

Land at Rectory Farm (North), Yatton  
Planning Statement

Prepared on behalf of Persimmon Homes Severn Valley

March 2023

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## **APPENDICES**

Appendix 1: Pre-Application Enquiry Response.

Appendix 2: Cumulative Impact Assessment.



## 1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by Barton Willmore, now Stantec on behalf of Persimmon Homes Severn Valley (the 'Applicant') in support of an outline planning application for residential development at Land at Rectory Farm (North), Yatton (the 'Application Site'). The application seeks to determine means of vehicular access at the outline stage, with all other matters reserved. A Site Location Plan (Drawing Ref: Rectory Farm\_RLP01) has been submitted alongside this application.

1.2 Outline planning permission is sought for up to 190 dwellings with the following description of development:

*'Outline planning application for the development of up to 190 homes (including 50% affordable homes), 0.13ha of land reserved for Class E uses, allotments, car parking, earthworks to facilitate sustainable drainage systems, open space and all other ancillary infrastructure and enabling works with means of access from Shiners Elms for consideration. All other matters (means of access from Chescombe Road, internal access, scale, layout, appearance and landscaping) reserved for subsequent approval.'*

1.3 The Site which is shown on the Site Location Plan (Drawing Ref: edp7842\_d008a), comprises approximately 13.79 hectares of greenfield land at Rectory Farm in Yatton.

### Planning Application Pack

1.4 This Planning Statement should be read alongside the other plans and documents which are submitted as part of this application, as detailed in the covering letter. Taken together, these documents provide a full and detailed justification for the proposed development.

1.5 This statement provides an overview of all aspects of the proposed development and an assessment of its appropriateness against the Development Plan and other material considerations. The scope of this Statement is as follows:

- **Section 2** describes the Application Site and the main features of the surrounding area;
- **Section 3** details the Planning History;
- **Section 4** describes pre-application engagement with the Local Planning Authority and public consultation;
- **Section 5** details the proposed development;
- **Section 6** sets out provision of Affordable and Accessible Homes;
- **Section 7** discusses relevant national and local planning policies;

- **Section 8** details North Somerset Council's housing land supply position;
- **Section 9** assesses the planning balance of the proposal;
- **Section 10** sets out draft Heads of Terms; and
- **Section 11** details the summary and conclusions of the proposal and application.

## 2.0 THE SITE AND SURROUNDINGS

### The Site

- 2.1 The Application Site is located on the western edge of Yatton and is comprised of grazing land and agricultural fields, measuring approximately 13.79 hectares. It is formed of multiple fields divided by rhynes (water drainage ditches), with hedgerows and trees located within the Site and around its perimeter.

### The Surrounding Area

- 2.2 The Site is irregular in shape, with hedgerows and trees located internally and along the majority of the Site's boundaries. A series of rhynes are located within the Site which border the various individual fields. There are no Public Rights of Way, bridleways or cycleways within the Site. There is a cycleway / pedestrian walkway located adjacent to the Site's western boundary which provides links from Weston Road to Yatton Rail Station. Overhead powerlines with associated pylons cross the Site.
- 2.3 There is currently no formal entry route into the Site. Informal access into the Site is currently provided via Biddle Street or via the cycleway / pedestrian walkway located adjacent to the west Site boundary.
- 2.4 It is confirmed by the Environment's Agency online mapping system that the entirety of the Site is located within Flood Zone 3 (land having a 1 in 100 or greater annual probability of river flooding, or land having a 1 in 200 or greater annual probability of sea flooding). With a network of drainage water ditches running through various parts of the Site, risk from surface water flooding is of low and medium probabilities. Further to this, as identified on North Somerset Council's planning constraints mapping system, the Site is defended Flood Zone 3 land with the following reference: SFRA L1 2020 Tidal Flood Zone 3a. This is discussed further within the submitted Flood Risk Sequential Test and Flood Risk Assessment.
- 2.5 The Site itself is free from any formal ecological designations. The Cheddar Valley Railway Walk Local Nature Reserve (LNR) runs adjacent to the Site's western perimeter and provides pedestrian links from Weston Road to Yatton Rail Station. The Biddle Street Yatton Site of Special Scientific Interest (SSSI) is located opposite to the Site's western boundary and is approximately 150ft west of the Site. The Cadbury Hill LNR is located approximately 1.9km south east of the Site and beyond this is the North Somerset and Mendip Bats Special Areas of Conservation (SAC) and Kings Wood and Urchin Wood SSSI which is located approximately 2.9km away. The Site is located within the Biddle Street Yatton SSSI Impact Risk Zone.
- 2.6 Historic England's online mapping system confirms that there are no heritage assets located within or adjoining the Site. The Grade II Listed house, 114 High Street, is located

approximately 0.5km to the east of the Site. The Grade II Listed Cadbury Farmhouse is located approximately 0.6km to the south of the Site. St Mary's Church (Grade I listed) is located centrally in Yatton however there is intervening development between the Site and the Church.

- 2.7 The northern boundary of the Site is bordered by pasture fields with trees and hedgerows located along the northern Site perimeter. Beyond this lies Yatton Rail Station, existing residential development and Arnolds Way industrial site. To the east of the Site lies existing residential development and beyond this is Yatton town centre. To the south of the Site is Rectory Farm and beyond this is agricultural and pasture fields. To the west of the Site is the Cheddar Valley Railway Walk LNR, beyond which is the Biddle Street Rhyne and drainage ditches.
- 2.8 Bus stop provision to the Site is provided along High Street which runs through the centre of Yatton. Cherry Grove bus stop is located approximately 0.5km to the east of the Site and Chescombe Road bus stop is located approximately 0.6km to the east of the Site.
- 2.9 In terms of education, St Mary's Pre-School is located approximately 0.6km to the south east of the Site and Stonecroft Day Nursery and Pre-School is located approximately 0.8km to the south east of the Site. Yatton C of E Controlled Junior School is located approximately 0.8km to the east of the Site; and Chestnut Park Primary School is located directly north approximately 1.7km away. North Somerset Council's web-site shows the site as falling within the catchment area for Backwell secondary school which is just over 8km from the site.
- 2.10 Yatton has a range of shops and services including: a bakery; tea rooms; restaurants / public houses; and a co-operative food. Further to this, Yatton has a variety of health and community facilities including: Mendip Vale Medical Practice; Yatton Dental Centre and Yatton Post Office. There are several recreational spaces located within a 15 minute walking distance to the Site, including: Rectory Way Playground; Yatton Junior Football Club; Claverham Cricket Club; Yatton Recreation Ground; Yatton and Cleeve United Football Club; Yatton Rugby Club; and Horsecastle Playground. In addition, there are a number of local employment opportunities within walking distances, north of the site, off Arnolds Way and Wemberham Lane.
- 2.11 Weston-super-Mare is located approximately 12.9km to the south west of the Site, providing further employment opportunities. Weston-super-Mare can be reached by both rail and bus from Yatton.
- 2.12 Yatton has been proven, through successive plan reviews and again through to the emerging local plan, to be a highly sustainable location for new development.



## 3.0 PLANNING HISTORY

### Site Planning History

- 3.1 A review of North Somerset Council's online planning search has been undertaken and no relevant planning application history relevant to the current proposals was found. The only previous planning application was for the coppicing of hedgerows to access heavily silted drainage ditches.

### Wider Planning History

*Land at Rectory Farm, Chescombe Road, Yatton – 21/P/0236/OUT*

- 3.2 An outline planning application (21/P/0236/OUT) was submitted at 'Land at Rectory Farm' (to the south of the application site) in 2021 for the following description of development: 'Outline planning application for a residential development of up to 100no. dwellings and associated infrastructure following demolition of existing buildings on site, with access for approval and all other matters for subsequent approval'.
- 3.3 The application was refused under delegated powers for the following reasons:
1. The proposed development of up to 100 dwellings would deliver a scale of development that is in conflict with the spatial strategy for the development plan, which permits sites of up to around 25 dwellings adjoining the settlements edges of service villages. The proposed development is therefore contrary to policies CS14 and CS32 of the Core Strategy and the made Yatton Neighbourhood Plan.
  2. The proposed development, due to its location in close proximity to the North Somerset and Mendip Bats SAC, would have significant effect on this habitat site. The site is located in Bat Consultation Zone B as designated in the North Somerset and Mendip Bats SAC SPD and the survey evidence and consultation with Natural England suggests that SAC bats would be adversely affected by the development. The proposed mitigation measures do not prioritise onsite mitigation, and the proposed offsite mitigation is unsuitable.
  3. Additionally, the development, due to its location in close proximity to the Biddle Street SSSI, is likely to result in operational impacts and increase recreational pressure on this nationally designated site. The submitted Ecological Impact Assessment has not adequately identified and considered the scope of these impacts, nor identified how mitigation could be achieved.
  4. The proposal also fails to adequately demonstrate how a Biodiversity Net Gain can be achieved on site, as the calculation of Biodiversity Net Gain includes habitat utilised for mitigation purposes. The proposed development is therefore contrary to Policy CS4 of the

Core Strategy, Policy DM8 of the Sites and Policies Plan Part 1: Development Management Policies, the North Somerset and Mendip Bats SAC SPD and paragraphs 175 and 177 of the NPPF.

5. The proposed development, by reason of its protrusion in an area of high landscape sensitivity in close proximity to the Strawberry Line, does not accord with the linear form of the village and would appear an incongruous projection into open countryside. The proposal would cause unacceptable harm to the amenity value of the Strawberry Line being a popular recreational route forming part of the strategic cycle network. The proposed development is therefore contrary to Policies CS5 and CS9 of the Core Strategy, Policy DM10 of the Sites and Policies Plan Part 1 – Development Management Policies, the North Somerset Landscape Character Assessment SPD, and paragraphs 98 and 170 of the National Planning Policy Framework.
6. The proposed development, due to the substandard width of Chescombe Road, the inadequate visibility splays at the adjacent junction between Chescombe Road and Mendip Close, and the lack of submission of a Road Safety Audit and tracking data for cars and emergency vehicles, would have an unacceptable impact on highway safety. The proposed development is therefore contrary to Policy DM24 of the Sites and Policies Plan Part 1: Development Management Policies, and paragraph 108 and 1098 of the National Planning Policy Framework.

- 3.4 Following the above, an appeal was submitted (PINS Reference: APP/D0121/W/21/3286677). The Inspector determined that the appeal was to be allowed and outline planning permission granted, on the basis that *"Taking all of the above into consideration, applying the tilted balance pursuant to paragraph 11d of the NPPF, the adverse impacts of granting permission plainly would not significantly and demonstrably outweigh the benefits of doing so. The Council cannot demonstrate a 5YHLS and the overall benefits of the appeal proposals clearly outweigh the harm"*.

*Land at Rectory Farm, Chescombe Road, Yatton – 21/P/2791/OUT*

- 3.5 An outline planning application (21/P/2791/OUT) was submitted in 2021 for the following description of development, 'Outline planning application for a residential development of up to 75no. dwellings and associated infrastructure following demolition of existing buildings on site, with access for approval and appearance, scale, layout and landscaping reserved for subsequent approval'.
- 3.6 This outline planning application was submitted whilst application 21/P/0236/OUT was being considered at appeal. The appeal was allowed in June 2022 and the judicial review challenge

period for the appeal decision expired in September 2022. The applicant then withdrew the application in October 2022.

*Titan Ladders 195 – 201, Mendip Road, Yatton – 17/P/2377/F*

- 3.7 A full planning application (17/P/2377/F) was submitted in 2017 for the following description of development, 'Demolition of existing buildings and erection of 37no. dwellings with associated vehicular access improvements, parking, hard / soft landscape works and drainage'.
- 3.8 The full application was approved by delegated powers in April 2019, subject to a legal agreement and conditions.

## 4.0 PRE-APPLICATION CONSULTATION AND ENGAGEMENT

### Pre-Application Enquiry

- 4.1 A pre-application enquiry was submitted to North Somerset Council on 30th September 2022 (NSC reference: 22/P/2451/PR2) for a proposed development of up to 280 new dwellings and a site for a new surgery. A written response was received on the 16<sup>th</sup> February 2023 (enclosed at **Appendix 1**) – again based on up to 280 new dwellings and a site for a new surgery. The feedback provided was considered with subsequent work in support of the application responding to it. The Pre-Application enquiry requested input on the approach and methodology for the Flood Risk Sequential Assessment. However other than advising that it should be district-wide, no further guidance was provided. In the absence of a timely response from the enquiry, the Applicant presented a draft methodology for comment by North Somerset Council on 12 December 2022. No response has been forthcoming at the time of writing. The pre-application enquiry sets out that a Cumulative Impact Assessment should be submitted with the planning application. This is held at **Appendix 2**.
- 4.2 The application as submitted has however reduced the scale of development from 280 dwellings to 190 dwellings; and following a further review, the site for the Doctor's surgery has been removed from the scheme and land for a Class E uses identified to provide scope for a broader provision of end user(s). Class E uses can include, but are not limited to, cafés, creche, shops and offices.

### Screening Opinion

- 4.3 A request for a Screening Opinion (reference: 22/P/2963/EA1) was submitted to North Somerset Council on 5<sup>th</sup> October 2022 with an Environmental Impact Assessment (EIA) Screening Report which confirmed that the development did not require an Environmental Impact Assessment. A Screening Opinion was provided on the 20<sup>th</sup> January 2023 confirming that the development did not constitute EIA development.

### Statement of Community Involvement

- 4.4 A Statement of Community Involvement (SCI) has been submitted by the Applicant detailing the pre-application engagement process undertaken with North Somerset Council, Yatton Parish Council and the local community.
- 4.5 North Somerset Council adopted a SCI in September 2019. This sets out how the Local Planning Authority will engage local communities in the planning process.
- 4.6 Section one (General Principles for Planning Consultations) sets out:

*"The planning system affects everybody who lives in, works in or visits a place. By getting involved in the planning process, local communities, stakeholders and other organisations can contribute more to the shaping of their local environment".*

4.7 In Section three (Planning Applications), the SCI provides an important framework to engage the wider community in development proposals. North Somerset Council strongly encourage applicants and developers to have carried out initial consultation with the local community prior to the submission of any application.

### **Public Consultation**

4.8 Prior to the submission of this application, the Applicant has sought to inform the local community and obtain feedback from local residents, the wider community and relevant stakeholders through a virtual public consultation event.

4.9 To publicise the event, a total of 3,539 leaflets were distributed to the residents of Yatton on the 1st November 2022, inviting them to view a website which provided further information about the development and an option to provide any feedback. The leaflet also advertised that a public consultation event was due to be held on the 10th November at 7pm. This provided residents with the opportunity to further discuss the proposals with the relevant technical consultants.

4.10 A deadline for comments on the proposals was provided on the leaflets and set for the 22nd November 2022. A total of 50 responses were submitted by local residents and members of the wider community. Key comments made by members of the community and the Applicant's responses are set out in the table below:

*Table 4.1 Summary of Public Consultation Responses*

<b>Main Matters Raised in Consultation Responses</b>	<b>Applicant's Response</b>
The risk of flooding in the immediate vicinity of the site would be made worse by this development	The Flood Risk Assessment and Drainage Strategy set out that the flood risk to existing homes will be made no worse by this development.
How are you able to build in the flood plain?	The Flood Risk Assessment and Drainage Strategy establish the on-site measures that would mitigate the flood risk to acceptable levels, including raised ground levels and drainage basins. A Sequential Test has also been undertaken to establish that this Site is preferable to reasonably available, lower risk sites. We have engaged with the Environment Agency, Local Drainage Board and Local Authority.

