



**Matter 1 – Sustainability Appraisal**

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**NORTH SOMERSET  
SITE ALLOCATIONS PLAN  
EXAMINATION**

# NORTH SOMERSET SITE ALLOCATIONS PLANS EXAMINATION

## MATTER 1 – SUSTAINABILITY APPRAISAL

### 1.1 Is the SAP based on a sound process of sustainability assessment (SA) and testing of reasonable alternatives, in a proportionate manner (Doc SD7)?

1. Persimmon Homes Severn Valley has expressed concerns over the SA in previous comments. These are set out in full in response reference 3361153//19 which is attached as Appendix 1 for completeness. In response to the specific question we have the following comments.
2. The purpose of the SA is to ensure the SAP is based on and promotes sustainable development through the integration of environmental, social and economic considerations. It is, therefore, important that the assessment is not weighted in favour of any of the three dimensions of sustainable development and enables a balanced assessment to be undertaken. In doing so, the assessment should justify the proposed policies and location choices and provide a logical assessment for why certain policy options are favoured and others are dismissed. To do that an assessment framework based on sustainability objectives provides the basis for the assessment. However, the construction of, and selection of the objectives will have an impact on the assessment and here we have concerns over the choice of objectives in the SAP.
3. This concern arises from the replacement of three objectives from the draft SA. Unfortunately there is no justification for this in Document CC/12 (Sustainability Appraisal Scoping Report). The only reference to the changes is in Appendix ix of the non-technical summary which merely says:-  
  
*"The chosen sustainability objectives and associated appraisal criteria have been amended from those used in the draft scoping report ..... as a result of lessons learnt since and also to allow assessment of spatial options."*
4. We are not told what lessons the council have learnt or why it was deemed necessary to change an established set of sustainability objectives in order to allow the assessment of the spatial options in the SAP.
5. Our greatest concern relates to the deletion of the original objective 2.1 which was to *"promote development that contributes to a suitable mix of high quality housing types and tenures (including affordable housing) for all parts of society."* What we now have is four objectives relating to access to community, education and town centre services and opportunities to work locally. There is no imperative to provide suitable housing in comparison with, for example, in objective 3.1 to deliver a reasonable quantum of employment/floor space/land. Government policy is to significantly boost the supply of housing, so as a minimum an SA objective to make suitable housing available (and affordable) for everyone is a necessity. We accept this will have an environmental impact and, therefore, a sustainability impact which should be assessed in the SA. Therefore, we consider it is inappropriate for an SA to a plan, which is specifically to allocate new development sites, not to include a specific housing objective.

6. Other changes result in an objective relating to water quality being replaced by one relating to air quality, which is unexplained and reduction of non-renewable energy being replaced with reducing harm in the countryside through maintaining development within existing defined settlement boundaries (5.2). This latter objective overlaps with the eight environmental objectives and seeks to protect the countryside for its own sake. However, it is not balanced by an assessment against meeting housing needs, due to the deletion of the original objective, 2.1.
7. Document SD1 also includes at least one assumption which may impact on the assessment. Paragraph 3.9 says the assessment of suitable housing sites should be based on a sequential approach balanced against the need to ensure that "*priority is given to previously developed land rather than green field*". The SAP does not, and neither can it, do that in contravention of NPPF guidance which is "*to encourage*" rather than "*prioritise*" brown field land (NPPF 17).
8. We also have concerns over whether the SA properly assesses reasonable alternatives. Firstly in respect of the preferred option, this is dependent on the selected SA objectives themselves being reasonable and, as set out above, we think they are not. Secondly, other than the usual "*no plan*" option (which whilst might be reasonable to test, but is equally unrealistic), the only other option tested is to allocate all the sites proposed arising from the call for sites which are outside the green belt and flood zone 3B. This results in the individual appraisal of sites in document SD8. However, this does not result in an assessment of a reasonable alternative strategy (or strategies) as sites are assessed individually and it merely enables a comparison of sites on a site by site basis. Even so, as will be discussed in addressing subsequent questions, there is then no assessment/explanation of why sustainably preferable sites were not selected.
9. Therefore there is minimal consideration of reasonable alternatives and no testing of proportionality as a relationship between sites is not assessed and there is no assessment of alternative strategies.
10. The council could also have taken the opportunity to assess the sustainability impacts of changes to the Core Strategy arising from Inspector Bore's examination and report. The consultation draft SAP was published in March 2016 and the submission draft in October 2016. Between those two dates the examination into the core strategy remitted housing distribution policies took place in June 2016. Whilst the Inspector's report was not published until November 2016, he made it clear and sought wording from the council on his intention to amend the policies to enable sites outside settlement boundaries to be brought forward, in excess of 75 dwellings at Weston-super-Mare (Policy CS28), 50 dwellings at Clevedon, Nailsea and Portishead (Policy CS31) and 25 dwellings at the service villages (Policy CS32). Even if the Council consider there is no necessity to allocate sites above those thresholds a sustainability appraisal of the sites below the threshold, if carried out would have provided an evidence base for providing flexibility and, if necessary, additional sites in the SAP.
11. Therefore, as a proxy for considering whether the SAP is based on a sound process we have considered the SA against the Local Plan soundness tests in NPPF182. We consider the plan is not positively prepared and justified because the partial assessment of reasonable alternatives casts doubt on

whether the SA is positively prepared and therefore that the plan is consistent with achieving sustainable development. Equally the plan will not be effective if it does not deliver a sufficient quantum of sustainable development, in which case it will also be inconsistent with national policy.

