the uniqueness of this green space in landscape terms, that would distinguish it from other areas of high landscape sensitivity in the immediate locality and wider area.</p> <p>Based on our comments set out above, it is our conclusion that the LGS assessment does not provide a coherent or justifiable basis to conclude that the LGS, insofar as it relates to the wider LGS area and land which forms part of WHSV land control, is either demonstrably special to the local community or holds any particular</p>		

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		<p>significance. The LGS assessment extrapolates assumptions based on specific matters which are not relevant to this LGS area, such as the Elms Playground and Green Pastures Pond, and fails to accurately identify the clear distinction in terms of access and recreational value between the existing LGS and the proposed wider LGS area.</p> <p>The LGS assessment does not provide details which are specific to the precise proposals of the LGS; consultation feedback referenced in the LGS assessment does not support the conclusions drawn. As such, part b of NPPF para 102 is not satisfied. In circumstances where one part of para 102 of the NPPF is not satisfied, this means that the basis for the proposed LGS cannot stand.</p> <p>c). local in character and is not an extensive tract of land.</p> <p>It is acknowledged that there is no specific definition as to what constitutes an 'extensive tract of land', but in the context the proposed LGS designation at The Elms Open Space, there is concern that the proposed scale of this designation does amount to an extensive tract of land.</p> <p>The LGS area amounts to 16ha and the LGS assessment (page 15) justifies this principally on the basis of the population it serves. Such an approach lacks any appropriate justification and if this was a driver for determining the extent of the LGS, then we must refer back to the physical extent of the Vowles LGS, which serves the same community but is vastly different in scale and form.</p>		

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		<p>The LGS assessment (page 15) goes on to state:</p> <p><i>“It is considered therefore that its size at 16ha is suitably justified in terms of providing a suitable level of both formal and informal local green space for such populations and the area should not be regarded as an extensive tract of land on this basis”.</i></p> <p>There is significant concern with this approach. It refers to the LGS are as whole, including the existing LGS and land controlled by Wain Homes as suitable for providing green space for the population it serves, without any recognition that the open space/recreation features vary significantly between the existing LGS, which is publicly owned and accessible, with private land beyond to the north where access is restricted only to Public Rights of Way.</p> <p>The accessibility and recreation function of these distinct areas should be clearly defined and in doing so, it will demonstrate that land beyond the existing LGS does not provide for the public access and unfettered access for recreation which is a feature of the land currently designated. As such, this raises significant concern that the extent of the LGS, as proposed in the WFNP, does infect amount to an extensive tract of land.</p> <p>Rights of Access</p> <p>As set out in the PPG, a LGS designation does not confer any rights of public access over what exists at present and this should be an important consideration as the WFNP progresses. The legal rights of landowners and anyone authorised by them to use the land must be</p>		

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		<p>respected, and any decision to designate land for LGS should not be based on any assumption of improved access, where there is no agreement with the landowner.</p> <p>There is significant concern with the analysis set out in the LGS Assessment where it concludes that The Elms Playground, Green Pastures Pond and the land between Nailsea and Wraxall are used in combination for recreational activities. It goes on to state that inclusion of The Elms Open Space <i>“would protect land that includes a diversity of formal and informal green spaces and is <u>readily accessible to wider residential populations</u> reflective of its existing and recognised and important role and function as a green “lung” to the Elms and this part of Nailsea which makes this area demonstrably special to the community.”</i></p> <p>This fundamentally misrepresents the limited access and recreational value of land controlled by WHSV and fails to distinguish this land from the publicly accessible recreational area which forms the existing LGS designation. Land controlled by WHSV is privately owned and public access is restricted to existing Public Rights of Way.</p> <p>The analysis set out in the LGS Assessment is flawed as it fails to correctly distinguish ownership, access and recreational value of the proposed LGS Area. It is within the gift of the landowner to take measures to ensure that land controlled by WHSV remains private and that access is restricted to the existing Public Rights of Way.</p> <p>In response to the LGS proposals set out in the WFNP, the landowner and their tenant farmer are concerned that</p>		<p>We understand the landowner concerns in this regard. Additional text in the</p>