<b>Main Matters Raised in Consultation Responses</b>	<b>Applicant's Response</b>
The roads in Yatton will not be able to cope with the number of cars this development would bring	The Transport Assessment sets out that the increased flow of traffic will quickly disperse into the wider network, with the impact therefore minimal. The total number of homes has also reduced which will result in a lower predicted movements.
The delivery of a doctor's surgery should be made mandatory	The scheme now proposes land for Class E uses which provides a broader scope for ender user(s). While this could deliver a doctor's surgery, the classification allowed for flexibility for it to accommodate other uses such as a café, shop, offices.
There is no longer a bus service to serve Yatton and this development	<p>The site benefits from strong connectivity. Discussions between the local authority and the bus service provider has resulted in the provision of demand responsive bus services complementing an X5 bus service following High Street enhancement works. The Site is closely located to Yatton rail station which offers regular services to Bristol and Weston-super-Mare, which is significant public transport benefit. Cycle and pedestrian access is available along the Strawberry Line.</p> <p>The Council have advised that the X5 bus service will re-route via Yatton upon completion of the Yatton High Street Improvement Scheme this summer.</p>
Development of this land would lead to the loss of Green Belt	The site is situated outside and well away from the designated Green Belt. It will not result in any loss of Green Belt; and indeed the development of non Green Belt sites will ensure the need for Green Belt is reduced.
Development would lead to the loss of important agricultural land	An Agricultural Land Quality Report establishes that the application site is poor quality in being 'Grade 4' agricultural land. The Government's National Planning Policy Framework (footnote 58) directs development to lower quality agricultural land as has been done here.
Yatton has already had enough development approved in recent years	Yatton is defined in the North Somerset Core Strategy as a 'Service Village'. In North Somerset Council's Spatial Strategy and Capacity paper supporting the emerging Local Plan, Yatton is defined as 'a larger village with a wider range of

<b>Main Matters Raised in Consultation Responses</b>	<b>Applicant's Response</b>
	services, facilities and jobs'. With North Somerset continuing to face a significant shortfall in housing delivery with limited new development addressing this shortfall, new homes should be directed to the most sustainable settlements.
The development will reduce the value of the existing neighbouring homes	An independent study by London School of Economics does not support the idea that existing property values will face permanent reductions because of nearby development. Irrespective of this, the impact on property values, either positive or negative, is not a planning matter.
The proposed access points are too narrow and residential to accommodate this development	The access drawing for Shiners Elms shows acceptable pedestrian and vehicular access arrangements with an appropriate visibility splay. This has been assessed and considered in detail by highways consultants.
The application should consult with Environment Agency and Internal Drainage Board	Consultation with the relevant authorities, including the Environment Agency and Internal Drainage Board was undertaken during the preparation of the application. The submitted application responds positively to the outcomes of those discussions.
The development encroaches too far on to the Strawberry Line	The Strawberry Line will be protected. The illustrative masterplan incorporates a significant offset from the Strawberry Line. The Landscape Visual Assessment report sets out that the visual impact is minimal, given the existing views from the Strawberry Line to the settlement of Yatton are glimpsed.
Yatton's sense of place will deteriorate if this development comes forward	The Design & Access Statement sets out how the existing character of Yatton has been respected and incorporated into the masterplan. Care has been taken in identifying the boundary of the built form of the Site, with a significant proportion of it left open and undeveloped.
The development will have a negative impact on the ecology of the site and the Strawberry Line	The illustrative masterplan incorporates a significant offset from the Strawberry Line, which includes considerable open space provision. New planting is proposed within the site - and at peripheral locations, including the Strawberry Line,

<b>Main Matters Raised in Consultation Responses</b>	<b>Applicant's Response</b>
	<p>this is carefully and sensitively planned providing ecological benefits.</p> <p>Supporting the planning application is a detailed ecological study. The scheme responds sensitively to local ecology – reflected in the indicative layout submitted.</p>
<p>Yatton does not have the necessary infrastructure to support this development</p>	<p>Yatton is defined in the North Somerset Core Strategy as a 'Service Village'. In the Spatial Strategy and Capacity paper that supports the emerging Local Plan, Yatton is defined as 'a larger village with a wider range of services, facilities and jobs'.</p> <p>North Somerset is faced with a significant shortfall in housing delivery and new development addressing this shortfall should be directed to the most sustainable settlements, and North Somerset Council acknowledges Yatton to be.</p> <p>Financial contributions will be made to enhancing facilities and services in response to the proposed development.</p>
<p>A doctor's surgery is unnecessary as there is already one located on Mendip Road.</p>	<p>Land is proposed to a range of uses that are compatible with the development and complementary to the wider village. On the land provided, one of more suitable uses can be provided.</p>
<p>Some residents did not receive the consultation leaflet.</p>	<p>The leaflets were hand delivered well in advance of the event to a total of 3,539 properties in Yatton.</p>

### Summary

- 4.11 Persimmon Homes Severn Valley informed local residents, the Parish Council and stakeholders of the Site's development potential for housing and community uses. Leaflets were sent out to everyone within the local area to notify the local community of the opportunity to view the proposal on the public consultation website, provide feedback online and partake in the virtual consultation with technical consultants.
- 4.12 The responses received have been considered and positive changes have been made which have required further technical work and investigations
- 4.13 A Statement of Community Involvement has been submitted with the planning application which presents further information.



- 4.14 The Applicant will continue to liaise with council officers, Councillors, wider stakeholders and local residents.

## 5.0 THE PROPOSED DEVELOPMENT

5.1 This outline planning application seeks permission for the following description of development:

*'Outline planning application for the development of up to 190 homes (including 50% affordable homes), 0.13ha of land reserved for Class E uses, allotments, car parking, earthworks to facilitate sustainable drainage systems, open space and all other ancillary infrastructure and enabling works with means of access from Shiners Elms for consideration. All other matters (means of access from Chescombe Road, internal access, scale, layout, appearance and landscaping) reserved for subsequent approval.'*

5.2 The planning application includes the following:

- Up to 190 homes, including 50% affordable;
- High quality housing in a range of house types, sizes and tenure;
- Land reserved for Class E uses. Such uses can include, but are not limited to, café, creche, shops and offices.
- New allotments;
- Accessible open space and equipped play and informal recreation areas;
- New vehicular access from Shiners Elms and from the proposed housing development site to the south;
- Pedestrian and cycle links throughout the Site, promoting active travel and providing wider connections to the Strawberry Line multi-use path;
- 50% onsite Green Infrastructure (GI), SuDS features, retained trees and hedgerows, buffer planting, habitat creation, community facilities and allotments; and
- Sustainable Drainage (SuDS) features through an effectively designed and managed regime complementing the site's rhynes.

5.3 The design concept presented follows careful consideration of the location, local character, constraints and opportunities, high level conceptual design and public consultation. It also responds positively to the helpful responses received following pre-application engagement with the public and North Somerset Council. A Design and Access Statement produced by EDP sets out this design evolution and journey, urban design and placemaking principles and the design parameters of the proposed development. In response to the need to address drainage matters on the site, given existing topography and the need to take account of coastal flooding,

an innovative ground raising drainage solution is proposed as set out in the submitted Flood Risk Assessment and Drainage Strategy.

- 5.4 A sensitive, considered approach has been taken to design principles at this outline application stage. The new homes which will cover less than half of the site (around 30% of the land area) will be sited on its eastern side - adjoining the built edge of Yatton. The housing density responds positively to the site's location and character – notably the rhyme system and hedgerow and tree network within and on the periphery of the site. It also maintains separation through a large area of open space with planting between the new homes and the Strawberry Line. The height scale and density will create an attractive, greened environment for residents and visitors.
- 5.5 Land reserved for Use Class E uses is proposed on the east of the development Site, within close proximity to the proposed access at Shiners Elm. Such uses could include, but are not limited to offices, creche, café or shop. The Site will provide a suitably located and highly visible, safe and accessible space for use by existing and future residents.
- 5.6 Generally the western part of the Site include green infrastructure and woodland, accounting for over 50% of the site area. The illustrative masterplan has been informed and shaped by ecological and landscape considerations. The features of the site, which include level open space, individual trees and peripheral tree buffers and the system of open and culverted rhyme watercourses have been considered in detail and enhanced. New, readily accessible allotments are included within the scheme. The
- 5.7 The topography of the site, the surrounding area and the rhyme system have been used to define an innovative sustainable drainage strategy. Three suitably located attenuation ponds are identified to hold and control the release of surface water. The ponds also complement and respect the rhyme system being attractive and functional features within the built areas and open spaces. The Site's drainage strategy is presented within the Foul & Surface Water Drainage Strategy and Flood Risk Assessment & Hydraulic Modelling report, both produced by Hydrock.
- 5.8 The site's design details of the appearance, scale, layout and landscaping are reserved and will be subject of a Reserved Matters application.
- 5.9 Vehicular and pedestrian access is proposed from Shiners Elms to the north east of the Site. A planned road through the site will connect to the recently approved residential development to the south leading to Chescombe Road. Secondary roads will connect all other development parcels within the site. There will be a network of pedestrian pathways and links to allow movement through the site and into the open spaces, and on to the road network and Strawberry Line.

- 5.10 Bicycle and pedestrian links will be provided to the Strawberry Line multi-use path at two places along the western boundary. In addition, bicycle and pedestrian links will be provided at West Road and Marsh Road offering car-free movement and connections to the High Street and Rail Station.

## **6.0 AFFORDABLE AND ACCESSIBLE HOUSING STATEMENT**

### **Affordable Housing**

- 6.1 North Somerset's Core Strategy (Policy CS16) is the most important policy for the consideration of affordable housing requirements on the Site. This is supported by the Affordable Housing Supplementary Planning Document, adopted November 2013.
- 6.2 Policy CS16 (Affordable Housing) of North Somerset's Core Strategy requires proposals of 10 or more dwellings to provide 30% affordable housing and that in terms of mix, 83% of these affordable homes should be social rented and 18% should be of intermediate tenure.
- 6.3 The Council's most recent Authority Monitoring Report (2022) identifies that the adopted target is for 150 affordable homes to be provided per annum against a current delivery rate of 143 dwellings per annum.
- 6.4 The proposed development includes 50% affordable provision. The percentage presented exceeds the adopted Core Strategy requirement of 30%. The level of affordable housing provision will be secured via a Section 106 Agreement.
- 6.5 The mix of house sizes and types will be defined at the Reserved Matters Stage. The precise size and type of affordable housing to be provided on-site will be determined through negotiation and guided by the Strategic Housing Market Assessment as per the requirements of Policy CS16. However at this stage, it is envisaged that the affordable housing proposal will comprise 30% social rent / intermediate housing; and the remaining 20% as First Homes and / or shared ownership.
- 6.6 On this basis, the proposals fully comply with, and indeed exceed, the requirements of Policy CS16 of the Core Strategy and the Affordable Housing Supplementary Planning Document.

### **Accessible Housing**

- 6.7 Accessible Homes Policy DM42 of the Sites and Policies Plan Part 1: Development Management Policies enables the Council to require proposals for residential development to incorporate a proportion of dwellings carried out to Building Regulations M4(2). The proportion should be based on the evidence of need and is subject to feasibility and viability. This policy is supported by the Accessible and Adaptable Housing Needs Assessment SPD.
- 6.8 The applicant will work with the local authority in refining the proportion of accessible homes – with the design and specification complying with Building Regulations.

## 7.0 PLANNING POLICY

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan, unless material considerations indicate otherwise.

7.2 The Development Plan for North Somerset comprises the following:

- Core Strategy (2006-2026) (adopted (in full) 10th January 2017);
- Sites and Policies Plan Part 1: Development Management Policies (2006-2026) (adopted 19th July 2016);
- Sites and Policies Plan Part 2: Site Allocations Plan (2006-2026) (adopted 19th April 2018); and
- Yatton Neighbourhood Plan (2017-2026) ('made' July 2019).

### Core Strategy

7.3 The Core Strategy covers the period 2006-2026 and was adopted (in full) on 10th January 2017.

7.4 The Core Strategy was first adopted on 10th April 2012. Following a successful High Court challenge to Policy CS13, on the basis that the Inspector failed to give adequate or intelligible reasons for his conclusions that the housing figure (14,000 dwellings) made sufficient allowance for latent demand, i.e., demand unrelated to the creation of new jobs. As a result, Policy CS13 and 8 other policies which could have had consequential changes if the housing number were increased, were remitted for re-examination. On 18th September 2015, Policy CS13 (Scale of new housing) was re-adopted following consideration by the Secretary of State of the Inspector's Report.

7.5 The remaining remitted policies were then re-examined. On 10th January 2017, the Council adopted the remaining remitted policies: CS6, CS14, CS19, CS28, CS30, CS31, CS32 and CS33.

7.6 Yatton is identified in the Core Strategy as a 'Service Village' providing a highly sustainable location for housing with a wide-ranging provision of services, facilities and public transport links.

7.7 At recent appeals in North Somerset, Inspectors have accepted that the Council are unable to demonstrate a 5 year housing land supply with evidence of delivery showing a significant shortfall. This is confirmed in the 2022 Annual Monitoring Report where the Council's position is stated as 3.5 years and, in accordance with page 36 of the AMR, this will remain the Council's position until April 2023.

- 7.8 On this basis, Paragraph 11(d) of the National Planning Policy Framework is engaged and those policies most important for determining the planning application (in this case, those relating to the provision of housing) are out-of-date.
- 7.9 It should be noted that the tilted balance is engaged regardless of the housing land supply position as confirmed by the Moor Road, Yatton appeal decision<sup>1</sup> where the Inspector concluded (paragraph 71) that *"I cannot avoid the conclusion that as some of these policies have to be considered out-of-date for reasons already given, then it is necessary for me to assess this proposal using the process set out at paragraph 11(d) of the Framework, often referred to as the "tilted balance"*.
- 7.10 This matter is discussed in further detail in Section 9 of this Planning Statement.
- 7.11 The Core Strategy policies relevant to this proposed development are as follows:
- 7.12 **Policy CS1 (Addressing Climate Change and Carbon Reduction)** confirms that North Somerset Council is committed to reducing carbon emissions and tackling climate change, mitigating further impacts and supporting adaptation to its effects, and to support this, the policy sets out a number of principles will guide development.
- 7.13 **Policy CS2 (Delivering Sustainable Design and Construction)** sets out that new development should demonstrate a commitment to sustainable design and construction, increasing energy efficiency through design, and prioritising the use of sustainable low or zero carbon forms of renewable energy generation in order to increase the sustainability of the building stock across North Somerset.
- 7.14 **Policy CS3 (Environmental Impacts and Flood Risk Assessment)** relates to development that, on its own or cumulatively, would result in air, water or other environmental pollution or harm to amenity, health or safety will only be permitted if the potential adverse effects would be mitigated to an acceptable level by other control regimes, or by measures included in the proposals, by the imposition of planning conditions or through a planning obligation.
- 7.15 Development in Zones 2 and 3 of the Environment Agency Flood Map will only be permitted where it is demonstrated that it complies with the Sequential Test set out in the NPPF and associated guidance and, where applicable, the Exception Test. It can be confirmed that this is taken into consideration in the submitted Sequential and Exception Tests.
- 7.16 **Policy CS4 (Nature Conservation)** states how the biodiversity of North Somerset will be maintained and enhanced.

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<sup>1</sup> Appeal Ref: APP/D0121/W/21/328543

- 7.17 **Policy CS5 (Landscape and the Historic Environment)** sets out that in regard to landscape, the character, distinctiveness, diversity and quality of North Somerset's landscape and townscape will be protected and enhanced by the careful, sensitive management and design of development. Close regard has been to the character of National Character Areas in North Somerset and particularly that of the 11 landscape types and 31 landscape character areas identified in the North Somerset Landscape Character Assessment. Policy CS5 also refers to the historic environment and confirms that the council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets.
- 7.18 **Policy CS9 (Green Infrastructure)** sets out that the existing network of green infrastructure will be safeguarded, improved and enhanced by further provision, linking in to existing provision where appropriate, ensuring it is a multi-functional, accessible network which promotes healthy lifestyles, maintains and improves biodiversity and landscape character and contributes to climate change objectives.
- 7.19 **Policy CS10 (Transportation and Movement)** informs travel management policies and development proposals that encourage an improved and integrated transport network and allow for a wide choice of modes of transport as a means of access to jobs, homes, services and facilities will be encouraged and supported.
- 7.20 **Policy CS11 (Parking)** sets out the requirement for adequate parking to be provided onsite. The number and location of parking spaces will be secured at the Reserved Matters stage.
- 7.21 **Policy CS12 (Achieving High Quality Design and Place Making)** confirms the Council is committed to achieving high quality buildings and places. The Design and Access Statement provides detail on the high-quality design of the proposals and how they fully comply with Policy CS12.
- 7.22 **Policy CS13 (Scale of New Housing)** identifies a supply of deliverable and developable land will be identified to secure the delivery of a minimum of 20,985 dwellings within North Somerset 2006–2026. The Policy also confirms that the appropriate level of new homes will be reviewed by 2018. As set out above, the Council's latest five year housing land supply position (April 2021) demonstrates that they are unable to currently provide a five year housing land supply. Given the housing land supply position, Policies CS14 and CS32 are now out-of-date.
- 7.23 **Policy CS14 (Distribution of New Housing)** sets out the settlement hierarchy and that at service villages there will be opportunities for small scale development of an appropriate scale either within or abutting settlement boundaries or through site allocations. Elsewhere development will be more strictly controlled although appropriate development will be acceptable within the settlement boundaries of infill villages. Settlement boundaries define the area within which residential development is acceptable in principle, subject to compliance with other policies in the plan. Development outside the settlement boundaries will only be



acceptable where a site is allocated in a Local Plan or where it comprises sustainable development which accords with the criteria set out in the relevant settlement policies (CS28, CS31, CS32 and CS33). As stated above, given that a five year planning supply cannot be demonstrated, this policy is considered to be out-of-date. This matter is addressed further in the Planning Assessment section of this Planning Statement.

- 7.24 **Policy CS15 (Mixed and Balanced Communities)** states that the Council will seek to ensure a genuine mix of housing types within existing and future communities in North Somerset through considering proposals for development. The proposals will contribute to a well-integrated mix of houses and tenures, including 30% affordable housing, and to an accessible, inclusive and safe community with easy access to a range of services.
- 7.25 **Policy CS16 (Affordable Housing)** requires provision of 30% affordable housing on proposals of 10 or more dwellings. The Affordable Housing Statement at Section 6 sets out in detail how the proposals fully comply with this policy.
- 7.26 **Policy CS25 (Children, Young People and Higher Education)** states that where local provision for children and young people will be inadequate to meet the needs of new residential developments, improved facilities / services or new learning facilities will be sought to meet any identified shortfall. CIL compliant contributions towards any identified shortfall will be secured by Section 106 Agreement.
- 7.27 **Policy CS27 (Sport, Recreation and Community Facilities)** requires that where the local provision of sport, recreation, children's play and other community facilities arising from new residential development are inadequate to meet projected needs and standards, additional provision in safe and accessible locations will be sought to meet any identified shortfall. This provision may be in the form of on-site provision or the enhancement / improved access to existing facilities. Any CIL compliant contributions towards any identified shortfall will be secured by Section 106 Agreement.
- 7.28 **Policy CS32 (Service Villages)** advises that new development within or adjoining the settlement boundaries of Yatton which enhances the overall sustainability of the settlement will be supported where:
- Results in a form, design and scale of development which is high quality, respects and enhances the local character, contributes to place making and the reinforcement of local distinctiveness;
  - Has regard to the size, type, tenure and range of housing that is required;
  - Will not cause significant adverse impacts on local services and infrastructure;

- Results in high quality sustainable schemes which is appropriate to its context and makes a positive contribution to the local environment and landscape setting;
- No significant adverse cumulative impacts are likely to arise from the development;
- The location maximises opportunities to reduce the need to travel and encourages active travel; and
- Demonstrates safe and attractive pedestrian routes.

7.29 The policy goes on to state that where sites are outside the settlement boundaries, in excess of about 25 dwellings must be brought forward as allocations through Local Plans or Neighbourhood Plans. Given the Council's housing land supply position, and that it is unlikely the Council is going to be able to meet its housing requirement without development taking place on some sites that do not fit with its existing policies for the distribution of new housing, this policy is considered to be out-of-date.