**1.2 Is there any correlation between the position of a settlement in sustainability hierarchy (SD9) and the quantity of development allocated to that settlement?**

- i) Why does Backwell as the most sustainable village have an allocation of 65 dws, whereas Yatton as the third most sustainable have an allocation of 676 dws, and Churchill in sixth place in the hierarchy have an allocation of 219 dwellings?**
- ii) Long Ashton is in second place in the hierarchy but has no allocated housing sites. Can this be explained?**
- iii) Bleadon is identified as having few job opportunities – is this correct and if not was it considered for a higher level of housing allocations?**

1. Our comments in representation 3361153//20 raised the issues in questions 1.2(i) and we have further additional comments below in relation to this question.

2. In respect of 1.2(ii) opportunities adjoining Long Ashton are restricted by green belt and any amendments to the green belt boundary will be addressed through the JSP.

3. We have no comments on Bleadon in respect of question 1.2(iii).

4. The assessment of rural settlements "Assessing the sustainability and settlement hierarchy of rural settlements in North Somerset, final report February 2016" was updated in July 2016 but that document does not form either a background document or part of the evidence base of the SAP. However, an executive summary of this report produced in October 2016 is included as document SD9. These documents seek to assess all three dimensions of sustainability.

5. The introduction to the Executive Summary Report (SD9) on page 3 outlines the purpose of the assessment:-

*"The purpose of this report is to provide a practical tool to review the relative sustainability of rural settlements and provide up-to-date evidence to support the settlement hierarchy in North Somerset. This can be applied is a consistent and rigorous way to assist with decision-making through the plan making process. This will be used to provide a framework to help support decision-making on future site allocations."* (Our emphasis).

6. This confirms that the document was also prepared in order to assist decision-making on speculative planning applications where the LPA may not have a 5YHLS. This is supported by the fact that the documents post-date the termination of the settlement hierarchy to the Core Strategy, a point recognised by Inspector Richard at the recent Sandford appeal who confirmed that paragraph 42 that "it is clear that this assessment post-dates the determination of the second hierarchy to through the core strategy." (Appeal ref APP/D0121/W/31396633, LPA ref 15/P/0583/O)

7. It is also significant that six of the service village sites allocated in the emerging SAP were the subject of planning applications in 2015. These were then included in the Consultation Draft in March 2016 which indicates

a reactive rather than a proactive approach to the allocation of sites through the SAP process.

8. The assessment goes on to explain in the second paragraph of SD9, that the settlement hierarchy is a way of categorising settlements and states:-

*"At the top of the hierarchy are the larger more sustainable settlements that demonstrate a strong social, environmental and economic role. These places fulfil the most functions, have the best infrastructure (facilities and services) and are most accessible by sustainable forms of travel ..... Identifying which settlements display the most sustainable characteristics through the hierarchy would help us decide which are most suitable to accommodate additional growth and promote sustainable communities....."* (our emphasis).

9. The assessment highlights the importance of actively managing patterns of growth to make the fullest possible use of public transport, walking and cycling to direct growth to areas where people want to live and have the opportunity to work. It explains that:

*"Settlements that are sustainable places to live need to have enough homes to support local facilities. The focus of significant development should therefore be in locations which are, or can be made sustainable."* (Our emphasis).

10. The Core Strategy through policy CS14 requires a minimum of 2,100 dwellings to be delivered across nine service villages. In very simple terms that would suggest that each village would be expected to accommodate c.233 dwellings. Whilst planning is more complex than simple mathematical division, not all settlements are the same and other factors must be taken into account. However, it is reasonable to expect even greater levels of growth at the most sustainable settlements and lower levels of growth at less sustainable locations. Therefore, we have compared the proposed SAP allocations against the size and council's sustainability ranking of the service villages in Table 1.

**Table 1**

Settlement	Usual Resident Population	Rank	Dwellings	Planned Growth	Rank	% Growth Identified	Rank	LPA Sustainability Rank
Backwell	4,589	4	1,891	65	4	3.44	5	1
Banwell	2,919	7	1,336	44	6	3.29	6	10 <sup>1</sup>
Churchill	2,235	9	889	219	2	24.63	2	7
Congresbury	3,497	5	1,475	52	5	3.53	4	5
Easton-in-Gordano/Pill	4,828	3	2,168	0	7	0.00	7	6
Long Ashton	5,491	2	2,350	0	7	0.00	7	2
Winscombe	3,263	6	1,460	199	3	13.63	3	4
Wrighton	2,633	8	1,188	0	7	0.00	7	9 <sup>1</sup>
Yatton	6,654	1	2,740	676	1	24.67	1	3

(Sources – Census 2011, Site Allocations Plan Oct 2016 and LPA Sustainability Assessment CD.5.9)

<sup>1</sup> An infill village (Uphill) was ranked 8<sup>th</sup> above the Service Villages of Wrighton and Banwell.