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		<p>local people will not necessarily understand that a “Local Green Space” does not confer any additional rights of access, and that effectively extending the existing North Somerset LGS (that is fully publicly accessible) to include this land (where public access is only permitted on the Public Rights of Way), could mislead local people to believe that the enlarged LGS is also fully publicly accessible – for a member of the public, it would be reasonable to assume that levels of access changes as part of the change in designation, otherwise why change the designation if nothing else actually changes.</p> <p>The landowner and their tenant farm are therefore considering the most appropriate ways to manage public access over the land, to ensure that private land is secured to prevent unauthorised access beyond existing Public Rights of Way, to enable the tenant farmer to carry out their activities without any risk to livestock or to the public incorrectly believing they have access over the wider land away from the Public Rights of Way. This is likely to result in the erection of fencing to restrict public access to the existing Public Rights of Way only across the land proposed in the WFNP as LGS.</p> <p>The ability of the landowner and their tenant farmer to take reasonable and responsible steps to fence the land in this part of the proposed LGS demonstrates further the restrictions on public access and the limited recreational value this land has, and in doing so, reinforces our position that the LGS Assessment misrepresents the recreational value of this land. It clearly demonstrates the distinction between the existing LGS area and land to the north with the WFNP seeks to designate as LGS.</p>		<p>justification part of the Neighbourhood could be added to clarify what is set out in the PPG that designation does not confer any rights of public access over what exists at present, and therefore those enjoying this part of the LGS area have access rights only along the public rights of way network.</p>

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		<p>The LGS does not introduce any additional layers of protection or enhancement, which are not already in place in terms of access to Public Rights of Way. Given that this land is already designated as Green Belt, we refer back to the Planning Practice Guidance (PPG) requires that if land is already protected by Green Belt policy, then consideration should be given to whether any additional local benefit would be gained by designation as LGS. The answer in this case has to be that no additional local benefits would be gained by designation as LGS.</p> <p>Conclusions</p> <p>Our representations to this Regulation 16 consultation on the Wraxall and Failand Neighbourhood plan considers that the proposals to designate land at The Elms Open Space as a Local Green Space (Policy WF1) fails to satisfy the requirements of paragraph 102, specifically part b) of the National Planning Policy Framework.</p> <p>In circumstances where one part of para 102 of the NPPF is not satisfied, this means that the basis for the proposed LGS cannot stand. In turn, the Basic Condition which requires a Neighbourhood Plan to have appropriate regard to national policy and advice has also not been satisfied.</p> <p>Our comments relate specifically to land which is controlled by WHSV. Our representations do not seek to comment upon the merits or justification of the existing LGS, but are focused on additional land which is proposed through the WFNP as LGS.</p>		

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>The reasons for our position are summarised as follows:</p> <ul style="list-style-type: none"> • The WFNP has failed to demonstrate that The Elms Green Space (excluding the existing LGS designation) is <u>demonstrably special and holds a particular local significance</u>. • The LGS Assessment is flawed as it fails to distinguish correctly between land currently designated as a LGS and the wider proposed area, including land controlled by WHSV, in terms of recreational value. • The LGS Assessment extrapolates features such as The Elms Playground and Pastures Ponds as matters that apply to the entirety of the proposed LGS area and in doing so misrepresents the contributions and recreational of value of the wider proposed LGS In turn this raises significant concern that the extent of the LGS does amount to an extensive tract of land. • Evidence to support the LGS proposals lacks specific and detailed analysis of the land which is identified, and fails to demonstrate any additional public benefit above that already provided as a result of the Green Belt designation. • Measures undertaken by the landowner to protect this private land from unauthorised access, demonstrate the limited recreational value of this land, limited to Public Rights of Way. <p>As per the provisions set out in the national Planning Practice Guidance we consider that it is necessary and</p>		