7.30 **Policy CS34 (Infrastructure delivery and Development Contributions)** requires that development proposals will be expected to provide a contribution towards the cost of infrastructure through Section 106 Agreements and/or through a Community Infrastructure Levy.

#### **Sites and Policies Plan Part 1: Development Management Policies**

7.31 The Sites and Policies Plan Part 1 covers the period 2006 to 2026 and was adopted on 19th July 2016. The Plan brings forward detailed development management policies to complement the strategic context set out in the Core Strategy.

7.32 The policies relevant to this proposed development are as follows:

- DM1 (Flooding and drainage);
- DM6 (Archaeology);
- DM8 (Nature Conservation);
- DM9 (Trees and Woodlands);
- DM10 (Landscape);
- DM19 (Green infrastructure);
- DM24 (Safety, traffic and provision of infrastructure etc associated with development);
- DM25 (Public rights of way, pedestrian and cycle access);

- DM26 (Travel plans);
- DM27 (Bus accessibility criteria);
- DM28 (Parking standards);
- DM32 (High quality design and place making);
- DM34 (Housing type and mix);
- DM36 (Residential densities);
- DM68 (Protection of sporting, cultural and community facilities);
- DM70 (Development infrastructure); and
- DM71 (Development contributions, Community Infrastructure Levy and viability).

7.33 **Policy DM1 (Flooding and Drainage)** sets out that all development must consider its vulnerability to flooding, the requirement to consider the implications of surface water flooding and that sustainable drainage systems are expected for all. Exceptions to national policy on flood risk (as elaborated in national technical guidance and in Policy CS3 of the North Somerset Core Strategy) will not be permitted. As mentioned earlier on within this Section, it can be confirmed that this is taken into consideration in the submitted Sequential and Exception Tests.

7.34 **Policy DM6 (Archaeology)** states that Archaeological interests will be fully taken into account when determining planning applications.

7.35 **Policy DM8 (Nature Conservation)** sets out that development proposals must take account of their impact on local biodiversity and identify appropriate mitigation measures to safeguard or enhance attributes of ecological importance.

7.36 **Policy DM9 (Trees)** sets out the requirements that should be met when development proposals affect trees.

7.37 **Policy DM10 (Landscape)** sets out the requirements that all developments proposals should meet in relation to landscape.

7.38 **Policy DM19 (Green Infrastructure)** links to Policy CS9 (of the Core Strategy) and aims to ensure new development contributes to the safeguarding, improvement and further provision of North Somerset's green infrastructure and that the provision of multi-functional, inter-connected and adaptable green infrastructure is taken into account in the design and layout of new development proposals.

7.39 **Policy DM24 (Safety, Traffic and Provision of Infrastructure etc Associated with Development)** sets out that development will be permitted provided it would not prejudice

highway safety or inhibit necessary access for emergency, public transport, service or waste collection vehicles.

- 7.40 **Policy DM25 (Public Rights of Way, Pedestrian and Cycle Access)** requires that development that would reduce, sever or adversely affect the use, amenity or safety of public rights of way will only be permitted if acceptable provision is made to mitigate those effects before the development commences. Residential development will be expected to ensure appropriate pedestrian/cycling links to the nearest schools are developed at the required standard.
- 7.41 **Policy DM26 (Travel Plans)** confirms that Travel Plans are required for all developments which generate significant amounts of movement. Travel Plans will aim to reduce car use generated by the development and to deliver other sustainable transport objectives, related in scale and kind to the development.
- 7.42 **Policy DM27 (Bus Accessibility Criteria)** requires that all residential development comprising 50 or more dwellings should be within a reasonable distance, via a direct pedestrian route, of a bus stop which provides an appropriate level of service.
- 7.43 **Policy DM28 (Parking Standards)** sets out that development proposals should meet the council's standards for the parking of motor vehicles and bicycles. This policy is for consideration at the Reserved Matters stage.
- 7.44 **Policy DM32 (High Quality Design and Place Making)** states that the design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places where opportunities for physical activity and recreation are maximised.
- 7.45 **Policy DM34 (Housing Type and Mix)** relates to the requirement to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type. Whilst the applicant are committed to achieve this, the exact type and mix of dwellings is for consideration at the Reserved Matters stage.
- 7.46 **Policy DM36 (Residential Densities)** confirms that residential development should optimise the potential of the site to accommodate development whilst protecting or enhancing the distinctiveness and character of the area. The policy also sets out the key considerations in determining the appropriate density for a particular site.
- 7.47 **Policy DM68 (Protection of Sporting, Cultural and Community Facilities)** informs land and buildings in existing use, last used for, or proposed for use for a sporting, cultural or community facility, are protected for that purpose unless the land is allocated for another purpose in another planning document. Development of such sites for other uses will only be

permitted where acceptable alternative provision of at least equivalent community benefit is made available in the same vicinity and capable of serving the same catchment area.

7.48 **Policy DM70 (Development Infrastructure)** requires that the design and implementation of development infrastructure including highways, street lighting, flood management, play areas and green infrastructure will take into account its long-term maintenance and associated costs. Any necessary infrastructure, maintenance and associated costs will be discussed with the Council and secured through a Section 106 Agreement as necessary.

7.49 **Policy DM71 (Development Contributions, Community Infrastructure Levy and Viability)** refers to the requirement to enter into planning obligations and to make Community Infrastructure Levy ('CIL') payments as necessary. The Applicant is aware that the proposals are CIL liable and that a Section 106 Agreement will be required for other obligations that are required to mitigate the impacts of a development proposal.

### **Sites and Policies Plan Part 2: Site Allocations Plan**

7.50 The Site Allocations Plan covers the period 2006 to 2026 and was adopted on 10th April 2018. The purpose of the Plan is to identify the detailed allocations required to deliver the Core Strategy and the housing requirement.

7.51 The Site Allocations Plan identifies a parcel of land within the Site boundary as a primary school replacement site. The site was first safeguarded as part of the former North Somerset Local Plan (2000) for a replacement primary school and additional basic need provision. This was carried through to Policy SA8 of the SAP, which states that such land is allocated or safeguarded for the relevant community uses, and that alternative use of these sites will only be permitted if in accordance with Policy DM68 of the Sites and Policies Part 1: Development Management Policies. A replacement primary school has already been provided in Yatton and thus the justification for the safeguarding of this land for a primary school no longer exists.

7.52 This allocation continues to be 'rolled over' with no evidence provided for its proposed continued allocation in the draft plan review taking into account both recent primary school in Yatton and also falling pupil roles.

7.53 There are no other policies within the SAP that are considered relevant to the consideration of this application.

### **Yatton Neighbourhood Plan**

7.54 Yatton Neighbourhood Plan (YNP) covers the period 2017 to 2026 and was 'made' in July 2019 following a successful referendum result in April 2019.

7.55 The YNP sets out objectives and policies relating to businesses, the environment, housing and transport. The objectives and policies relevant to this proposed development are as follows:

7.56 Business Objective BO1: To maintain a thriving local economy by supporting businesses based in Yatton.

7.57 Business Policy BP1: Development proposals which are considered likely to have significant transport impacts on footways, bicycle routes and car and bicycle parking capacity in Yatton will be supported, where accompanied by a Transport Assessment, the scope and nature of which should reflect the scale of development and the extent of the implications.

7.58 Environment Objectives EO1: To protect the rural character of Yatton by enhancing:

- Local wildlife habitats and biodiversity;
- Valued landscapes including trees and hedgerows;
- The 'dark skies' over Yatton.

7.59 Environment Objectives EO2: To enhance access to the surrounding countryside, green spaces, public spaces, and sports and leisure facilities.

7.60 Environment Objectives EO3: To ensure that the provision of open space for sports and recreational facilities is maintained at an appropriate level to meet the existing and future needs of the community.

7.61 Environment Policy EP1: Development proposals which contribute to improved access from residential areas of Yatton to local public footpaths will be supported.

7.62 Environment Policy EP3: Development proposals incorporating amenity areas for planting with appropriate indigenous trees, where appropriate, will be supported.

7.63 Environment Policy EP4: Development proposals which are subject to development control and incorporating external lighting designed to conform to The Institute of Lighting Engineers (ILE) Guidance notes for the reduction of obtrusive light, 2011 for Environmental Zone E2, will be supported. External lighting for new development will normally be expected to demonstrate that:

- All night-time lighting is concentrated in appropriate areas;
- Upward lighting is minimised;
- Light pollution is minimised; and
- Energy consumption is minimised.

- 7.64 Housing Objective HO1: to maintain a mixed housing stock that includes affordable homes so that future generations can choose to stay in Yatton.
- 7.65 Housing Objective HO2: To avoid any increase in the risk of flooding in Yatton as a result of new housing developments.
- 7.66 Housing Policy HP1: A brownfield site at Mendip Road, Yatton which is adjacent to the application Site is allocated for residential development. This site has subsequently been developed with new homes located on the edge of the village.
- 7.67 Transport Objective TO1: To make journeys to, from and within Yatton safer and more sustainable.
- 7.68 Transport Policy TP1: Development proposals will be supported where they include measures for pedestrians and cyclist to enhance traffic safety, and which encourage walking and cycling through well designed pedestrian and bicycle routes through the village.

### **Emerging Local Plan 2038**

- 7.69 North Somerset Council are currently in the process of preparing their Local Plan 2038, which will cover the period 2023 to 2038. Once adopted, it will replace the current Development Plan, which comprises the Core Strategy, Site Allocations Plan and Development Management Policies.
- 7.70 A Preferred Options consultation ended on 29 April 2022, which followed a 'Challenges Consultation' in July 2020 and a 'Choices Consultation' in November 2020. The Local Development Scheme (December 2021) and the Preferred Options Consultation Draft Plan (March 2022) set out the following timetable for the next steps for the Local Plan 2023:
- Consultation on Draft Plan (Reg. 18) – March/April 2022
  - Consultation on Pre-Submission Plan (Reg. 19) – November 2022
  - Submission to the Secretary of State (Reg. 22) – January 2023
  - Examination Hearings Period (Ref. 24) – April 2023
  - Inspector's Report (Reg. 25) – October 2023
  - Adoption (Reg. 26) – December 2023
- 7.71 The Regulation 18 consultation in Spring 2022 is a slippage from the original timetable for public consultation, which was originally expected to take place in January 2021, then November 2021.

- 7.72 Further to this, following on from the government's announcement to make further changes to the planning system in December 2022, North Somerset Council have made the decision to await clarity on these changes before finalising a revised version of the Local Plan. Consultation on a revised Local Plan is now not expected to take place before Summer 2023, with submission for Examination in Autumn 2023. A revised Local Development Scheme will be published in due course with a revised timetable. At the time of writing this Statement (March 2023), the Council are yet to publish a revised Local Development Scheme.
- 7.73 The Preferred Options Plan as previously published carries forward some allocations from existing Development Plan Documents as well as introducing new allocations. The allocation of land within the application Site at The Batch, Yatton for a replacement primary school site is carried through to the Local Plan 2038 but is not supported by the evidence base.
- 7.74 The Preferred Options Plan recognises that the most sustainable pattern of growth for North Somerset is likely to result in the principal areas of new growth being generally located at the main towns of Weston-super-Mare, Clevedon, Nailsea and Portishead. However, opportunities for an appropriate scale of growth at the larger villages (Yatton) and rural areas will exist, subject to development being sustainably accommodated. This supports the Core Strategy Vision (Vision 6) in that, *"By 2026, the Service Villages will become thriving rural communities and a focal point for local housing needs, services and community facilities. They will become more self-contained in terms of providing jobs and serving the local and surrounding community for all their day-to-day needs, whilst protecting their individual character"*.
- 7.75 Policy SP8 (Housing) of the Preferred Options Plan sets out that land will be identified to secure the delivery of a minimum of 20,085 dwellings within North Somerset between 2023 and 2038. The Plan seeks to secure 40% affordable housing. The broad distribution of new dwellings in accordance with the spatial strategy sets out 391 dwellings within Yatton.
- 7.76 The Preferred Options Plan proposes three draft allocations in Yatton: Land at North End; Yatton Rugby Club/Moor Road; and Land north of Egret Drive.
- 7.77 At this stage, this emerging plan carries, at best, no more than very limited weight given the early stage of preparation (with further technical work being undertaken as evidence to support its preparation) and the unresolved objections.

### **Supplementary Planning Documents**

- 7.78 The following adopted Supplementary Planning Documents ('SPDs') and Supplementary Planning Guidance ('SPGs') are relevant to this planning application and have been taken into consideration in the preparation of the application as set out in the relevant application documents:



- Accessible Housing Needs Assessment (2018);
- Affordable Housing (2013);
- Biodiversity and Trees (2005);
- Creating Sustainable Buildings and Places (2021);
- Development Contributions (2016);
- Landscape Character Assessment (2018);
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development (2018);
- Parking Standards (2021);
- Residential Design Guide (2013); and
- Travel Plans (2010).

7.79 In addition to this, as set out in the Sequential Test, the Council have produced a Development Management Advice Note (2019) addressing development and flood risk issues.

### **National Planning Policy Framework**

7.80 The most recent version of the National Planning Policy Framework ('NPPF') was published by the Government in July 2021.

#### *Achieving Sustainable Development*

7.81 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 7 states, "The purpose of the planning system is to contribute to the achievement of sustainable development". To note, where policies were adopted prior to the publication of the NPPF, due weight should be afforded to them according to their degree of consistency with the Framework.

7.82 Paragraph 8 sets out the three overarching objectives of sustainable development, being economic, social and environmental, and planning should therefore perform each of these roles. These objectives are mutually dependant and should not be considered in isolation.

7.83 When considering the sustainability of the proposal, in the context of the three objectives the proposal is considered to have significant benefits as follows:

- Economic Role: The proposed residential development of up to 190 dwellings will contribute to the economy through local construction jobs during the construction phase

of the development. The use of local tradesmen and services along with materials will help to sustain the economy through supply chain multipliers. Once the dwellings have been built and occupied, the new residents will contribute to the local economy through additional expenditure in local shops and services. In addition, the Class E uses (whether they be café / creche / shops / offices) will also provide local employment opportunities.

- **Social Role:** The delivery of up to 190 dwellings and public open space has the potential to make a substantial contribution to the creation of a strong and vibrant community. The development will provide a number of social benefits for the existing / future residents of Yatton, including the provision of new areas of formal and informal public open space for the wider community. 50% of the proposed dwellings will be affordable which will help to increase the range and type of dwellings and tenures available within the locality, contributing to the creation of a mixed / balanced community. Furthermore, the provision of allotments will assist in facilitation community cohesion by bringing the existing and new community together. The same can be said of the potential Class E uses, which no matter the end use, will serve the whole of Yatton.
- **Environmental Role:** The proposed development has been carefully designed to make a positive contribution to the built environment, whilst taking into account the Strawberry Lane and Biddle Street Yatton SSSI. Site rhyne management will also take place. Over 50% of the site is given over to green infrastructure comprising informal recreational areas; SUDs features, buffer planting, retained trees and hedgerows, and other habitat creation. There will be opportunities for biodiversity enhancements as demonstrated by the Preliminary Ecological Appraisal Report submitted with the application.

7.84 Paragraph 11 requires plans and decisions to apply a presumption in favour of sustainable development, and for development proposals which accord with the Development Plan to be approved without delay. Strategic policies should, as a minimum, provide for objectively assessed needs for housing.

7.85 Paragraph 15 advises the planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.

7.86 Paragraph 31 informs the preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerns, and taken into account relevant market signals.

*Decision-Making*

- 7.87 Paragraph 47 sets out planning law requires that applications for planning permission be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 7.88 Paragraph 55 advises that Local Planning Authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning conditions.

*Delivering a Sufficient Supply of Homes*

- 7.89 Paragraph 60 emphasises the Government's objective of "significantly boosting" the supply of housing. It is important that a sufficient amount and variety of land can come forward where it is needed. Local Planning Authorities should deliver their full objectively assessed needs for both market and affordable housing to consider any needs that cannot be met in neighbouring authorities.
- 7.90 Paragraph 68 informs strategic policy making authorities should have a clear understanding of the land available in their area through the preparation of a strategic housing land availability assessment. From this, planning policies should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability.
- 7.91 Paragraph 74 advises Local Planning Authorities should identify and update annually a five year supply of available housing land as a minimum.
- 7.92 Annex 2 of the NPPF details the different tenures of affordable housing to include the following:
- Affordable rent;
  - Starter homes;
  - Discount market sale; and
  - Other affordable routes to home ownership.

*Promoting Healthy and Safe Communities*

- 7.93 Paragraph 92 sets out planning policies and decisions should aim to achieve healthy, safe and inclusive places which promote social interaction, are safe and accessible, and enable and support healthy lifestyles.

*Promoting Sustainable Transport*

- 7.94 Paragraph 105 requires significant development to be focused on locations which are or can be made sustainable through limiting the need to travel or offering a genuine choice of modes of travel. This can help to reduce congestion and emissions, and improve air quality and public health.
- 7.95 Paragraph 110 states “development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”.
- 7.96 Paragraph 113 informs all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

*Making Effective Use of Land*

- 7.97 Paragraph 119 advises planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 7.98 Paragraph 121 informs Local Planning Authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forwards land that may be suitable for meeting development needs.
- 7.99 Paragraph 124 sets out planning policies and decisions should support development that makes efficient use of land, taking into account: the identified need for different types of housing; local market conditions and viability, availability and capacity of infrastructure and services; the desirability of maintaining an area’s prevailing character and setting; and the importance of securing well designed, attractive and healthy places.
- 7.100 Paragraph 125 informs that area-based character assessments, design guides and codes, and masterplans can be used to help ensure that land is used efficiently, whilst also creating beautiful and sustainable places.

*Achieving Well-Designed Places*

- 7.101 Paragraph 126 advises the creation of a high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.