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		<p>fair for our case to be held via a hearing in order to present our case, particularly in light of the concerns expressed as to the approach of the WFNP and its failure to satisfy the requirements of national policy.</p> <p>On behalf of WHSV, I trust that all is in order with our representations and we look forward to the opportunity to debate the matters raised at an Examination Hearing.</p> <p>For map of Wain Homes landholdings see attachment.</p>		
Harrow Estates	Harrow Estates	<p>Harrow supports the principle of proposed Policy WF2, which identified five sites to be designated as Local Green Space. These sites appear important to the community and are actively used by residents. This is based on the evidence provided in the Wraxhall and Failand Local Green Space Assessment. As such, this policy appears to be consistent with NPPF paragraph 101.</p> <p>The nearest Local Green Space to Harrow's land interests (as proposed to be designated) is Wraxall Piece, which lies northeast of Failand Triangle. Whilst this green space appears to be well-used, it lies north of Clevedon Road, which represents an arterial route with traffic often travelling at speed. This creates a potential conflict with pedestrians, as there are no dedicated crossings over Clevedon Road in this location.</p> <p>Harrow's proposals will include enhancements to pedestrian connectivity, including facilitating movement from the existing Failand Triangle to the northern side of Clevedon Road. Noting the proposal to designate Wraxall Piece as a Local Green Space, there is a clear opportunity</p>	Land at Failand Harrow Estates.pdf	Comments noted.

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		to secure improved infrastructure consistent with existing 'desire lines' and walking routes. This will help to integrate Wraxall Piece into the village.		
Plan Section - Policy WF3: Community Cohesion				
Harrow Estates	Harrow Estates	<p>Harrow supports the principle of draft Policy WF3 and agrees that integrating new neighbourhoods with existing communities is an essential aspect of place-making. Indeed, identifying clear matters to address (in the way proposed in this draft policy) promotes their consideration early in the design process, which will prove helpful to developers.</p> <p>Harrow, through its promotion of strategic growth at Failand Triangle, has undertaken a thorough 'baseline review' to understand the physical infrastructure in and around the settlement. This has included a review of walking and cycling routes, bus services and highway infrastructure. On this basis, Harrow has identified a range of improvements to the Public Rights of Way and the National Cycle Network and the provision of new routes, alongside enhancements to the highway network and public transport infrastructure.</p> <p>Harrow's emerging proposals at Failand Triangle also include new community parks and facilities that will be strategically located to ensure that the development can be integrated into the settlement for both the new and existing communities to enjoy. A new primary school will also be brought forward as part of Harrow's strategic development. This will be located to maximise accessibility and ensure pupils can walk to school.</p>	Land at Failand Harrow Estates.pdf	Comments noted.

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>This approach, which is consistent with Active Travel England's guidance, will ensure that the school acts as a focus for local interactions. This is consistent with NPPF paragraph 92, which indicates that planning policies and decisions should "<i>...promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other.</i>"</p>		
Plan Section - WF4: Walking Cycling and Wheeling Networks				
Harrow Estates	Harrow Estates	<p>Harrow agrees with the principle of this proposed policy, as it seeks to promote accessibility, mobility and travel planning, all of which contribute towards sustainable development and the promotion of active forms of travel.</p> <p>Failand is an area where the use of private vehicles currently predominates in travel habits. To assist in changing this pattern of behaviour, the proposed policy identifies the need to enhance the sustainable travel network in the local area;</p> <p><i>"Development proposals must demonstrate through proportionate transport assessment how the safety, legibility and capacity of the existing walking, cycling and wheeling network will be impacted, and where appropriate be protected and/ or mitigated to ensure that routes are not reduced in value in terms of these aspects. Development proposals will be supported where new or enhanced walking, cycling and wheeling connections will be delivered."</i></p> <p>Harrow has identified a lack of dedicated cycle infrastructure in and around Failand Triangle through its baseline review. Despite this, there are a significant number of well-used informal cycle routes.</p>	<p>Land at Failand Harrow Estates.pdf</p>	<p>Comments noted.</p>

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>This mismatch in infrastructure provision versus behaviour suggests that a proportion of the local population are 'latent cyclists'. These are people who would be willing to make more of their journeys by bicycle if better infrastructure were available. This is consistent with the analysis presented in paragraph 5.22 of the Draft Neighbourhood Plan.</p> <p>Harrow has been in discussions with cycling charity Sustrans and, through this engagement, has identified the potential to deliver new and upgraded routes through its proposed development. This will focus on linking cycle routes around Failand Triangle to Route 33 (Festival Way), which forms part of the National Cycle Network. This largely traffic-free route terminates in Bristol City Centre, providing direct, safe and convenient access to the heart of the largest workplace zone in the region. Indeed, this is consistent with the opportunity identified in paragraph 5.24 of the Draft Neighbourhood Plan.</p> <p>In addition to the strategic improvements described above, Harrow's envisaged development at Failand Triangle will include new on-site pedestrian and cycle routes, which will connect appropriately to the surrounding network. Likewise, should growth come forward, Harrow anticipates that other upgrades will be made to the local highway network to promote safe usage by pedestrians and cyclists. This is expected to include improvements to the B3128, B3129 and Flax Bourton Road.</p>		

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Plan Section - WF5:Traffic and Transport				
Harrow Estates	Harrow Estates	<p>Harrow agrees with the principle of draft Policy WF5, which is to provide a more proactive approach to dealing with the impacts of highway safety and traffic increases resulting from new development. Regardless of whether Local Plan Policy DM24 is treated as a 'strategic' or 'non-strategic' policy (for the purposes of the Basic Conditions), draft Policy WF5 is consistent with the NPPF2 (As a matter of procedure, the reference to NPPF 2021 should be updated to reflect the latest issue of the NPPF, September 2023), particularly paragraphs 110 and 111.</p> <p>Harrow proposes new improvements to the Weston Road / Flax Bourton Road junction (as part of its envisaged development). This will create a safer intersection and enhance this area's perception as a gateway into Failand Triangle. Harrow is also in dialogue with Forestry England and has agreed to provide (within Harrow's land) a new vehicular access into the Ashton Hill Plantation, alongside a new car park and visitor/information centre. This new provision will allow Forestry England to close their current substandard arrangement, located off the B3129 / Flax Bourton Road junction, reducing the tendency for on-street parking in this area, thereby helping to address traffic and highway safety issues. A range of other measures will promote integration with the established community. These will include traffic calming measures, pedestrian crossing, and improved pedestrian and cycle networks (as detailed in our comments on Policy WF4).</p> <p>Furthermore, Harrow recognises the importance of reducing the number of trips generated by travel to and from key services. One of the main benefits of strategic</p>	Land at Failand Harrow Estates.pdf	<p>Agree that reference to NPPF paras should be updated to reflect para numbering in latest NPPF (now 114 and 115).</p>

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>growth (as Harrow envisages at Failand Triangle) is the opportunity to introduce new facilities and to sustain these with a greater critical mass of population. Significantly, this will include a new primary school, reducing the necessity for travel (by private vehicle) outside the village.</p> <p>In addition to promoting ‘trip internalisation’, Harrow recognises the important role buses play in the sustainable movement of people from the village to Bristol. The X6 route provides (essentially) hourly services to and from Bristol and allows for commuting. This represents a good level of service, but which could be improved. Harrow has been in dialogue with local bus operators to discuss whether the frequency or speed of services could be further enhanced, for example, by introducing express services at key points during the day. Greater patronage will also be promoted through an increase in the settlement’s population, which will assist in supporting the viability of bus services.</p> <p>More generally, the individual or cumulative impacts on the highway network (arising from Harrow’s proposals), alongside any mitigation required, will be fully considered as part of a formal planning application (should strategic growth be progressed at Failand Triangle).</p>		
Plan Section - WF7: Planning for Green Infrastructure, Biodiversity and Food Production				
Harrow Estates	Harrow Estates	Harrow supports the proposed Policy WF7, which is consistent with national planning policy as expressed in Section 15 of the NPPF (‘Conserving and Enhancing the Natural Environment’) and the requirements of the Environment Act (2022).	Land at Failand Harrow Estates.pdf	Comments noted.