- 7.102 Paragraph 127 requires plans at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable.
- 7.103 Paragraph 130 sets out a number of criteria that new development will be expected to achieve including: adding to the overall quality of the area; visually attractive as a result of good architecture, layout and appropriate / effective landscaping; sympathetic to local character and history; establishing or maintaining a strong sense of place; optimising the potential of the Site to accommodate and sustain an appropriate amount and mix of development; and creating places that are safe, inclusive and which promote health and wellbeing.
- 7.104 Paragraph 131 considers the important contribution that trees can have to the character and quality of the urban environment. Where possible, planning policies and decisions should ensure that new streets are tree lined and opportunities are taken to incorporate trees elsewhere in developments.
- 7.105 Paragraph 134 informs that permission should be refused where development is not well designed and fails to reflect local design guidelines and supplementary planning documents, such as design guides and codes.

*Meeting the Challenges of Climate Change, Flooding and Coastal Change*

- 7.106 Paragraph 152 requires the planning system to support the transition to a low carbon future, taking full account of flood risk.
- 7.107 Paragraph 154 advises new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change; and help to reduce greenhouse gas emissions, such as through its location, orientation and design.
- 7.108 Paragraph 159 sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.
- 7.109 Paragraph 160 informs strategic policies should be informed by a strategic flood risk assessment and should manage flood risk from all sources.
- 7.110 Paragraph 161 advises all plans should apply a sequential risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impacts of climate change, so as to avoid, where possible, flood risk to people and property.
- 7.111 Paragraph 163 continues, stating that if it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development

objectives), the Exception Test may have to be applied. This depends on the potential vulnerability of the site and development proposed, in line with the Flood Risk Vulnerability Classification. Residential development, such as that proposed, is classified as 'more vulnerable' development in Annex 3 of the NPPF.

7.112 Paragraph 164 states that the application of the Exception Test should be informed by a Flood Risk Assessment. To pass the Exception Test, it must be demonstrated that:

- a. the development would provide wider sustainability benefits to the community that outweigh the flood risk; and
- b. the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

7.113 Both elements of the Exception Test should be satisfied for development to be permitted.

#### *Conserving and Enhancing the Natural Environment*

7.114 Paragraph 174 sets out planning policies and decisions should contribute to and enhance the natural and local environment by: protecting and enhancing valued landscapes; recognising the intrinsic character and beauty of the countryside; minimising impacts on and providing net gains for biodiversity; and preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution.

7.115 Paragraphs 179 - 181 seek to minimise the impact on biodiversity and geodiversity. In particular habitats and protected species should be preserved.

7.116 Paragraphs 183 - 185 require new development to be appropriate to its location in order to prevent unacceptable risks from pollution and require sites to be appropriately remediated. Where a site is affected by contamination, the developer is responsible for ensuring that the development is safe.

#### *Conserving and Enhancing the Historic Environment*

7.117 Paragraph 190 informs plans should set out a positive strategy for the conservation and enjoyment of the historic environment.

### **Planning Practice Guidance**

7.118 Relevant aspects of the Planning Practice Guidance (PPG) have been taken into consideration in the preparation of the application documents.

## 8.0 HOUSING LAND SUPPLY

- 8.1 North Somerset Council are unable to demonstrate a five year supply of housing land.
- 8.2 More than 5 years have passed since the adoption of the Core Strategy, therefore in accordance with Paragraph 74 of the NPPF, the 5YHLS position should be assessed against the local housing need figure, calculated using the standard method.
- 8.3 North Somerset Council published their most recent Housing Land Supply data in March 2023, which covers to the monitoring period 1st April 2022 to 31st March 2027, and states a 3.5 years' supply of housing.
- 8.4 It should be noted that during the previous monitoring year, a number of appeal decisions were issued which varying conclusions in respect of the Council's housing land supply position.
- 8.5 Inspector Harold Stephens concluded in June 2022<sup>2</sup> that North Somerset Council could demonstrate **3.2 years'** supply of housing. He states at paragraph 36 of his report that 'In the absence of being able to demonstrate a 5YHLS, the most important policies for determining the application are irrefutably deemed to be out of date under paragraph 11(d) of the NPPF and the tilted balance applies subject to any protective policies in the NPPF which provide a clear reason for refusal'' and concluded at paragraph 37 that the extent of the shortfall in housing is significant.
- 8.6 Inspector AJ Mageean concluded in June 2022<sup>3</sup> that North Somerset Council could demonstrate **3.5 years'** supply of housing, and that there was a 'very significant shortfall in housing land supply' of over 2,000 dwellings and that the housing requirement 'reflects real and significant need' (paragraph 89).
- 8.7 Appeals decided in April<sup>4</sup> 2022 and June 2022<sup>5</sup> also concluded that the Council could not demonstrate a 5 year housing land supply. There have been no further updates from the Council since the most recent decision at 33 Beach Road West, Portishead<sup>6</sup> on 30th November 2022, which also reached this conclusion. It should however be noted that in the appeal decision for Butts Batch, Wrington<sup>7</sup> in August 2022, the Council agreed, through the Statement of Common Ground, that supply could be as low as **2.95 years**.

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<sup>2</sup> Rectory Farm, Yatton (NSC reference: 21/P/0236/OUT. PINS reference: APP/D0121/W/21/3286677)

<sup>3</sup> Land at Farleigh Farm and 54 and 56 Farleigh Road, Backwell (NSC reference: 21/P/1766/OUT. PINS reference: APP/D0121/W/21/3285624)

<sup>4</sup> Moor Road, Yatton (NSC reference: 19/P/3197/FUL. PINS reference: APP/D0121/W/21/3285343)

<sup>5</sup> Church Lane (NSC reference: 21/P/2049/OUT. PINS reference: APP/D0121/W/22/3292961) and Butts Batch (NSC reference: 20/P/2990/OUT. PINS reference: APP/D0121/W/22/3292065)

<sup>6</sup> PINS reference: APP/D0121/W/22/3302028

<sup>7</sup> Land at Butts Batch, Wrington (NSC reference: 21/P/2120/FUL. PINS reference: APP/D0121/W/22/3294867)

8.8 Therefore, these appeal decisions and the Council's latest AMR reflect the position that North Somerset Council cannot demonstrate a 5 year supply of housing. The shortfall in supply is very significant and has a material bearing on the delivery of sustainable development and the way this planning application should be determined.



## 9.0 PLANNING BALANCE AND ASSESSMENT

9.1 This Section outlines our assessment of the proposed development against the planning policy context and issues identified in **Section 5**. Reference is made to the findings of technical reports submitted to accompany the Planning Application in order to avoid unnecessary repetition.

### **Decision-Making Approach**

9.2 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act (2004), the Development Plan is the starting point for the determination of planning applications. Determination is required to be in accordance with the Plan unless material considerations indicate otherwise. For this application, the Development Plan comprises the North Somerset Core Strategy (2017), North Somerset Sites and Policies Plan Part 1: Development Management Policies (2016), Sites and Policies Plan Part 2: Site Allocations Plan (2018), and the Yatton Neighbourhood Plan (2019).

9.3 The application proposals are assessed against the relevant policies of the adopted Development Plan and key considerations are identified below.

### **Principle of Development**

9.4 The Site is located within Flood Zone 3. As such, and within the context of the NPPF (paragraphs 160 to 164), the proposals represent inappropriate development within Flood Zone 3 – as it includes new housing development on a site that is unallocated for such development. In accordance with paragraphs 163 and 164 of the NPPF, this matter attracts substantial weight.

9.5 Core Strategy Policy CS3 (Environmental Impacts and Flood Risk Assessment) sets out development in Zones 2 and 3 of the Environment Agency Flood Map will only be permitted where it is demonstrated that it complies with the sequential test set out in the NPPF and associated guidance and, where applicable, the Exception Test. Paragraph 164 of the Framework advises to pass the Exception Test, it must be demonstrated that the development would provide wider sustainability benefits to the community that outweigh the flood risk, and the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

9.6 As a result, and taking into consideration the background as set out above, the main issues to consider are:

- The effect of the proposal on the landscape and character of the area;

- The effect of the proposal on the flood risk in a Flood Zone 3 area, albeit it is a defended Site;
  - the Site's accessibility and sustainable location with regards to local services and facilities; and
  - Whether any identified adverse impact by reason of inappropriateness, and / or any other harm, should be clearly outweighed by other material considerations.
- 9.7 In terms of the effect of the proposal on the landscape and character of the area, a Landscape and Visual Impact Assessment has been prepared and submitted as a part of this application. The Landscape and Visual Impact Assessment is summarised in further detail below, however the assessment concludes that harm is limited.
- 9.8 With regards to the effect of the proposal on the Flood Zone 3 catchment, a Sequential / Exception Test has been submitted as a part of this application. This demonstrates that the proposed development at the Site passes both of these tests and as such, the development is deemed acceptable in principle.
- 9.9 With regards to whether the Site is located in an accessible location close to local services and facilities, the Site is located just outside, albeit adjacent to the settlement boundary of Yatton. Yatton is included within the adopted Core Strategy as a main service village and Policy CS32 (Service Villages) advises that new development within or adjoining the settlement boundaries of Yatton which enhances the overall sustainability of the settlement will be supported. This is justified given that Yatton is recognised as 'a focal point for local housing needs, services and community facilities' as set out in Vision 6 of the Core Strategy.
- 9.10 Furthermore, elsewhere within this Statement, Design and Access Statement and Transport Assessment, reference is made to the various services and facilities within close proximity of the Site which are accessible by foot or on a bicycle. The site is within walking distance of the rail station which has a direct connection to London and Bristol amongst others.
- 9.11 In addition to this, a part of the Site was identified within the Sites and Policies Plan Part 2: Site Allocations Plan as a primary school replacement site. A replacement primary school (Chestnut Primary School) has already been constructed at Yatton - the current school is a 1FE school (210 pupils) but is designed to expand to a 2FE school (420 pupils). Therefore justification for the ongoing safeguarding of this land for a primary school no longer exists. The previous allocation of the site for a school use does therefore provide some acceptance that the principle of development on the Site has been previously accepted, including access to the site from Shiners Elms. The site has been allocated for a primary school for over 20 years and as such, consecutive plans and the Council's evidence base have continually found

this site to be suitable for development which is a material consideration in the assessment of this planning application and when considering the suitability of the Site for development.

### **The Need for the Development**

- 9.12 At present, the Council are unable to demonstrate a Five Year Housing Land Supply and therefore Footnote 7 of the NPPF demonstrates that Paragraph 11(d) applies in this circumstance. Further to this, paragraph 60 of the NPPF states the importance of a sufficient amount and variety of land coming forward where it is needed, in order to support the Governments objective of significantly boosting the supply of homes.
- 9.13 In this regard, as set out in **Section 8**, the proposed development would deliver a considerable number of homes, in an area where there is a shortfall in housing land supply. Inspector Harold Stephens notes in the Rectory Farm appeal decision<sup>8</sup> at paragraph 37 that 'In *Hallam Land Management Ltd v Secretary of State for Government* [2018] EWCA Civ 1808, the Court made plain that the extent of any such shortfall [in housing land supply] will bear directly on the weight to be given to the benefits or disbenefits of the proposed development. In a 5YHLS shortfall scenario two things are relevant; (i) the extent of the shortfall and (ii) retrievability i.e., how likely or quickly it will be made up.'
- 9.14 As such, very significant weight should be provided to the provision of housing, in a suitable, sustainable location and village, which would make an important and positive contribution to boosting the supply of housing within the District.
- 9.15 It is noted that in more recent years, some residential development in Yatton has come forward without any supporting community facilities. The proposal therefore to include land for Class E uses which can encompass a wide range of services subject to demand and/or need is a significant benefit to the scheme. This will deliver economic growth / social cohesion and has the ability to further supplement the sustainability of Yatton.

### **The Need for Affordable Housing**

- 9.16 The proposed development includes affordable housing provision of 50% to assist in meeting affordable housing need in Yatton and across the North Somerset area, which exceeds the adopted Core Strategy requirement of 30% at Policy CS16 (Affordable Housing).
- 9.17 The provision of 50% affordable housing from this Site will bolster supply. It will assist in supporting the Council in delivering good quality affordable housing – helping the Council to meet its requirements and not fall further behind in providing such housing.

9.18 Taking the above into account and given that the application involves a local authority area which has an acute housing delivery shortage and affordable housing need, very significant weight should be afforded to the delivery of up to 95 affordable homes in this location.

### **The High-Quality Design of the Proposed Development**

9.19 As set out within the Design and Access Statement which accompanies this application, the proposed development will provide a high quality sustainable urban extension of up to 190 dwellings, which reflects local design policies and government guidance on design. As such, and in accordance with paragraph 134 of the NPPF, it is considered that very significant weight should be attributed to this.

9.20 Other benefits to note include:

- Land for Class E uses;
- A significant level of open space, recreation space alongside habitat enhancement providing social and environmental benefits;
- Highly efficient, quality homes; and
- EV Charging points.

9.21 The factors listed above, when considered either individually or collectively, and in combination with the other benefits of the development, demonstrate that a sustainable development on the Site can be achieved, outweighing the adverse impact from Flood Zone 3.

### **Design**

9.22 The NPPF requires that developments are of a good design, and this is echoed in local planning policy through the existing adopted Local Plan Policy CS12 (Achieving High Quality Design and Place Making).

9.23 The proposed access point is located on the eastern perimeter of the Site at Shiners Elms. Approval for the detailed design of this point of access is sought through the application, as shown in the Transport Assessment. The Transport Assessment submitted in support of this application provides a robust assessment of the new vehicular access. The new access has been designed in accordance with Core Strategy Policies CS10 (Transportation and Movement) and CS11 (Parking).

9.24 The application is in outline at this stage, and detailed matters of design and layout will be considered through future Reserved Matters. However, the application is accompanied by a Site Masterplan (Drawing Ref: edp7842\_d003g) and a Design and Access Statement, both of which demonstrate that the proposed development will be of a high standard of layout and

design. The Design and Access Statement confirms the development is responsive to its setting and local context, with a proposed layout which responds to the Site's Flood Zone 3 constraints.

- 9.25 In light of the above, the proposed development therefore accords with Local Plan Policies CS12 (Achieving High Quality Design and Place Making) and DM32 (High Quality Design and Place Making). This should attract significant weight in the assessment of the scheme in accordance with paragraph 134 of the NPPF.

### **Residential Amenity**

- 9.26 The Residential Design Guide SPD (2013) sets out a number of requirements and guidance in respect of separation distances, residential space standards and boundaries to ensure development is consistent with its surrounding environment.
- 9.27 The proposed layout has been carefully considered and sensitively designed, taking into account the Site's peripheral areas. The housing that adjoins the Site to the east and the future development to the south and the development edges they form are key considerations. It is noted that there is new development at Strawberry Drive and approved plans for redevelopment along part of Marsh Road. The illustrative masterplan demonstrates how the new development will respect the established and proposed amenity and privacy of these properties will be respected.
- 9.28 Reserved matter(s) applications will address other detailed matters at which time, through the provision of drawings and technical information addressing matters such as privacy, outlook, daylight and sunlight in further detail.
- 9.29 As such, the proposed development will respond positively to the standards and requirements presented within the North Somerset Residential Design Guide (2013) and Section 12 of the NPPF (Achieving Well-Designed Places).

### **Ecology**

- 9.30 The existing habitats present on the Site were assessed as being of low ecological value. These included a series of fields containing poor quality modified grassland, open ditches in poor condition, and a small number of mature trees and hedgerows of varying quality. To the west, the Site is bounded by wet ditches which form part of the Biddle Street SSSI.
- 9.31 Additional protected species surveys were undertaken for reptiles, great crested newt, water vole and otter, to confirm presence or likely absence. A breeding bird scoping survey was also undertaken, along with extensive monthly bat activity surveys. These surveys included static detector surveys in line with the North Somerset and Mendip Bats SAC guidance on development, to inform the likely impacts on horseshoe bats.

- 9.32 The reptile surveys recorded a low population of grass snake and slow-worm. The eDNA surveys confirmed the likely absence of great crested newt within adjacent ponds. Surveys for water vole recorded likely absence of this species, although otter appear to use the ditches within the Site occasionally. Bat activity surveys revealed that both greater and lesser horseshoe forage in the pasture on Site, and the hedgerows are valuable to a range of foraging and commuting bat species.
- 9.33 Avoidance and mitigation measures have been proposed to ensure that any adverse impacts to habitats and species are reduced as far as possible. These include protection of the offsite statutory and non-statutory designated sites, avoidance of detrimental impacts to ditches and hedgerows (both within and surrounding the Site), and the enhancement of these features.
- 9.34 Habitat mitigation proposals include the retention and enhancement of all hedgerows, with the exception of small lengths (33m in total) which require removal to create the access road and a public footpath. Approximately 720m of new species-rich hedgerow will be planted as mitigation for a range of species within the red line boundary. Approximately 7ha of modified grassland will be enhanced to create either 'other neutral grassland', broadleaved woodland or traditional orchard, through planting and sensitive management. Retained ditches will be enhanced through sensitive management. Overall, the habitat mitigation proposals result in a significant increase in the value of habitats present within the red line boundary: this is demonstrated by use of the Natural England Biodiversity Metric 3.1.
- 9.35 The proposals include bespoke greater horseshoe mitigation through habitat enhancement and long-term management, both within the red line boundary and using up to 2.9ha of offsite compensatory habitat (secured through a section 106 agreement). This will ensure the provision of suitable foraging habitat for this species in line with the North Somerset and Mendip Bats SAC guidance. This mitigation/compensation habitat, along with the sensitive lighting plan and monitoring, will secure the future use of the Site and local area for horseshoe bats.
- 9.36 Reptile mitigation is proposed, along with creation of habitat enhancement features, to ensure reptiles are protected throughout the construction process. Mitigation for nesting birds includes the provision of nest boxes.
- 9.37 Monitoring will be carried out to ensure pollution prevention, habitat, and species protection measures remain in place. In addition, post-construction monitoring surveys will be required, including a check of the installed lighting against a sensitive lighting plan and monitoring of horseshoe bat activity.
- 9.38 Following implementation of the above mitigation measures, the proposed development can be considered to comply with planning policies CS4 and DM8 contained in the North Somerset Local Plan Core Strategy (Adopted January 2017) and the North Somerset Development

Management Sites and Policies Plan Part 1. The proposals deliver a measurable net gain in local biodiversity and ensure the favourable conservation status of protected species and integrity of designated sites are maintained.