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>Through its proposals at Failand Triangle, Harrow will introduce new open and green spaces for community use, such as public gardens, community parks, woodlands, conservation sites, and green corridors. The provision of open spaces will form part of a holistic Green and Blue Infrastructure strategy, which will integrate (for example) new Sustainable Urban Drainage Systems (SuDS) with areas for biodiversity enhancement.</p> <p>Harrow's emergent design work is based on detailed surveys of the habitats and landscape features within its land interests (which sometimes connect to wider ecological networks). As a result, its proposals will retain existing hedges and trees and provide appropriate green buffers towards sensitive receptors.</p> <p>Regarding food production, there are opportunities to provide new allotments (the details of which Harrow is happy to discuss with the Parish Council). Likewise, the landscape planting for the site can include fruit trees and community orchards, which produce food for consumption but also provide significant biodiversity enhancements compared to intensive arable farming.</p>		
Plan Section – WF8: Phasing of Infrastructure within Development				
Harrow Estates	Harrow Estates	Harrow supports the phasing of infrastructure delivery, particularly where this is linked to the provision of new development (including new homes). Indeed, appropriate phasing and the use of 'triggers' (within Section 106 Agreements) to bring forward required infrastructure at specific junctures is an established planning principle.	Land at Failand Harrow Estates.pdf	Comments noted. As written the wording of WF8 does not rely on the preparation of the Local Infrastructure List. If needed we could address this as a topic in section 6 of the NP, in terms of potential scope of future review.

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>In this context, Harrow regards draft Policy WF8 as an appropriate policy in principle. Harrow is also committed to working with NSC and the Parish Council to agree on the infrastructure required (and its phasing) to deliver growth at Failand Triangle and satisfy this proposed Neighbourhood Plan policy.</p> <p>However, noting that the policy appears to rely on the future preparation of a Local Infrastructure List to be effective (as detailed in paragraph 5.39 of the draft Neighbourhood Plan), Harrow considers that there should be a clear process for producing that list, and in specified timescales. Harrow (as the primary developer promoting strategic growth at Failand Triangle) is happy to support the Parish Council with this work and is willing to share its own baseline review / technical evidence to help identify gaps in provision and scope for improvements.</p> <p>We trust that these comments are of assistance to NSC and Wraxall & Failand Parish Council. Overall, Harrow Estates considers the Draft Neighbourhood Plan to be well-conceived. It represents a pragmatic and sensible response to the issues identified, not least the potential for future strategic growth within the Neighbourhood Plan Area. It is consistent with national planning policies and addresses the 'basic conditions'.</p> <p>As indicated, Harrow remains committed to continued dialogue with the Parish Council and NSC and is happy to discuss the community's infrastructure requirements and the phasing of development. If strategic growth is to take place at Failand Triangle, then Harrow will embark on a full programme of stakeholder and community</p>		

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>engagement to ensure that development addresses the needs of existing and future residents.</p> <p>See attached file for images and appendices</p>		
Plan Section - WF9: Building Design and Sustainability				
Harrow Estates	Harrow Estates	<p>This proposed policy seeks to maximise energy efficiency and promote the integration of renewable and low carbon energy production into new developments, wherever feasible. Harrow certainly supports the aspirations of draft Policy WF9 in principle and is working towards achieving carbon net zero in its future developments.</p> <p>The draft policy also sets out a range of potential measures to maximise on-site renewable energy generation opportunities and ensure that new buildings are highly energy efficient through ‘fabric-first’ approaches. Indeed, in developing their proposals for Failand Triangle, Harrow is integrating many of the sustainable practices listed in draft Policy WF9 to ensure that sustainability principles are embedded early in the design process.</p> <p>Harrow’s only reservation with this policy is that energy standards and building quality measures will likely be addressed within the emerging North Somerset Local Plan. Indeed, the Regulation 19 version of the Local Plan contains detailed policies in this subject area. It is, therefore, possible that the proposed Policy WF9 may be superseded at the Local Authority level. That said, Policy WF9 has been carefully worded to ‘encourage’ and ‘support’ the sustainability measures identified (i.e.,</p>	<p>Land at Failand Harrow Estates.pdf</p>	<p>It is acknowledged that, like other NP policies, elements of WF9 may be subsequently superseded by policies in the emerging Local Plan when it is finally adopted.</p>