### **Landscape and Visual Impact**

- 9.39 The Landscape and Visual Appraisal (LVA) defines the existing landscape and visual baseline environments; assesses their sensitivity to change; describes the key landscape and visual related aspects of the proposed development; describes the nature of the anticipated change upon both the landscape and visual environments; and assesses the magnitude of the changes. The assessment follows the latest UK guidance on landscape and visual appraisal (Guidelines for Landscape and Visual Impact Assessment (3rd Edition, 2013, also known as GLVIA3, produced by the Landscape Institute and Institute of Environmental Management and Assessment) and also Landscape Institute Technical Guidance Note 02/21 "Assessing Landscape Value Outside National Designations") and was carried out by experienced landscape architects. The assessment is based upon a desktop assessment and a site visit in clear weather conditions. The key findings of the assessment are summarised below.
- 9.40 The site is not within any national designations for valued landscapes, such as AONBs or National Parks. However, the Strawberry Line / NCR 26 extends along the western boundary of the site.
- 9.41 The assessment of potential effects on the character of the landscape identified a major/moderate and negative level of effect on the small to medium-scale, irregular, predominantly flat, pastoral fields. The level of landscape effect on all other elements and features of the landscape would be Moderate or below. The potential effects on landscape character would be localised with minor effects on the overall character of the area (Landscape Character Area A1 Kingston Seymour and Puxton Moors as defined in the North Somerset Landscape Character Assessment (2018)).
- 9.42 The proposed development would result in a moderate/major and negative visual effects for pedestrians, cyclists and residents at Shiners Elms. Importantly the layout of the site has been carefully designed to align proposed new homes closely with the existing settlement edge and the proposed woodland belt (which provides good habitat for bat foraging) would progressively screen the majority of potential views from the west which includes more sensitive walkers.
- 9.43 Visual effects would be localised and the level of visual effect would, in the main, reduce over time as proposed planting becomes established.
- 9.44 It is therefore the overall conclusion of the LVIA that harm is limited.

### **Flood Risk and Drainage**

- 9.45 A detailed assessment of flood risk has identified that the site is located within the present-day Flood Zone 1, 2 and 3a (Low, Medium and High Risk) with tidal sources being the dominant risk to the site. The site was also shown to be at 'low' or 'negligible' risk of flooding from surface water, groundwater, and artificial infrastructure sources. Although it is recommended groundwater monitoring be undertaken as part of the ground investigation works, which are yet to start, to assess the level of groundwater on site.
- 9.46 At a pre-application meeting with the LLFA, Hydrock were instructed to use the "Woodspring Bay 2020" hydraulic model created by JBA to assess the risk of tidal flooding to the site. The hydraulic model was updated to include climate change uplifts and additional structures on site which were not present in the original JBA model. Hydraulic modelling confirmed the site to be at high risk of flooding in the present day 1 in 200-year extreme tidal event but benefits from significant flood defences along the Woodspring Bay frontage and along the Congresbury Yeo. With the impacts of climate change, the existing defences are predicted to be overwhelmed and widespread flooding is predicted on site and in the surrounding area. In the undefended 2122 0.5% AEP (1 in 200-year) plus Higher Central climate change allowance design event, the site is predicted to be completely inundated with flood waters with a maximum flood level of 7.88m AOD and maximum depths up to 2.73m on the land parcels and 3.81m within the rhyne network.
- 9.47 The proposed residential led development is classified as 'more vulnerable' in accordance with the NPPG and on the basis that the site is indicated to be within Flood Zone 3a in the present day and in the future, it is recommended a Sequential Test be undertaken by the Planning Consultant to confirm site suitability. Following this, an Exception Test should also be carried out, with this report satisfying a requirement for recommended mitigation to ensure the site will be safe from flooding across its design life.
- 9.48 Given the predicted impacts of climate change it is recommended that building FFLs be raised as high as practically possible to a minimum level of 8.48m AOD (600mm freeboard above the 2122 0.5% AEP (1 in 200-year) Higher Central tidal level), to ensure a significant freeboard above any potential flooding and a safe refuge area is provided. This approach is in line with both local and national policy.
- 9.49 The proposed site access roads are shown to be at risk of flooding from tidal sources in the future. As such, a Flood Warning and Evacuation Plan is recommended to highlight the flood risk to visitors and details the procedures to follow in the event of a Flood Warning from the EA being issued for the area.



9.50 Given the dominant source of flooding to the site is tidal, raising the ground is less likely to impact on maximum water levels from tidal sea flooding. As such, flood compensation storage is not deemed necessary. This report therefore demonstrates that, in respect of flood risk the residential development of the site:

- Is suitable in the location proposed.
- Will be adequately flood resistant and resilient.
- Will not place additional persons at risk of flooding and will offer a safe means of access and egress or provide a Flood Evacuation plan where applicable.
- Will not increase flood risk elsewhere as a result of the proposed development through the loss of floodplain storage or impedance of flood flows.
- Will put in place measures to ensure surface water is appropriately managed.
- As such, the development would meet the flood risk requirements of the NPPF.

9.51 In addition, a Flood Risk Sequential and Exception Test is submitted with the application. It considers reasonably alternative locations set against a sequential approach to site selection for the proposed development as described. It confirms that the Site is sequentially preferable and both criterion of the Exception Test are satisfied.

### **Transport, Connectivity and Access**

9.52 A Residential Travel Plan (TP) has been prepared in support of the redevelopment of the site. The TP identifies measures and initiatives to encourage travel to and from the site by sustainable modes of travel, and is submitted as a separate document.

9.53 Following a review of the personal injury accident data records within the vicinity of the site, it is not considered that there is an inherent highway safety deficiency which would be exacerbated by the proposed development. It is noted that a highways safety scheme is currently being implemented by North Somerset Council on the B3133 High Street.

9.54 The Site is well connected to surrounding facilities and services via the existing network of footways and cycle routes. The facilities and services in Yatton are mainly located on High Street, which are within a 10-minute walk. The site can therefore be considered a 20-minute neighbourhood as set out by Sustrans. The site is also well positioned to connect to existing dedicated cycle routes including National Cycle Network (NCN) Route 26 which is also known as the Strawberry Line.

- 9.55 The nearest station to the site is Yatton Rail Station, an 8-minute walk or 2-minute cycle to the north. The station provides a direct line to Bristol Temple Meads in c.20 minutes with two trains in each direction per hour. This provides a genuine choice of sustainable travel to access opportunities within the major city, including employment and leisure travel.
- 9.56 Due to the site being located in close proximity to a range of sustainable transport options, residents would benefit from a genuine choice of sustainable travel options that are already available.
- 9.57 There are two vehicular access locations for the site. The first access point will be the continuation of Shiners Elms, located north-east of the site. Footways and carriageways will be appropriately provided to tie into the existing highway network. Means of access via Shiners Elms forms part of this outline consent.
- 9.58 The second access point will be through the approved Rectory Farm development onto Chescombe Road. This development for 100 homes was allowed at appeal (reference: APP/D0121/W/21/3286677). The North Somerset Council reference is 21/P/0236/OUT. A Reserved Matters application was validated on the 1<sup>st</sup> March 2023.
- 9.59 The layout of this permitted site is subject to a reserved matters application and so the precise route of the access for this application will also be detailed and explained as a reserved matter. Persimmon Homes have rights of access over the Rectory Farm sites including stepping rights should the access not be built out by the Rectory Farm developer. It can therefore be relied upon to provide the second access to the site.
- 9.60 The development will not have a 'severe' impact upon the local highway network and there are no material highway or transportation matters that could preclude the local authority from approving this planning application.

### **Heritage**

- 9.61 The assessment concludes that the Site does not include or form any part of a designated heritage asset. Its proposed development would therefore not result in a direct effect upon a designated heritage asset. Regarding designated heritage assets located within the site's surroundings, the application of national guidance set out in GPA 3 (2017) shows that the Site's development as proposed would not cause any change within the settings of any designated (or non-designated) heritage assets such that might affect their significance.
- 9.62 Hence, in terms of impacts upon designated heritage assets, the proposed development of the site would comply with the relevant national and local planning policies which cover the conservation and management of the historic environment.

- 9.63 The assessment has identified that the Site has a low degree of heritage significance derived from its preservation of a historic landscape related to enclosure and drainage of low-lying former fenland, which probably occurred from the late medieval period onwards. Approval and implementation of the proposed development would result in the partial loss of these historic landscape features, even if the drainage ditches (rhynes) that divide the Site's fields would be retained within the completed scheme. This partial loss of a non-designated heritage asset of low value would need to be considered in respect of Paragraph 203 of NPPF in that 'a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset'.
- 9.64 The proposed development is likely to result in the disturbance of the ground surface to a relatively shallow level. Such disturbance may truncate, or result in the loss of, presently unrecorded buried archaeological remains which are located in its footprint. With respect to the known geological sequence on the North Somerset Levels, impacts are expected to be focused on buried remains of the Roman and post-roman periods because prehistoric deposits are anticipated to be buried more deeply.
- 9.65 Archaeological remains of these periods are likely to be of low significance, based on the available information, and the geophysical survey which was completed at the Site this autumn has not identified the presence of any probable archaeological anomalies. Consultation with the Principal Archaeologist at North Somerset Council has established that pre-determination trial trenched evaluation is not required in support of the application. Further phased investigation of the Site will take place in response to a pre-commencement condition of any planning consent granted.
- 9.66 Therefore, whilst the implementation of the proposed development would result in the loss of shallow archaeological features and deposits (if they are present), but given they are expected to be of just 'low' interest or significance, this is assessed as generating no more than a limited impact as a consequence.

#### Summary

- 9.67 The conclusion of the work carried out by the professional consultant team is that the site can be developed without significant harm and that any harm could be adequately mitigated.

#### **Tilted Balance**

- 9.68 Paragraph 11(d) of the NPPF advises planning permission should be granted unless there are adverse impacts which significantly and demonstrably outweigh the benefits of a proposal. The table below summarises the adverse impacts against the benefits of the proposal.

Table 9.1 Impacts and Benefits

Impacts	Benefits
Impact on the character and appearance of the local area (Limited weight)	Up to 190 additional homes (Very significant weight)
Development in Flood Zone 3 (Significant weight)	Provision of some 95 affordable homes at the site (so 50% affordable housing) (Very significant weight)
	Delivery of temporary local employment provision (construction jobs) and post-completion associated employment. (Significant weight)
	Ecological Enhancements with 10% improvement in biodiversity ('Bio Net Gain') (Moderate weight)
	Improved connectivity and access to the Strawberry Line for existing residents as well as future residents. (Moderate Weight)
	Provision of land for a community facility / mobility hub to benefit the existing and proposed community. (Significant weight)
	Provision of half of the Site dedicated to readily accessible Public Open Space (Moderate weight)
	Support Public Transport through ease of accessibility by sustainable modes of transport to bus routes and the railway station (Moderate weight)

9.69 With regard to paragraph 11d(i) of the Framework and footnote 7 which disengages the presumption in, amongst others, areas at risk of flooding or coastal change. The submitted FRA demonstrates that the scheme as designed, on a site which benefits from flood defences, with a well-designed and innovative drainage solution is not at risk of flooding or coastal change, and as such the presumption can continue to apply.

9.70 It can be concluded through the application of the tilted balance that the benefits clearly outweigh the adverse impacts of allowing development. There are significant benefits that accrue from these proposals, including the ability deliver community / commercial uses for the benefit of the wider existing community alongside the benefits of providing homes including a notably high proportion of affordable homes and ecological mitigation delivering a net ecological benefit. In significantly boosting the provision of homes and provision of land for Class E uses in North Somerset – this will secure economic, social and environmental gains and so achieving sustainable development, this warrants a grant of outline planning permission.

## **10.0 DRAFT TERMS OF AGREEMENT FOR A SECTION 106 AGREEMENT**

- 10.1 Policy DM71 (Development Contributions, Community Infrastructure Levy and Viability) refers to the requirement to enter into planning obligations and to make Community Infrastructure Levy ('CIL') payments as necessary.
- 10.2 Paragraph 57 of the NPPF confirms that planning obligations should only be sought where they meet all of the following tests.
- a. Necessary to make the development acceptable in planning terms;
  - b. Directly related to the development; and
  - c. Fairly and reasonably related in scale and kind to the development.
- 10.3 50% affordable dwellings are proposed to be provided as part of the development, and it is envisaged that this will be secured through a Section 106 Agreement.
- 10.4 Further to this, we consider that financial contributions for the following are necessary to mitigate the effects of the development:
- Off-site highways infrastructure; and
  - Others to be confirmed through discussions with the Council.
- 10.5 Any requests for S106 contributions will be considered by the Applicant in light of the provisions of paragraphs 55 to 57 of the NPPF.

## 11.0 SUMMARY AND CONCLUSIONS

11.1 This Planning Statement has been prepared by Barton Willmore, now Stantec on behalf of Persimmon Homes Severn Valley to assess the planning issues arising from an Outline Planning Application for the following description of development at Land at Rectory Farm, Yatton:

*'Outline planning application for the development of up to 190 homes (including 50% affordable homes), land reserved for mixed use local hub (Class E), allotments, car parking, earthworks to facilitate sustainable drainage systems, open space and all other ancillary infrastructure and enabling works with means of access from Shiners Elms for consideration. All other matters (means of access from Chescombe Road, internal access, scale, layout, appearance and landscaping) reserved for subsequent approval'*

11.2 The proposed development comprises up to 190 dwellings at Land at Rectory Farm, Yatton. Yatton is identified in North Somerset's Core Strategy as a 'Service Village'. As identified at **Section 2 and 7**, Yatton provides a highly sustainable location for new housing with a wide range of supporting complementary services, facilities and public transport links.

### Decision Making Approach

11.3 The Development Plan consists of the North Somerset Core Strategy (2017), North Somerset Sites and Policies Plan Part 1: Development Management Policies (2016), Sites and Policies Plan Part 2: Site Allocations Plan (2018), and the Yatton Neighbourhood Plan (2019).

11.4 Whilst it is acknowledged that the Site is located within 'defended' Flood Zone 3, where the principle of new housing development is not typically supported by National and Local Planning Policy, a site specific and innovative solution can be applied to assist in delivering new homes safe from flooding. The benefits in developing this Site clearly outweigh the adverse impacts.

11.5 The proposed development represents a significant opportunity to deliver economic and social and environmental benefits to Yatton and the wider area, including:

- Much needed housing, creating a sustainable residential-led development adjacent to the existing built form of Yatton;
- The proposed development will contribute positively towards meeting the objectively assessed need for new homes within the District where a significant shortfall exists;
- The provision of 50% affordable dwellings which is well in excess of Policy CS16 (Affordable Housing) requirement of 30%;
- A mix of dwelling types will be provided to assist in improving house choice within the local area;

- Promotion of the development in a sustainable location adjacent to existing built form, which is well located for public transport connections and to promote pedestrian and cycle trips to the Strawberry Line and wider surroundings;
- A contribution to the local economy through the construction jobs phase of the development. Furthermore, the use of local tradespersons and technical services along with materials, will support the local economy through supply chain multipliers;
- Positive contribution to a strong and vibrant community and additional comparison and convenience expenditure within Yatton;
- The creation of new and accessible green infrastructure for residents, as well as contributing land for a community facility / mobility hub;
- Additional landscaping and planting throughout the Site; and
- A net gain in biodiversity.

11.6 The supporting technical documents submitted as part of the Planning Application collectively confirm that the proposed development would not have any unacceptable adverse impacts subject to the recommended mitigation measures being put in place. For the development proposed, the Site has been shown to be the most appropriate.

11.7 The proposals represent a high quality, sustainable development which, when set against material planning and policy considerations should be supported and planning permission granted.



**APPENDIX 1**  
**PRE-APPLICATION ENQUIRY RESPONSE**

## DELEGATED REPORT

<b>Application No:</b>	22/P/2451/PR2	<b>Target date:</b>	06.12.2022
<b>Case officer:</b>	Lee Bowering	<b>Extended date:</b>	
<b>Proposal:</b>	Outline planning application for up to 280 new homes and land for a Doctor's surgery		
<b>Site address:</b>	Land West Of, Yatton, North Somerset,		

### PRE-APPLICATION ADVICE

#### **We understand your proposal to be**

A pre application in advance of the submission of an outline planning application for up to 280 new homes and use of part of the site for a doctor's surgery on land at, and to the north of Rectory Farm, Yatton.

The site is approximately 13 hectares in area and comprises nine irregular shaped parcels of agricultural land located to the west side of Yatton between the existing Strawberry Line, which adjoins the west boundary of the site, and the west side of the existing settlement boundary for the village of Yatton.

The submitted Master Plan provides an indicative layout which proposes vehicular connection onto the existing Shiners Elm cul-de-sac, located to the east. A second proposed vehicular access is shown to connect onto the proposed new road layout that forms part of the adjoining approved development, located to the south, which itself would be accessed from Chescombe Road.

In addition to the proposed housing and doctor's surgery, the Master Plan layout incorporates footpaths and cycleway links, play area provision, areas of open space, balancing ponds, allotments and landscaped areas.

#### **Summary of our response**

Our initial assessment of your proposal is that:

Planning permission is likely to be refused.

#### **The scope of this report**

The purpose of this advice is to identify whether your proposal has a realistic chance of success and, if relevant, highlight any potential problems before you submit a formal planning application.

It is based on the information you have given us and aims to set out the policy issues that should be addressed with any future planning application and identify any potential problems. We also draw your attention to the advice notes at end of this report.

You have applied for pre-application advice under **Service Level 2**. This service provides written advice that is more limited than that provided by Service Level 3. The advice offered is restricted to scoping the main issues and matters of general planning principle, such as the suitability of the site, in planning policy terms, for the type of development. For this reason, visits to the site are not normally undertaken, no detailed elements of the scheme (such as design, ecology, flooding or highways matters) will be considered, no consultation will be carried out and no meetings are offered.

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

### **Planning policy and background**

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

The 'development plan' for the area comprises the North Somerset Core Strategy, the North Somerset Sites and Policies Plan - Part 1 (Development Management Policies) and Part 2 (Site Allocations Plan) and the Yatton Neighbourhood Plan (there are other documents relating to waste). Copies of all of our development plan documents are available on our [website](#) where you can also view an up-to-date table of extant and superseded policies and the current proposals map. You should satisfy yourself that your proposals comply with all relevant development plan policies before submitting an application.

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

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

### **Constraints/Designations**

The following constraints / policy designations must be fully considered and duly referred to within the relevant supporting reports / statements /assessments that accompany the application. The full list of supporting documents appear later in this report.

- The whole of the site is located outside the existing settlement boundary for the Yatton which is designated as a Service Village within the North Somerset Core Strategy,
- The site forms part of the wider area designated as EA Agricultural land class P 1988 and is also designated EA Best most versatile land,

- The site is located within Horseshoe Bat Zone B and area of bat habitat,
- The land occupied by the Strawberry Line which adjoins the west boundary of the site and is designated as a Local Nature Reserve and Wildlife Site. The Wildlife site extends westwards beyond the Strawberry Line to include the Site of Special Scientific Interest.
- The west boundary of the site adjoins the 'Biddle Street Rhyne' Site of Special Scientific Interest (SSSI) which includes the Strawberry Line, and land beyond to the west,
- The site forms part of the wider Landscape Character Assessment 2018 designation A1. Kingston Seymour and Puxton Moors,
- The site falls within the Somerset Consortium – North Somerset Levels Internal Drainage Board area,
- The EA updated Flood Map identifies the northern part of the site to be subject to surface water flooding,
- The whole of the site is located within SFRA L1 Tidal Flood Zone 3a and EA Flood Zones 2 and 3,
- Part of the site is allocated / reserved in the Site Allocations Plan for Primary School use in a similar location to the area proposed for a Doctors Surgery in this pre application,
- There are no public rights of way crossing the site,
- There are no Tree Preservation Orders existing on the site.

### **Environmental Impact Assessment (EIA):**

On 02 February 2023, following due consideration of the 'Request for formal EIA Screening Opinion', the Local Planning Authority, under reference 22/P/2963/EA1, concluded that the proposed development does not constitute 'Environmental Impact Assessment' Development and therefore an Environmental Statement is not required as part of a planning application for the following reasons:

*It is considered likely that the proposal is most likely to have localised impacts only, which can be addressed through the planning application process. However, to confirm this, the following assessment will be required as part of the planning application process:*

- *Cumulative Impact Assessment - to include potential impact on existing traffic movements, flooding, drainage, ecology, existing character of settlement, noise and air quality, historic landscape character and healthcare/school provision,*
- *Surveying requirements for sites within Zone B of the Mendip and North Somerset Bats Consultation Zone. Set out in the North Somerset and Mendip Bats SPD.*

### **Planning Assessment:**

### **Introduction:**

The pre application enquiry has been the subject of consultation with Officers from within the Council who in turn have submitted their respective comments according to their professional field of expertise. The comments received have for the most part informed the drafting of this report.

All consultee comments received have been forwarded to the applicant to ensure openness and an understanding of the main issues which are likely to be relevant to the determination of a formal planning application, should one be submitted.

### **Policy:**

The site is located entirely outside the settlement boundary and, but for the existing Primary School allocation on part of the site, is not an allocated site for development, or indeed proposed to be allocated for housing in the Council's new Local Plan 2023 to 2038. Furthermore, the site is not identified for development in the Yatton Neighbourhood Development Plan.

One of the underlining reasons for not allocating the site for future development is because of the low-lying nature of the site and the risk posed by Tidal Flooding now and in the future, particularly with rising sea levels.

### **Flood risk:**

The site is entirely within tidal flood zone 3a as shown on the Council's Strategic Flood Risk Assessment (2020) and this accords with the national Flood Map designation. Policies on flooding apply, such as DM1 of the adopted Development Management Policies Plan and CS3 of the Core Strategy, that reflect national planning policy with respect to flood risk.

Policy CS3 indicates that non-exempt development (such as housing and a surgery) in zones 2 and 3 will only be permitted where it is demonstrated that it complies with the sequential test set out in the National Planning Policy Framework and associated technical guidance and, where applicable, the Exception Test. In applying the Sequential and Exceptions Test, reference should be made to the PPG within the 'flood risk and coastal change' section, as well as the Council's 2019 'Flood Risk Advice Note'. This provides advice on the application of the tests including the appropriate search area for alternative sites, sources of information for alternative sites, and the information required to be submitted including plans and written justification.

In this case the search area for alternative sites will be the North Somerset area, and through experience on other recent similar residential proposals, it is likely to be challenging to pass the Sequential test.

This proposal would also be required to pass the Exceptions Test, if it were to pass the Sequential Test. In summary this would require that the development is safe over its lifetime and brings with it wider sustainability benefits to the community.

Policy DM1 states that **'all development must consider its vulnerability to flooding, taking account of all sources of flood risk and the impacts of climate change, up to 100 years ahead on residential or mixed-use sites'**. The Flood Risk Assessment should consider the range of other flooding sources that may affect the site and where these are present, set out how the proposal is to address them. Parts of the site are noted to be subject to surface water flooding.

It is noted that the applicant intends to undertake a Sequential test and Exception test, in addition to a Flood Risk Assessment and Preliminary Drainage Strategy.

The council's Flood Risk Manager should be consulted, and it is understood that there have been discussions with the applicant's flood risk/ drainage consultant.

You are advised to refer to the Flood Risk Manager's comments sent previously and to make reference to the following Council web link headed "Lead Local Flood Authority and planning application":

<https://www.n-somerset.gov.uk/my-services/nuisances-pollution-environmental-issues/flooding-drainage/lead-local-flood-authority-planning-applications>

### **Ecology:**

The site is located within an environmentally sensitive area with a network of hedgerows and ditches providing defining landscape features within the low-lying area of agricultural land which supports a range of wildlife, including bats. The importance and recognition of the natural living environment is endorsed with the designation of the adjoining SSSI, Wildlife and Local Nature Reserve sites.

The impact that the proposed development is likely to have upon the existing bat population, local wildlife and the ecology of the site and wider area, including the cumulative impact arising from this further proposed development in Yatton, must be fully analysed and the appropriate suite of full wildlife and ecological surveys and assessments, including a lighting strategy, carried out, and submitted as supporting documents with the application. We will not accept these being submitted later as they should be fundamental to consideration of how the site would be developed.

### **Highways:**

Insufficient detail has been submitted with the pre application to enable the Highway and Transport Officer to provide a detailed response other than to provide an overview of the issues which the applicant is advised to take note of. The submission of a Transport Assessment will be necessary. Further reference to the Highway and Transport issues can be found within the conclusion part of this report.

### **Archaeology:**

There is low to moderate potential for archaeological remains, particularly dating to the late prehistoric and Romano) British periods at this location. Several Romano-British farmsteads with earlier settlement activity have been discovered at similar topographical locations around North Somerset in recent years.

An historic Environment Desk-based Assessment will be required to support any forthcoming application at this location, and this should be accompanied by a Geophysical Survey of the entire development area. Dependent on the results of the survey a targeted trench evaluation may be required *pre-determination* to assess the nature, extent and significance of any potential archaeological remains, so as to inform any necessary mitigation which could be conditioned.

In addition, the geophysical survey should be undertaken prior to any ground investigation works on site to limit disturbance to any potential archaeological remains. It would also be prudent to ensure a geoarchaeologist is either on site during the ground

investigation works or is able to review borehole samples for paleoenvironmental evidence.

## **Landscape/Trees:**

### Landscape:

Whilst the site is located within the A1 Kingston Seymour and Puxton Moors, which is an area of strong landscape character, the site gives the appearance of being isolated and less characterful due to the defining form that the Strawberry line takes within the existing landscape. In places the existing village edge provides a dominance over the landscape. The proposed submission of a Landscape and Visual Appraisal will assist in refining the proposal. The appropriate landscape conditions would be recommended to ensure enhanced planting within the landscape buffer areas and to complement the proposed open areas, and throughout the proposed development.

The applicant is advised to refer to the Green Infrastructure s106 proforma which is attached to the landscape comments already in the applicant's possession.

Please also refer to the comments below regarding views of the Listed Church from the Strawberry Line when preparing the Landscape and Visual Appraisal.

### Trees:

The existing trees should be retained as part of the development and protected against future adverse impacts and pressures upon their natural life span. The Residential Design Guide – Section 2 paragraph 3.6.2 outlines the council's guidance on trees. The British Standard BS5837:2012 which relates to the Design, Demolition and Construction in proximity to trees, provides guidance on design. Paragraphs 5.2 and 5.3 advise works should allow adequate space for long term retention of trees and consider future maintenance.

The carrying out of an Arboricultural Report/Assessment should inform the proposed layout and must be submitted as a supporting document with the planning application.

## **Setting of listed Building:**

The site is located several hundred metres from the nearest Listed buildings which are located to the east and south-east of the site. Whilst the development of the site is unlikely to have any adverse impact on the setting of the Listed Buildings the submission of an application should include a couple of representative and obvious viewpoints from the Strawberry Line through the proposed development to the Church Tower which is likely to be visible to varying degrees from the Strawberry Line. The church tower is a defining feature of the village when seen from various points in the landscape so is an important consideration. It is suggested that this work could be incorporated into the Landscape Visual Appraisal.

## **Other considerations:**

### Site context

It is important to show clearly on a scaled plan, and by way of a series of cross sections, the ground, finished floor and ridge height levels of the proposed dwellings, including the proposed doctor's surgery, and any change to existing ground levels in context to the outline profile of the existing dwellings and their respective finished floor and ridge heights.

A minimum of three, but ideally four sections, drawn on an east to west axis across the site should be provided. The plans must include the surface level of the Strawberry Line and the sites west boundary detail / ground levels as existing, and as proposed with planting. The sections should also show the elevational /sections of the proposed development in context to the finished floor and ridge heights of the existing dwellings located to the east. Two or more sections on a north to south axis should also be submitted. It would also be helpful to have an understanding of the existing land level on the Biddle Street SSSI compared to the land level on the proposed development site. Two further sections showing the land level on the Biddle Street SSSI, the land occupied by the Strawberry Line and the proposed development site should therefore also be submitted. This further detail will help to understand how water levels on either side of the Strawberry Line is likely to function as a result of the proposed development.

## Design

The extensive comments made by the Council's Urban Design Office have already been forwarded to the applicant. Therefore, this report does not intend to go into detail at this stage other than to quote the following two paragraphs from the Urban Design comments which provide context to the proposal and layout form.

*“Yatton is a well-connected commuter village with a variety of facilities and schools that create activity in the village during the day. The application is for a large site to the west of the settlement connecting with two existing streets and should aim to integrate with the existing residential area as much as possible. It would be preferable in future visualisations that the development masterplan be drawn with its surrounding context. The western boundary of the site is defined by the Strawberry Line cycle route and to the north of the site has easy access to Yatton train station. The current population of Yatton sits at around 7000 and this new development would significantly increase this.”*

*“The layout of the proposal already appears to respond well to the geography and natural features of the site if considered in isolation from matters concerning the context of the site in relationship to Yatton as a whole. Once the proposal develops further into three-dimensional design the existing built and historic environment needs to be further considered, in terms of form, materiality and detailing. It is advised special consideration is given to ‘adopting typical building forms, composition, articulation, proportions, features, materials, details, patterns and colours of an area; drawing upon the architectural precedents that are prevalent in the local area, including the proportions of buildings and their openings”*

It is considered that the proposal is capable of satisfying the requirements of the Supplementary Planning Document - Residential Design Guide – section 1, in terms of siting, proximity and separation distances between the existing and proposed developments, without causing adverse impact on the living conditions enjoyed by the occupiers of the existing dwellings and the future occupiers of the proposed dwellings. The applicant is however advised to undertake full and open community engagement with the local residents well in advance of submitting a formal planning application.

## Noise

The site is located in proximity to a railway line, Yatton Station and a large concrete batching plant. The noise sources may impact the northern part of the proposed development site. Therefore, we would ask for a BS8233 Noise Impact Assessment to be



provided with any application in order to confirm if/how appropriate internal and external noise levels can be achieved.

The noise impact assessment should also cover the potential for noise generation associated with the development of the doctor's surgery on the surrounding residential properties (hours of use, any plant present, deliveries) and how this can be managed. We suggest that the rating noise level from any plant cannot exceed the pre-existing background noise level.

A comprehensive construction management plan will also be required due to the scale of the development and the proximity of existing residential land. There is also the proposed redevelopment of land to the south of the site, therefore impacts from noise, dust and traffic may be cumulative.

#### Affordable housing:

It is noted that the intention is to provide 50% Affordable housing provision across the site. This is welcome and will contribute to meeting the affordable housing shortfall which exists both locally and nationally. You are advised to agree the mix and tenure of the affordable units with the Council's Affordable Housing Officer prior to submitting the planning application.

Further details, to be agreed with the Affordable Housing Officer, should be provided within a short Affordable Housing Statement to be submitted with the application.

#### Doctor's Surgery:

It is noted that the proposed doctor's surgery occupies approximately 25% of the area of land that is currently allocated for a Primary School site. Education have asked that the school allocation be carried forward into the new Local Plan. However, it is currently unclear whether there is an ongoing need for the primary school given the recent building of the new primary school on the Bloor Homes development at North End Yatton. The increasing number of new, and proposed dwellings in Yatton, including this pre application site, will nevertheless place an increasing likely pressure on the Council to ensure that sufficient education provision exists, whether it be on the existing school sites, or on a new site.

The Council in the meantime are in the early stages of reviewing the Secondary School provision within the district and will be identifying a number of potential sites that may be suitable to meet the future Secondary School needs. It remains to be determined whether this involves enlargement of one or more of the existing secondary school buildings / sites, or the development of an entirely a new secondary school, but it is worth noting that current thinking is that the Yatton area is well placed to meet the need for a new secondary school and that the ability to provide safe active travel routes to such a school will be key, as will reducing the Council's liability to provide school transport to existing schools where this currently causes practical difficulties due to their rural locations.

In the meantime, the proposed layout which incorporates the doctor's surgery would jeopardise the delivery of a school provision on the site in the future. The application for the proposed doctor's surgery on this site is therefore unlikely to receive a recommendation for approval unless it can be demonstrated that the site is not required for education purposes in the future. The proposal would furthermore be required to satisfy the requirements of the Sequential and Exceptions Test.

From a positive point of view, local residents are likely to support additional surgery provision within the Yatton area. You will however need to provide evidence that there is an end user in mind and that the necessary consultation with the relevant governing medical board has taken place and that all relevant parties are supportive for this part of the site to be developed for a new doctor's surgery. How this is to be funded must be explained in full. Furthermore, there would need to be a clear understanding that the proposed building, and in house facilities proposed to be provided within the surgery, are adequately sufficient in size and layout to meet existing and future local needs. A detailed supporting document must therefore accompany the application which should include the findings of a public consultation, the intended number of patients that the surgery proposes to cater for, the staff numbers and whether the proposal will complement the existing medical /surgery provision in the village or lead to the closure of the existing surgery.

## **CONCLUSION**

The proposed development gives rise to number of challenging issues that must be addressed as part of an application submission to enable it to be fully assessed in accordance with both National and Development Plan policies. The drafting of the report has been informed by the consultation responses received whilst also having regard to various policy considerations, including relevant Supplementary Planning Documents.

### **Policy:**

Whilst the Council acknowledge that there currently exists a shortfall in the 5-year housing land supply, it should not however follow that the site is appropriate for development just because it adjoins the Service Village settlement boundary. The quantum of development proposed far exceeds the 'about 25 dwellings' figure referred to in policy CS32 of the North Somerset Core Strategy. Although this housing policy may be considered 'out of date', it nevertheless carries moderate weight during the consideration process as would the following statement within policy CS32;

*"Sites outside the settlement boundaries in excess of about 25 dwellings must be brought forward as allocations through Local Plans or Neighbourhood Plans".*

There are clearly other criteria within Policy CS32 that must be satisfied.

### **Flood risk:**

The site, in its entirety, lies within Flood Zone 3a and Flood Zone 2 and therefore falls within an area at risk of flooding. Paragraph 159 of the NPPF states:

*Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.*

All development must consider its vulnerability to flooding, taking account of all sources of flood risk and the impacts of climate change, up to 100 years ahead on residential, or mixed-use sites.

It will therefore be necessary to carry out a Sequential Test on a risk-based approach in advance of submitting a planning application for the development of the site. The search area shall cover North Somerset and not just Yatton and/or the surrounding area. The Sequential Test must have regard to future rising sea levels for the lifetime of the

development. The requirements of the Exceptions Test, as set out in the NPPF, shall also form part of the application submission for consideration by the Local Planning Authority.

Notwithstanding other policy considerations, the proposed development of the site will not receive a favourable recommendation unless both the Sequential Test and the Exceptions Test are passed which, as referred to earlier in this report, is likely to be challenging given the availability of other less vulnerable flood risk sites within North Somerset.

It is important to recognise that the presumption in favour of sustainable development (sometimes called the tilted balance) is not triggered for those sites at risk of flooding which fail to pass the Sequential Test. You are advised to refer to Paragraph 11 d) i. footnote <sup>7</sup> of the NPPF in this regard. Indeed, this position has recently been supported by the Planning Inspector at Appeal.