Respondent Name	Respondent Organisation	Comment	Attached file(s)	Parish Council comments
		<p>rather than create 'hard requirements' that must be met). This nuance should help reduce the potential for future conflict or overlap with the emerging North Somerset Local Plan</p> <p>Summary</p> <p>We trust that these comments are of assistance to NSC and Wraxall & Failand Parish Council. Overall, Harrow Estates considers the Draft Neighbourhood Plan to be well-conceived. It represents a pragmatic and sensible response to the issues identified, not least the potential for future strategic growth within the Neighbourhood Plan Area. It is consistent with national planning policies and addresses the 'basic conditions'.</p> <p>As indicated, Harrow remains committed to continued dialogue with the Parish Council and NSC and is happy to discuss the community's infrastructure requirements and the phasing of development. If strategic growth is to take place at Failand Triangle, then Harrow will embark on a full programme of stakeholder and community engagement to ensure that development addresses the needs of existing and future residents.</p> <p>See attached file for images and appendices</p>		

Parish Council Comments on North Somerset Council Comments on Submitted Plan

Plan Paragraph/policy	North Somerset Councils Comments	Remedy	Parish Council Comments
Consultation Statement para 1.10	Factual correction-there was no requirement for a six-week period of consultation on the neighbourhood area as regulations no longer required this. An Executive member decision was taken to designate the neighbourhood area.	Remove sentence to this effect if the opportunity arises.	Agree with factual correction.
Title page	Remove reference to 2022-2038. The NDP is aligned with the Core Strategy time period and this is misleading	Replace with 2026	<p>The PC disagree. Given the age of the Core Strategy the PC do not consider it appropriate to adopt such a restricted plan period. This would provide a remaining period of only 2 years, assuming the NP is made by the end of 2024. The PPG is clear that Neighbourhood Planning provides the opportunity for communities to set out a positive vision over the next 10, 15, 20 years (Reference ID: 41-003-20190509). The PC are aware of a number of examples of made Neighbourhood Plans that have used plan periods beyond the relevant adopted Local Plan period. Examples include North Cadbury and Yarlington NP (Somerset Council) and Congresbury NP (North Somerset Council).</p> <p>There is not considered to be any issue of general conformity of not aligning with the Core Strategy plan period, the NP policies are not relevant to any of the Core Strategy Policies that directly reference the plan period (e.g. CS13:</p>

			<p>scale of new housing), given no development is allocated by the Neighbourhood Plan.</p> <p>As explained in the NP, the policies were prepared to be as consistent as possible with the emerging Local Plan at time of writing, whilst appreciating the need to be in general conformity with the adopted Core Strategy. It is appreciated that when the emerging Local Plan is finally adopted, any policy conflict would be resolved in favour of the new Local Plan (NPPF 30). This would be irrespective of whatever plan period is used in the Neighbourhood Plan. The PC approach to review of the NP is set out in section 6 of the NP.</p> <p>The PC would therefore appreciate further discussion on the appropriate plan period, given the latest reg 19 emerging Local Plan has now changed to 2039. As a minimum however we would look for a plan period of at least 10 years from the NP being made, with five yearly review as recommended in para 6.6 of the NP.</p>
<p>Forward - para 3</p>	<p>Needs to be made clearer that the Neighbourhood Plan will sit alongside the existing development plan which includes the Core Strategy, Site Allocations Plan and Development Management plan. The Basic Condition Statement has been prepared in the context of the</p>	<p>Amend text “the Neighbourhood Plan will sit alongside, and have the same legal status as, the Local Plan and other existing Development Plan documents including the Core Strategy, Site Allocations Plan and Development Management Plan”.</p>	<p>We would disagree with wording change. The Neighbourhood Plan will continue to have Development Plan status even when the emerging Local Plan is finally adopted. It is appreciated though that any policy conflicts would</p>