### **Ecology:**

The low-lying nature of the site, and the importance of the adjoining Biddle Street Rhyne 'Site of Special Scientific Interest' (SSSI), together with the environmental contribution that the existing site hedgerows and agricultural parcels of land make to wildlife and the local eco system, are material factors that will likely weigh heavily against the proposed development of the site, or any part of the site, should a planning application be submitted. Particular attention must therefore be given to ensure that all reasonable measures are taken to protect the water environment and to mitigate against loss of habitat, landscape features, pollution risk and harm to the eco system when undertaking survey work and developing plans for the site.

Detailed bat and wildlife surveys to identify and include the impact of the proposal upon protected species, should be undertaken together with an understanding of their respective habitat with appropriate safeguarding measures and mitigation identified whilst also achieving the required minimum 10% Biodiversity Net Gain.

Surveying requirements for sites within Zone B of the Mendip and North Somerset Bats Consultation Zone will be required as set out in the North Somerset and Mendip Bats SPD.

### **Highways:**

The Council's Highway and Transport Policy Officer has submitted comments which provide an overview of the Highway and Transport (H&T) issues to be covered when preparing the application submission. This has already been forwarded to the applicant. Further H&T comments will follow the submission of a Transport Assessment as part of the application submission. In the meantime, additional pre application advice from H&T can be obtained for an additional fee via the following web link: <https://www.n-somerset.gov.uk/my-services/planning-building-control/planning-applications/planning-fees/pre-application-advice-fees>

Notwithstanding, the existing H&T comments received, it is considered that the network of existing roads that connect with the B3133, provide inadequate highway infrastructure and connectivity for the number of dwellings proposed, which in turn may give rise to likely congestion within the surrounding roads and in particular at the junction with the High Street and other minor roads leading to and from the sites two proposed access points.

An off-site contribution towards highway improvements, road markings and signage is likely but in the absence of the Transport Assessment and the subsequent comments of H&T, this cannot be confirmed at this stage. Additionally it is likely that public transport improvements may be sought should this development be approved, and this may include investment in bus infrastructure such as Real Time Information and new shelters and

platforms, and also support for bus services to establish/re-establish services or improve availability at key points throughout the day or week.

### **Archaeology:**

The Council's Archaeologist has recommended further investigation / mitigation / impact works which will be necessary to inform the application submission. The required investigation works are referred to further below in the 'List of Supporting Documents to be submitted'.

### **Landscape:**

The proposal would be required to deliver a quality landscape planting scheme which complements the proposed housing layout and reinforces existing boundary planting, margins and buffer areas. The applicant has confirmed the intention to submit a Landscape and Visual Appraisal which will inform the final landscape planting regime for the site which will be suitably condition should a planning permission be granted.

### **Sustainable Development:**

The development proposed will prove challenging to achieve compliance with two of the three overarching objectives required to Achieve Sustainable Development as set out in paragraph 8 of the NPPF; namely,

- a)** ..... *that sufficient land of the right types is available in the right places* ..... and,
- c)** .... *to protect and enhance our natural, built and historic environment*.

With regard to **a)** it is unclear how the site can be in the right place given the highest risk of flooding, Zone 3a.

With regard to **c)** it is unclear how it will be possible to deliver the number of houses proposed on the site whilst protecting and enhancing our natural environment.

Should a flood event occur in the future and, within the lifetime of the development, then **b)** Social Objective, would also likely fail to achieve sustainable development credentials by virtue of the likely impact caused by flooding upon the; *"future needs and support communities' health, social and cultural well-being"*.

### **Other matters:**

The following matters have been discussed earlier in the report and no further comments are considered necessary at this time;

- Doctors Surgery and existing School site allocation
- Listed Buildings in vicinity of site
- Design issues
- Noise pollution
- Affordable Housing

### **Likely Recommendation:**

It is considered that having regard to the various planning issues and material considerations referred to in this report, the development proposal will likely be recommended for refusal should a planning application be submitted.

### **Things we recommend you do**

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

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

### **What to submit if you choose to submit an application**

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

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

- Planning Statement \*\*
- Design and Access Statement \*\*
- Strategic Flood Risk Assessment and Preliminary Drainage Strategy \*\*
- Site-specific management and maintenance plan (Ref. Drainage SUDS)
- Sequential and exception test (Flood risk) \*\*
- Historic Environment Desk Based Assessment (Archaeology)
- Geophysical survey of the entire site
- Ground Investigation Report \*\*
- Transport assessment \*\*
- Travel Plan \*\*
- Tree survey/arboricultural statement/ assessment \*\*
- Landscape and Visual Appraisal
- Ecological Appraisal and accompanying protected species surveys \*\*
- Lighting Strategy \*\*
- Biodiversity Net Gain Assessment
- Shadow HRA
- Noise Impact Assessment (BS8233) \*\*
- Cumulative Impact Assessment (regarding Noise, dust and traffic)
- Construction Management Plan
- Development Master Plan with surrounding context
- Energy and Sustainability Report \*\*
- Statement of Community Engagement

- Affordable housing statement \*\*
- Draft heads of terms for a planning obligation \*\*
- CIL Additional Information Form \*\*
- Site waste management plan \*\*
- Open space assessment \*\*
- Axonometric views based on illustrative layout
- Evidence, Justification and Conclusions report for Doctors Surgery

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

### Advice notes

- The views expressed are informal views on and based on the information currently available. They are without prejudice to the consideration of any planning application, which may be submitted, and the more detailed assessment of the issues involved at that stage.
- Any advice given in relation to the planning history of the site, planning constraints or statutory designations does not constitute a formal response of the council under the provisions of the Land Charges Act 1975.
- The weight given to our advice will reduce the more time that lapses between the advice given and the application being submitted because circumstances may change.
- Whilst we try to give you all the information available at the advice stage, new information may come to light once a planning application has been submitted that we were not previously aware of. We reserve the right to take a different view if this occurs, however, we will contact you first to discuss the best way forward.
- We do not normally undertake consultation with external bodies when considering pre-application requests. If you decide to submit a planning application, we will formally consult and this process may raise new and relevant issues that need to be taken into account in reaching our formal decision.
- We do not normally undertake a site visit at the pre-application stage. If you decide to submit a planning application, we will carry out a site visit and this may raise new and relevant issues that need to be taken into account in reaching our formal decision
- Should you require any further advice and information there may be an additional charge.
- Further fees or contributions may be required under the Community Infrastructure Levy, section 106 agreements or unilateral undertakings.

Signed: Lee Bowering

**APPENDIX 2**  
**CUMULATIVE IMPACT ASSESSMENT**

## **LAND AT RECTORY FARM (NORTH), YATTON CUMULATIVE IMPACT ASSESSMENT**

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### **1.0 INTRODUCTION**

- 1.1 This Cumulative Impact Assessment (CIA) is prepared further to the pre-application response from North Somerset Council received on the 16<sup>th</sup> February 2023. As confirmed in the Screening Opinion received on the 2<sup>nd</sup> February 2023, the development does not constitute EIA development; however the Screening Opinion suggested consideration of cumulative assessment as set out below:

***On 02 February 2023, following due consideration of the 'Request for formal EIA Screening Opinion', the Local Planning Authority, under reference 22/P/2963/EA1, concluded that the proposed development does not constitute 'Environmental Impact Assessment' Development and therefore an Environmental Statement is not required as part of a planning application for the following reasons:***

***It is considered likely that the proposal is most likely to have localised impacts only, which can be addressed through the planning application process. However, to confirm this, the following assessment will be required as part of the planning application process:***

- ***Cumulative Impact Assessment - to include potential impact on existing traffic movements, flooding, drainage, ecology, existing character of settlement, noise and air quality, historic landscape character and healthcare/school provision,***
- ***Surveying requirements for sites within Zone B of the Mendip and North Somerset Bats Consultation Zone. Set out in the North Somerset and Mendip Bats SPD.***

- 1.2 Through the pre application response itself however consideration of cumulative assessment was further refined by the Council to:
- Noise
  - Dust
  - Traffic
- 1.3 It is noted that these matters would be considered as part of the planning application in any case, however for the avoidance of doubt, we have combined into a single document as requested. However, they are not considered in the context of regulations pertaining to the production of Environmental Impact Assessments and so are cumulative in planning terms. It should also be noted that this is an outline planning application.
- 1.4 Finally, we are aware that there is a development immediately south / south east of the application Site which is considered in the reports submitted within this application as necessary.



## 2.0 NOISE

### Cumulative Road Traffic Assessment

#### Assessment Criteria

#### *Design Manual for Roads and Bridges, LA 111 Noise and Vibration*

- 2.1 With regard to the consideration of cumulative noise impacts. The approach to assessing noise and vibration effects from roads is described in Design Manual for Roads and Bridges (DMRB). The DMRB approach to assessing noise and vibration impact is to compare the noise levels for the 'do something' (with scheme) scenario against levels that would occur if the proposed development did not take place, i.e. 'do minimum' (without scheme) scenario.
- 2.2 The assessment methodology considers the change in noise levels due to the scheme in the short and long term and provides a description of the magnitude (reproduced in Table 1).

*Table 1: Short-Term and Long-Term Magnitude of Change in Road Traffic Noise, according to DMRB*

Level Magnitude	of Short Term Change in Noise Level L10,18hour dB(A)	Long Term Change in Noise Level L10,18hour dB(A)	Significance of Impact – as described in DMRB
<b>High</b>	≥ 5.0	≥ 10.0	Major
<b>Medium</b>	3.0-4.9	5.0-9.9	Moderate
<b>Low</b>	1.0-2.9	3.0-4.9	Minor
<b>Negligible</b>	0.1-0.9	0.1-2.9	Negligible
	0.0	0.0	No Change

- 2.3 DMRB is intended for use in the assessment of new or altered highways. However, it provides a useful reference for considering the impact of traffic increases due to other types of development.

#### Assessment

- 2.4 In order to assess changes in noise levels caused by increases in traffic flows, Hydrock have calculated Basic Road Noise Level ("BNL") for each modelled road link. The BNL has been calculated based on the methodology described in CRTN and traffic data provided by the transport planners. The BNL describes the annual average road noise level (L A10, dB) over 18-hours at a normalised distance of 10m from the kerb. The BNL is used to give an indication of the noise change due to the traffic of the Proposed Development.
- 2.5 Some of the road links included within the assessment have low predicted flows (< 1000 veh/ 18-hour day). CRTN states the following with regards to low traffic flows:

*"Calculations of noise level for traffic flows below 50 veh/h or 1000 veh/ 18-hour day are unreliable and measurements should be taken when evaluating such cases."*

- 2.6 As an outline planning application, Hydrock have been unable to take measurements of the future Do-Something or Do-Minimum scenarios, and no alternative methodology for calculating noise levels from roads with low traffic flows is available, Hydrock have used the CRTN BNL calculation for all road links associated with the proposed development.
- 2.7 Table 2 presents the predicted CRTN BNL values for the 2025 Do-Minimum and Do-Something scenarios, along with the predicted dB noise change.
- 2.8 Appendix E of the submitted Noise Report, which should be read in conjunction with this report, contains the traffic flow data received from the transport planners used to calculate CRTN BNL.

*Table 2: Summary of Cumulative Road Traffic Increases on Noise Levels*

Road Link		Predicted CRTN BNL (dB, LdB Noise Change A10,18 hour)			
No.	Name	2025 Committed Dev. (Do-Minimum)	plus 2025 Committed Dev. (Do-Something)	plus 2025 Committed Dev. (Do-Something)	Change due to proposed development
1	Shiners Elms	41.2 <sup>1</sup>	52.9 <sup>1</sup>	52.9 <sup>1</sup>	11.7
2	Mendip Road N	56.5	57.4	57.4	0.9
3	Grassmere Road	56.3	57.2	57.2	0.9
4	B3133 High Street N	66.2	66.4	66.4	0.2
5	Mendip Road S	56.5	57.3	57.3	0.8
6	Heathgate	54.3 <sup>1</sup>	55.7 <sup>1</sup>	55.7 <sup>1</sup>	1.4
7	Chescombe Road	57.2	57.7	57.7	0.5
8	B3133 High Street S	65.7	65.8	65.8	0.1

<sup>1</sup>Traffic flows below 1000 veh/ 18-hour day therefore calculations of noise level may be unreliable.

**Analysis**

- 2.9 Table 9 shows that the predicted increase in road noise levels for the majority of road links assessed is less than 1 dB, and therefore impact can be considered negligible when assessed in line with DMRB criteria as presented in Table 1.
- 2.10 Road Link 6, Heathgate, is predicted to see a 1.4 dB increase in noise levels caused by traffic flow associated with the proposed development. Impact for this road link and associated receptors can therefore be considered minor when assessed in line with DMRB Short Term change criteria as presented in Table 1.

**Road Link 1 – Shiners Elms**

- 2.11 Road Link 1, Shiners Elms, is currently a Cul-de-sac with no through access, and is proposed to become an access road for the proposed development. As such, there is a significant increase in predicted traffic flows between the Do-Minimum and Do-Something scenarios, resulting in a significant increase in calculated CRTN BNL values.
- 2.12 In order to further assess the potential impact on existing noise sensitive receptors located along Shiner’s Elms, Hydrock have inputted the calculated CRTN BNL for both scenarios into ‘CadnaA’ Environmental Noise Modelling software, and have calculated predicted noise levels at the facades of all impacted dwellings.
- 2.13 Table 10 presents the predicted façade noise level for the ‘worst-case’ receptor along Shiners Elms, which is predicted to undergo the highest change in predicted façade noise levels between the Do-Minimum and Do-Something scenarios. It can be seen that there is a predicted 7 dB maximum change in predicted façade noise level. Appendix F contains noise plots exported from ‘CadnaA’ Environmental Noise Modelling software which show predicted façade noise levels for all receptors along Shiners Elms.

**Summary**

- 2.14 It is however concluded that given the nature of the development and where the access is being taken from in relation to other committed developments, there are no cumulative noise impacts which arise.

### 3.0 DUST

#### **Potential Dust Emission Magnitude**

##### **Demolition**

- 3.1 A small agricultural building located in the southern region of the Site will be demolished as part of the proposals. The total building volume to be demolished is <20,000m<sup>3</sup> with construction materials such as metal cladding.
- 3.2 Based on the above, the potential dust emission magnitude for demolition is considered to be **'Small'**.

##### **Earthworks**

- 3.3 Earthworks will primarily involve excavating material, haulage, tipping and stockpiling. This may also involve levelling the site and landscaping. The total area of the Site is >10,000m<sup>2</sup>, with underlying loamy and clayey soils which have a high potential for dust release when dry due to the small particle size.
- 3.4 Based on the above, the potential dust emission magnitude for earthworks is considered to be **'Large'**.

##### **Construction**

- 3.5 The key issues when determining the potential dust emission magnitude during the construction phase include the size of the building(s)/infrastructure, method of construction, construction materials, and duration of build. An estimation of the total volume of buildings to be constructed has been estimated based on the masterplan of the Proposed Development.
- 3.6 The total volume of buildings to be constructed was estimated to be between 25,000m<sup>3</sup> - 100,000m<sup>3</sup>, with construction materials likely comprising masonry, concrete and glass. It has been assumed that concrete batching and sandblasting will not be undertaken onsite.
- 3.7 Based on the above, the potential dust emission magnitude for construction is considered to be **'Medium'**.

##### **Trackout**

- 3.8 The risk of impacts occurring during Trackout is predominantly dependent on the number of vehicles accessing the Site on a daily basis. However, vehicle size, speed and the duration of activities are also factors which are used to determine the risk of impacts.
- 3.9 It is expected that the number outwards movements from the Site will fall into the IAQM's medium category. No unpaved surfaces over 50m are likely to be utilised, as it has been assumed that site traffic would be routed along the existing road network.
- 3.10 Based on the above, the potential dust emission magnitude during Trackout is considered to be **'Medium'**.

**Summary**

Table 8 below shows a summary of the potential dust emission magnitudes from each activity.

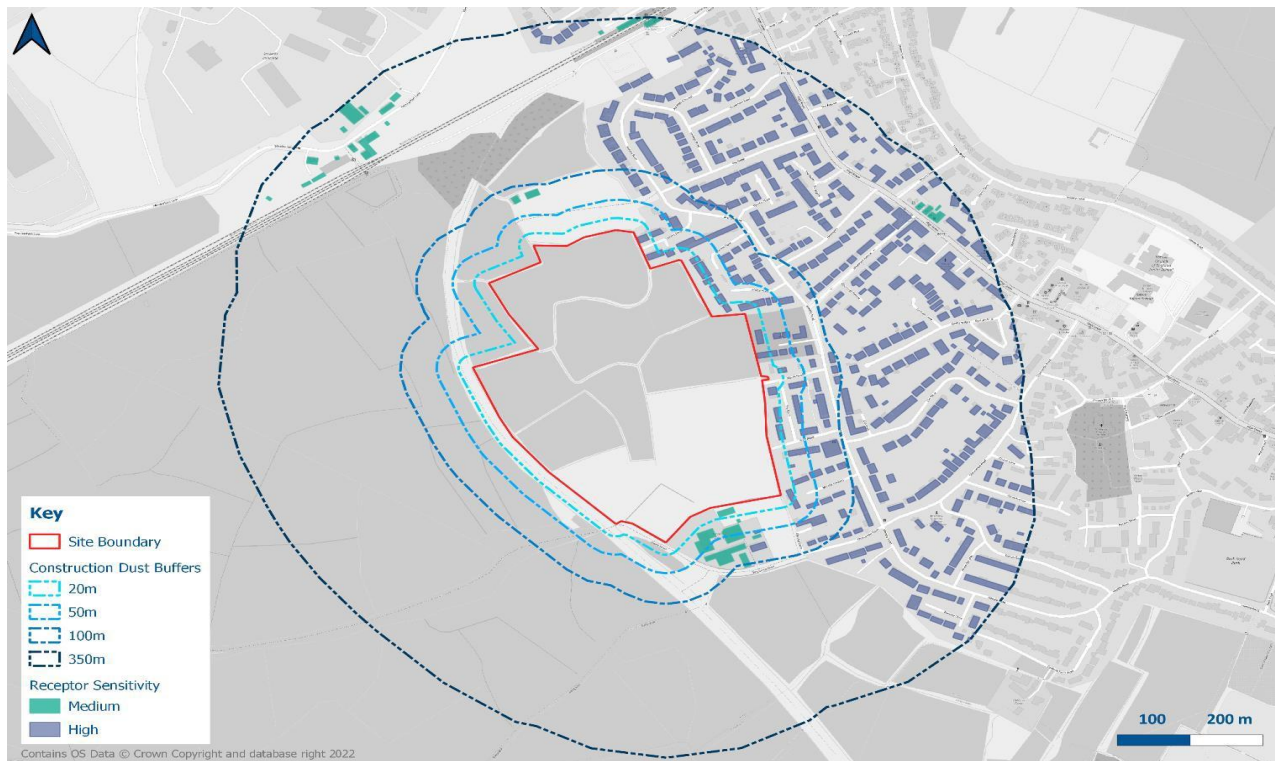
*Table 3: Potential Dust Emission Magnitude Summary*

Activity	Dust Emission Magnitude
Demolition	Small
Earthworks	Large
Construction	Medium
Trackout	Medium

**Sensitivity of Area**

3.11 The prevailing wind direction for the closest regionally representative meteorological measurement station to the Site, at Bristol Airport, is shown in Appendix B of the Air Quality Assessment. The wind rose shows that the prevailing winds are from the south-west.