	<p>existing development plan framework and this should also be reflected in the neighbourhood plan text. The emerging Local Plan is at pre-regulation 19 stage and subject to change. The Wraxall and Failand Neighbourhood Plan once 'made' (adopted) will have the status of a development plan and the policies will sit under the strategic policies contained in the North Somerset Council Core Strategy. It will be possible to undertake a review of the Neighbourhood Plan once the emerging Local Plan is adopted to bring it in line with the new strategic policies.</p>		<p>be resolved in favour in the latest policies to be adopted (NPPF para 30).</p>
<p>Para 1.1, para 3.22 and 3.24</p>	<p>The Neighbourhood Plan should be aligned with strategic policies in the existing development plan and will be examined against these, not the emerging Local Plan. There is therefore a contradiction with para 1.3 which correctly states the development plan context. Para 3.22 and 3.24 should also be amended to refer to the existing development plan.</p>	<p>Amend NDP timescale to 2026 to correspond with the existing Development Plan</p>	<p>See comments above regarding plan period. The NP has been prepared to be in general conformity with relevant adopted Core Strategy policies, but has sought as far as possible to also be consistent with emerging Local Plan policy.</p> <p>This approach is considered consistent with advice in the PPG given the age of the adopted Core Strategy (PPG Reference ID: 41-009-20190509).</p>
<p>Figure 2.7</p>	<p>Map may become out of date prior to publication of the final version of the Wraxall and Failand Neighbourhood Plan.</p>	<p>Update with latest position at time of publication</p>	<p>It is for this reason Figure 2.7 refers to status 'as of October 2022', but PC agree it would make sense for the map to reflect the latest situation in the final version of the plan.</p>

			Alternatively, the plan could be amended to only show neighbouring parish boundaries (not their Neighbourhood Plan status), given the situation is always evolving.
2.31	Query why Failand Car Sales hasn't been included in the list of services/facilities?	Include Failand Car Sales? Also omitted from Map A3?	This could be added to the text under paragraph 2.31 and Map A3 if considered appropriate.
3.22	"...reflecting the plan period of the emerging Local Plan 2038 and the remainder of the existing Development Plan Framework". Unclear what is meant by the latter part of this sentence. Delete?	Delete last part of sentence	The last part of the sentence is referring to the timescales of the existing adopted Development Plan. Could amend as follows for clarity. "...reflecting the plan period of the emerging Local Plan 2038 and including the remainder of the existing adopted Development Plan period Framework".
WF1 community facilities	Some explanation of what is meant by "amenity value" would help the effectiveness of this policy. Is it visual amenity? Function? Para 5.8 - unclear, does this mean within the curtilage of the building? Basic condition issue -the policy does not adhere to CS27 which allows for redevelopment where the facility is "surplus to requirements" which Development Management Policy DM68 expands upon.	Basic condition issue. Add explanation of amenity value in supporting text. Amend to bring in line with CS27.	WF1 is silent on the issue of where facilities are surplus to requirements. The policy is therefore not considered to be in conflict with CS27, which would be applied in such a situation. All relevant Development Plan policies would be read as a whole.
WF2 Local Green Space	Amend wording of policy from "to be designated" to "are designated".	Amend wording to "are designated"	Would be happy for this small wording change to be made to Policy WF2.

	<p>Would be clearer to have a schedule within the Plan listing the LGS and reason for designation-avoids having to refer to a separate document which doesn't form part of the Plan.</p>	<p>Consider including a schedule/appendix within the Plan which lists the reasons for each LGS designation.</p>	<p>A schedule of LGS with justification is included in Appendix E of the submitted Neighbourhood Plan.</p>
<p>Local Green Space Assessment paper</p>	<p>This paper was not available at Regulation 14 consultation stage, so it was not possible to see the basis on which the individual areas of proposed LGS were put forward.</p> <p>Amend title to refer to 2026 instead of 2022-2038.</p> <p>Para 1.9 For the examiners information LGS allocations have also been made in another adjacent Neighbourhood Plan (Abbots Leigh, Ham Green, Pill and Easton-in-Gordano NDP). The examiner for the Long Ashton NDP (Deborah McCann) cited a number of site specific reasons why it was considered appropriate to include the Ashton Court Estate as LGS:-</p> <p>"I have no comment to make other than in relation to the designation of the Ashton Court Estate. The size of the estate at 329 hectares could be described as "an extensive tract of land" and therefore its inclusion in this policy could be considered to be in conflict with National Policy. I do consider that the Ashton Court Estate and its relationship with Long Ashton Parish is exceptional and the designation is acceptable in this</p>	<p>Amend wording "further inset"</p>	<p>We think this is referring to the following text in the LGS assessment in paragraph 3.2:</p> <p>"Within the emerging North Somerset Local Plan 2038, North Somerset Council consulted on a proposal to further inset Failand Triangle from the Green Belt"</p> <p>Reference to <u>further</u> inset was simply reflecting that the currently adopted plan does not inset Failand Triangle from the Green Belt, it is only proposed in the emerging plan.</p>

	<p>case and I therefore consider that it does meet the Basic Conditions. I consider the Ashton Court Estate to be exceptional for the following reasons:</p> <ul style="list-style-type: none"> -The close physical relationship between the Parish and the Ashton Court Estate. -The Estate is local in character, close to the community it serves -It is of particular local importance as a result of its historic significance, beauty and recreational value. -The designation comprises of a definable and recognisable area and on that basis It forms a cohesive whole and is not simply an “extensive tract of land” -There is no conflict with other designations, which already cover part or whole of the Estate.” <p>North Somerset Council consider that the local community are best placed to judge whether on area of Local Green Spaces is demonstrably special and so have chosen not to comment on the specific reasons for the proposed designations.</p> <p>Question “further inset”? It should just read “inset”.</p>		
<p>WF3 Community Cohesion</p>	<p>The application of this policy would depend on the location of any proposed development (none which</p>	<p>Amend policy to include reference to there being a logical functional/geographical link to a</p>	<p>The PC would be happy for changes to be made if required. It is appreciated this policy will only become relevant</p>

	<p>is proposed in any adopted or emerging plan) and whether any functional geographic link to other parts of the neighbourhood area is logical. Given the hypothetical nature of the policy is it perhaps unjustified to take this approach.</p>	<p>particular community within the neighbourhood area which would prompt the application of the bullet points.</p>	<p>where non-allocated development is proposed in the Neighbourhood Plan area, or if omission sites end up being allocated at the examination stage of the emerging plan.</p> <p>Potential revised wording below:</p> <p>...demonstrate how the new communities created by development will be positively integrated with the relevant existing communities within the Neighbourhood Plan Area where there is a functional/geographic relationship...</p>
<p>WF4 Wheeling and Walking networks and para's 5.19-5.25</p>	<p>Doesn't specify the scale of development that it relates to. Unreasonable for householder or small-scale applications to undertake transport assessments or deliver improvements to the wheeling or walking network. Thresholds for transport assessments within North Somerset Council are already set out in the North Somerset Highway Development Guide and will be applied across the District. The Plan does not justify a different approach.</p>	<p>Amend text "Where appropriate, development proposals must demonstrate..... Thresholds for Transport Assessments are set out in the North Somerset Highway Development Design Guide'</p>	<p>WF4 policy refers to 'proportionate' assessment and would be expected to be read alongside other adopted policy and guidance, however the PC would be happy for any amendments to policy wording or supporting text that is considered necessary to meet basic condition compliance.</p> <p>We would expect that even small-scale proposals which directly impact on PROW should be considered against the policy, consistent with North Somerset Policy DM25.</p> <p>It is perhaps the use of the phrase 'transport assessment' in the policy wording which is causing confusion, perhaps just refer to 'assessment'?</p>

WF5 Traffic and Transport	'significant' does not automatically mean unacceptable. Better to use the term "unacceptable impacts".	Amend text. 'Major development proposals which create either individual or cumulative unacceptable impacts on the highway network will be...'	The PC would be happy for this change to be made if required.
WF6 Rural Diversification	No comments	none	N/A
WF7 Planning for green infrastructure, biodiversity and food production	No comments	None	N/A
WF8 Phasing of infrastructure within development	No comments	None	N/A
WF9 Building design and sustainability	<p>Building regulations now require all dwellings to be built to sustainable homes Level 4 with 19% of energy generated by renewables. A planning condition is used to enforce this.</p> <p>"Maximise energy efficiency" is a bit loose and the default would be whether the proposals would meet minimum building reg requirements, unless there is evidence produced to demonstrate a different standard.</p>	Consider a definition for maximize energy efficiency to make the policy more effective and easier to apply.	Policy WF9 simply encourages maximising energy efficiency in new development in light of NSC's declared Climate Change Emergency. It is therefore encouraging measures over and above building regulations compliance, and some examples are provided in the policy wording, including supporting zero or near net zero energy consumption.