3.12 Figure 6 shows the construction phase distance buffers (20m, 50m, 100m and 350m) around the Site boundary, as well as identified high sensitivity receptor locations within these buffers.



*Figure 6: Construction Phase Receptors*

**Dust Soiling Impacts**

- 3.13 Figure 6 illustrates there are more than 10 high sensitivity human receptors within 20m of the Site boundary. As such, the overall sensitivity of the surrounding area to nuisance dust soiling effects during Demolition, Earthworks and Construction, according to IAQM guidance, is defined as '**High**'.
- 3.14 With regard to Trackout, the sensitivity for Medium size sites is assessed where receptors are located within 50m from Trackout routes up to 200m from the Site. As there are more than 10 high-sensitivity receptors within 20m of potential Trackout routes from the Site, the sensitivity to dust soiling impacts from Trackout is defined as '**High**'.

**Human Health Impacts**

- 3.15 Defra mapped background predictions (Table 6) show that annual mean concentrations of PM10 are not likely to exceed 24µg/m3 in the vicinity of the Site<sup>34</sup>, based on 2019 estimates. According to IAQM guidance, where PM10 concentrations are <24µg/m3 and there are less than 100 high sensitivity receptors within 20m of construction works, the overall sensitivity of the surrounding area to human health impacts is defined as '**Low**' for Demolition, Earthworks, Construction and Track.

**Ecological Impacts**

- 3.16 Biddle Street, Yatton SSSI lies within 50m of the Site boundary.
- 3.17 Box 8 of the IAQM construction guidance provides indicative examples of ecological receptor sensitivities. It states that SSSI designations with dust sensitive features are considered to be medium sensitivity receptors. As the dust sensitivity of the habitat within the Biddle Street, Yatton SSSI is unknown, the ecological site has been conservatively assumed to be a medium sensitivity receptor, in accordance with the IAQM guidance.
- 3.18 On this basis, the overall sensitivity of the surrounding area to ecological impacts during Demolition, Earthworks, Construction and Trackout stages, according to IAQM guidance, is defined as '**Medium**'.

**Summary of Area Sensitivity**

- 3.19 The sensitivity of the surrounding area for the potential impacts discussed above is summarised in Table 4 below.

*Table 4: Sensitivity of Local Area*

Potential Impact	Sensitivity of Surrounding Area			
	Demolition	Earthworks	Construction	Trackout
Dust Soiling	High	High	High	High
Human Health	Low	Low	Low	Low
Ecological	Medium	Medium	Medium	Medium

**Risk of Impacts**

- 3.20 Using the methodology prescribed in the IAQM guidance, the overall risk of impacts can be defined by combining the sensitivity of the area with the potential dust emission magnitude of each stage of the construction phase as described above.
- 3.21 Table 5 provides a summary of the construction dust risk assessment. Overall, the Proposed Development is considered to be **High Risk** for nuisance dust soiling effects, a **Low Risk** for PM10 health effects, and a **Medium Risk** for ecological impacts, in the absence of mitigation.

*Table 5: Risk of Adverse Impacts During Construction Phase*

Potential Impact	Risk			
	Demolition	Earthworks	Construction	Trackout
Dust Soiling	Medium Risk	High Risk	Medium Risk	Medium Risk
Human Health	Negligible	Low Risk	Low Risk	Low Risk
Ecological	Low Risk	Medium Risk	Medium Risk	Low Risk

**Cumulative Impacts**

- 3.22 The overall construction dust risks associated with the Proposed Development are 'High'. Through managed mitigation, the impacts can be reduced to negligible. The site-specific measures are outlined in Appendix E of the Air Quality Assessment.
- 3.23 Where local committed developments are constructed concurrently, managed implementation of their respective Construction Management Plans will minimise risks. Moreover, regular communication and meetings (when appropriate) between developers to ensure plans are co-ordinated will further minimise the effects of any associated emissions.

*Table 6: Summary of Worst-case Noise Impact on receptors along Shiners Elms.*

Link Receptors	Road	Predicted Façade Noise Level – Worst Case dB Noise Change		
		Receptor along Shiners Elms (dB, LA10,18 hour)		Change due to proposed development
		2025 Committed (Do-Minimum)	plus 2025 plus Committed Dev. Plus Dev. (Do-Something)	
Shiners Elms		46	53	7

- 3.24 Table 6 shows that the maximum predicted increase in façade noise level for receptors along Shiners Elms is 7 dB. When assessed in line with the DMRB criteria presented in Table 4, this suggests a 'major' impact is likely when assessed against the baseline. However, it is important to



assess the absolute noise level, and consider this in context. Receptors situated along Mendip Road and other local residential roads are likely to be currently experiencing façade noise levels that exceed predicted facade noise levels at Shiners Elms for both modelled scenarios.

- 3.25 The predicted façade noise levels at receptors situated along Shiners Elms are low enough such that BS 8233:2014 internal ambient noise levels can be achieved within Living Rooms and Bedrooms using standard double glazing and non-acoustic trickle ventilators for both modelled scenarios, which is likely to be the current façade specification for the existing receptors.
- 3.26 External noise levels within back garden amenity areas for all receptors along Shiners Elms are predicted to fall comfortably below BS 8233:2014 upper guideline values of 55 dBA for both scenarios.

### **Summary**

- 3.27 It is therefore seen that, although assessment of changes in noise levels in line with DMRB criteria suggest a 'major' impact is likely for receptors along Shiners Elms when assessed against the baseline, predicted absolute façade noise levels remain low and internal noise levels within all affected dwellings are likely to readily achieve BS 8233:2014 criteria with no additional mitigation. As such there is no cumulative impact which arises in respect of dust.



## 4.0 TRAFFIC / TRANSPORT

### Cumulative Assessment

4.1 The application has assessed the cumulative impact of the development in planning terms. This has been achieved through the use of TEMPRO growth rates to reflect background/planned growth, and the explicit inclusion of committed development where appropriate.

### Committed Development

4.2 Two developments were incorporated into the committed development for the traffic flow diagrams.

4.3 Land Off Moor Road Yatton (Ref: 19/P/3197/FUL) is a residential development of 60 dwellings with supporting infrastructure and a new vehicular access. (Application was refused in July 2021 with an appeal allowed). The site is located north of the proposed development Rectory Farm (north) and is bound by Kenn Moor Road in the south-east and the B3133 North End Road in the south-west.

4.4 Rectory Farm (Ref: (21/P/0236/OUT) is a residential development of 100 dwellings with support infrastructure and a new vehicular access. Rectory Farm is located just south of Rectory Farm (North) and is bound by the Strawberry Line in the west and residential development on Chescombe Road in the east.

### TEMPRO growth rates

4.5 The 2022 surveyed traffic flows have been growthed to 2025 (year of first occupation) and 2028 (future year) using the following TEMPRO growth rates for North Somerset 012 which covers the area of Yatton:

- North Somerset 012 2022-2025: 1.0577
- North Somerset 012 2022-2028: 1.0884

### Operational Assessment Scenarios

4.6 The following scenarios have been modelled:

- 2025 Base AM + PM
- 2025 Base + Committed Developments AM + PM
- 2025 Base + Committed Developments + Proposed Development AM + PM
- 2028 Base AM + PM
- 2028 Base + Committed Developments AM + PM
- 2028 Base + Committed Developments + Proposed Development AM + PM

### Junction Capacity Assessments

4.7 The modelling outputs are attached as Appendix G of the Transport Assessment.

*Grassmere Road/B3133 High Street priority junction (PICADY)*

4.8 The results of the capacity testing of the Grassmere Road/B3133 High Street priority junction are set out below at Table 6.

Table 6: Grassmere Road/B3133 High Street priority junction Summary

Year	Period	Scenario(s):	Max RFC (all arms)	Max End Queue (all arms)
2025	AM Peak (08:00-09:00)	Base	0.19	0.2
	PM Peak (17:00-18:00)	Base	0.14	0.2
	AM Peak (08:00-09:00)	Base + Committed	0.19	0.2
	PM Peak (17:00-18:00)	Base + Committed	0.14	0.2
	AM Peak (08:00-09:00)	Base + Committed + Development	0.24	0.3
	PM Peak (17:00-18:00)	Base + Committed + Development	0.17	0.4
2028	AM Peak (08:00-09:00)	Base	0.20	0.2
	PM Peak (17:00-18:00)	Base	0.14	0.2
	AM Peak (08:00-09:00)	Base + Committed	0.20	0.2
	PM Peak (17:00-18:00)	Base + Committed	0.15	0.2
	AM Peak (08:00-09:00)	Base + Committed + Development	0.25	0.3
	PM Peak (17:00-18:00)	Base + Committed + Development	0.18	0.4

- 4.9 Table 6 demonstrates that in the 2025 base + committed + development scenario the maximum RFC would be 0.24 during the AM peak with a queue of 0.3 vehicles on all arms. During the PM peak, the maximum RFC would be 0.17 on all arms with a queue of 0.4 vehicles. The Grassmere Road/B3133 High Street priority junction therefore has sufficient capacity to accommodate the traffic generated by the proposal.
- 4.10 Table 6 demonstrates that in the 2028 base + committed + development scenario the maximum RFC would be 0.25 during the AM peak with a queue of 0.3 vehicles on all arms. During the PM peak, the maximum RFC would be 0.18 on all arms with a queue of 0.4 vehicles. The Grassmere Road/B3133 High Street priority junction therefore has sufficient capacity to accommodate the traffic generated by the proposal.
- 4.11 Queue data recorded for the existing Grassmere Road/B3133 High Street priority junction has been analysed for the peak hours to provide a layer of validation for the queues shown in the existing model.
- 4.12 The analysis demonstrated that the modelled and observed queues are within typical daily variations in queue lengths. There is minimal queueing at this junction in both peak periods. It is considered that the models reflect the observed operation of the Grassmere Road/B3133 High

Street priority junction.

*Chescombe Road/B3133 High Street priority junction (PICADY)*

4.13 The results of the capacity testing of the Chescombe Road/B3133 High Street priority junction are set out below at Table 7:

*Table 7: Chescombe Road/B3133 High Street priority junction Summary*

<b>Year</b>	<b>Period</b>	<b>Scenario(s):</b>	<b>Max RFC (all arms)</b>	<b>Max End Queue (all arms)</b>
<b>2025</b>	<i>AM Peak (08:00-09:00)</i>	<i>Base</i>	<i>0.10</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base</i>	<i>0.18</i>	<i>0.4</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed</i>	<i>0.13</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed</i>	<i>0.20</i>	<i>0.5</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed + Development</i>	<i>0.17</i>	<i>0.3</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed + Development</i>	<i>0.22</i>	<i>0.5</i>
<b>2028</b>	<i>AM Peak (08:00-09:00)</i>	<i>Base</i>	<i>0.10</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base</i>	<i>0.19</i>	<i>0.5</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed</i>	<i>0.14</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed</i>	<i>0.21</i>	<i>0.5</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed + Development</i>	<i>0.17</i>	<i>0.3</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed + Development</i>	<i>0.23</i>	<i>0.6</i>

4.14 Table 7 demonstrates that in the 2025 base + committed + development scenario the maximum RFC would be 0.17 during the AM peak with a queue of 0.3 vehicles on all arms. During the PM peak, the maximum RFC would be 0.22 on all arms with a queue of 0.5 vehicles. The Chescombe Road/B3133 High Street priority junction therefore has sufficient capacity to accommodate the traffic generated by the proposal.

4.15 Table 7 demonstrates that in the 2028 base + committed + development scenario the maximum RFC would be 0.17 during the AM peak with a queue of 0.3 vehicles on all arms. During the PM peak, the maximum RFC would be 0.23 on all arms with a queue of 0.6 vehicles. The Chescombe Road/B3133 High Street priority junction therefore has sufficient capacity to accommodate the traffic generated by the proposal.

- 4.16 Queue data recorded for the existing Chescombe Road/B3133 High Street priority junction has been analysed for the peak hours to provide a layer of validation for the queues shown in the existing model.
- 4.17 The analysis demonstrated that the modelled and observed queues are within typical daily variations in queue lengths. There is minimal queueing at this junction in both peak periods. It is considered that the models reflect the observed operation of the Chescombe Road/B3133 High Street priority junction.

**Sensitivity traffic impact assessment**

- 4.18 A sensitivity assessment of the development traffic's impact on the surrounding highway network was carried out considering the use of Shiners Elms as the only vehicular access.
- 4.19 This sensitivity assessment has been undertaken to support the phased delivery of the site. As set out within Section 5.2, the development proposes two accesses which form the basis for the access strategy.
- 4.20 Detailed operational assessments have been carried out to determine the potential impact of the proposed development on the performance of the following junction:
  - *Grassmere Road/B3133 High Street priority junction*
- 4.21 As vehicles will no longer be routing along Chescombe Road as part of this sensitivity assessment, it is not considered necessary to include the Chescombe Road/High Street priority junction in the modelling assessment.
- 4.22 The assessment of this junction has been undertaken using the PICADY module within the TRL 'Junctions' software.
- 4.23 The results of the capacity testing of the Grassmere Road/B3133 High Street priority junction are set out below at Table 8.

*Table 8: Grassmere Road/B3133 High Street priority junction sensitive summary*

<b>Year</b>	<b>Period</b>	<b>Scenario(s):</b>	<b>Max RFC (all arms)</b>	<b>Max End Queue (all arms)</b>
<b>2025</b>	<i>AM Peak (08:00-09:00)</i>	<i>Base</i>	<i>0.19</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base</i>	<i>0.14</i>	<i>0.2</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed</i>	<i>0.19</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed</i>	<i>0.14</i>	<i>0.2</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed + Development (Sensitivity)</i>	<i>0.29</i>	<i>0.4</i>

	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed + Development (Sensitivity)</i>	<i>0.19</i>	<i>0.4</i>
<b>2028</b>	<i>AM Peak (08:00-09:00)</i>	<i>Base</i>	<i>0.20</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base</i>	<i>0.14</i>	<i>0.2</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed</i>	<i>0.20</i>	<i>0.2</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed</i>	<i>0.15</i>	<i>0.2</i>
	<i>AM Peak (08:00-09:00)</i>	<i>Base + Committed + Development (Sensitivity)</i>	<i>0.30</i>	<i>0.4</i>
	<i>PM Peak (17:00-18:00)</i>	<i>Base + Committed + Development (Sensitivity)</i>	<i>0.20</i>	<i>0.5</i>

- 4.24 Table 8 demonstrates that in the 2025 base + committed + development (sensitivity) scenario the maximum RFC would be 0.29 during the AM peak with a queue of 0.4 vehicles on all arms. During the PM peak, the maximum RFC would be 0.19 on all arms with a queue of 0.4 vehicles. The Grassmere Road/B3133 High Street priority junction therefore has sufficient capacity to accommodate the traffic generated by the proposal.
- 4.25 Table 8 demonstrates that in the 2028 base + committed + development scenario the maximum RFC would be 0.30 during the AM peak with a queue of 0.4 vehicles on all arms. During the PM peak, the maximum RFC would be 0.20 on all arms with a queue of 0.5 vehicles. The Grassmere Road/B3133 High Street priority junction therefore has sufficient capacity to accommodate the traffic generated by the proposal.
- 4.26 Queue data recorded for the existing Grassmere Road/B3133 High Street priority junction has been analysed for the peak hours to provide a layer of validation for the queues shown in the existing model.
- 4.27 This sensitivity assessment demonstrates that the total development can be served by a single access if required as part of the construction phasing.

#### **Development Traffic Impact Summary**

- 4.28 This section has taken a robust approach by undertaking junction capacity modelling of two junctions.
- 4.29 The modelling revealed that both the Grassmere Road/B3133 High Street priority junction and the Chescombe Road/B3133 High Street priority junction reach a maximum RFC of 0.25, indicating that the junctions would operate within capacity. Furthermore, the largest increase in RFC resulting from the development was 0.4 RFC, which is not considered to indicate a material change in the operation of the junction.

- 4.30 This demonstrates that the proposed development would not have a material impact on the operation of the local highway network and its impact would not be severe.
- 4.31 The sensitivity traffic impact assessment demonstrates that the modelled and observed queues are within typical daily variations in queue lengths. There is minimal queueing at this junction in both peak periods. It is considered that the models reflect the observed operation of the Grassmere Road/B3133 High Street priority junction.
- 4.32 This therefore demonstrates that the proposed development would not have a material adverse impact on the operation of the local highway network with the sole use of the northern access, and therefore its impact would not be severe.

## **5.0 SUMMARY**

- 5.1 In summary, the work carried out with the application, and summarised as appropriate in this report, confirms that there will be no adverse cumulative impact that cannot be appropriately mitigated.