11. Of the top five service villages only Yatton is allocated more than the indicative average of 233, but substantially more (almost 200%) and Winscombe has been allocated just below 200. However, Backwell and Congresbury are each allocated less than 4% growth. Also, given that the green belt constraints in both Long Ashton and Easton-in-Gordano/Pill it is clear that each of the other villages would need to accommodate more than the indicative figure and again that should be apportioned to the most sustainable villages.
12. Our particular interest is in Backwell. According to the 2011 census, Backwell had a resident population of 4,589 living in 1,891 homes. It was the fourth largest service village in terms of population yet, as noted in Table 2, planned growth in the SAP is only 65 dwellings. This equates to only 3% of the 2,100 homes (minimum) that policy CS14 requires to be provided in the service villages and would represent only 3.4% growth for Backwell.
13. This is compared to 25% growth at Yatton (second rank), 25% growth at Churchill (seventh rank) and 14% at Winscombe (fourth rank). The allowed appeal at Sandford also represented a growth of 18% in an infill village which is ranked joint twelfth on sustainability rankings. All of these settlements rank below Backwell in the council's assessment of settlement sustainability.
14. All of the above confirms that the allocations, many of which arise from ad hoc development management decisions, are not based on evidence from the sustainability appraisal of settlements.

**1.3 How does the assessment of the sustainability of service and infill villages relate to the process of assessing the sustainability of potential residential site allocations as set out in SD7?**

**i) The site allocation at West of Engine Lane, Nailsea has a number of red and amber ratings compared with other sites which are not allocated. Why has this site been chosen instead of other sites with a lower number of amber and red ratings?**

1. SD9 identifies that assessing sustainability is a two stage process, the first stage being the assessment of the relative sustainability of service and infill villages (SD9). The second stage is a detailed assessment which looks at individual sites and how development of these sites could impact on the future sustainability of a settlement (SD8). However, none of the sustainability appraisal evidence (SD7, SD8, SD9 and SD10) includes an analysis of the results of stages one and two.

2. So two issues are not assessed:

- Whether the most sustainable sites allocated in the most sustainable villages;
- The difference between the sites allocated/not allocated and the relative number of green, amber and red ratings, such as the site of West of Engine Lane highlighted in question 1.3(i).

**1.4 To what extent has the development proposed to be allocated in the plan been assessed for its overall impact on drainage and flooding?**

**i) As the allocated sites are developed, can access to the rhyne network be guaranteed for the North Somerset Internal Drainage Board?**

**ii) The Environment Agency requires contributions for managing flood risk on Uphill, Cross Rhyne and Banwell catchments. Are these viable and deliverable, and how will they be secured?**

1. There is insufficient evidence that an appropriate up-to-date assessment of the risk of flooding to sites in accordance with NPPF guidance has been produced.

2. NPPF100 states that local plans should apply a sequential approach to the location of development. In CD/1, in responding to the Inspector’s question, the council confirmed that they rely on the level one SFRA report completed in 2008/9. This was a background document to the Core Strategy. That document does not consider in detail the sequential test in sufficient detail to inform the SAP and it precludes any climate change considerations identified in subsequent guidance. Also, in CD/1 the council confirmed that “no specific FRA document has been produced to accompany the plan” (i.e. the SAP).

3. Schedule 1 of the SAP identifies the following sites where a sequential and exception test will be needed to accompany any planning application as set out below:

<b>Site</b>	<b>Capacity remaining (at April 2016)</b>
<b>WESTON-SUPER-MARE</b>	
Westacres Caravan Park	130
Orchard House, Ebdon Road	12
Land to the rear of Locking Road	24
Former Weston Library and adjacent BT building, Boulevard	70
Land to the west of Winterstoke Road	70
Land to the north of the A370, Summer Lane	89
Bridge Farm, Bristol Road	73
Gas Works, Winterstoke Road	240
Nightingale Close, Mead Vale	40
Former Bournville School Site, Sellworthy Road	45
Former Sweat FA Site, Winterstoke Road	45
Station Gateway	300
<b>CLEVEDON</b>	
Moor Lane	10
Yeolands Farm	15
North of Churchill Avenue	44
Millcross site	70
<b>PORTISHEAD</b>	
South west of Severn Paper Mill	70
Old Mill Road	20
<b>SERVICE VILLAGES</b>	
Land to the east and west of Wemberham Lane, Yatton	24
<b>INFILL VILLAGES</b>	
Jackson Barstow House, Uphill	20
<b>TOTAL</b>	<b>1,411</b>

4. Therefore a total of 1,411 dwellings are allocated in the SAP without the evidence of an up-to-date SFRA. We also note that Schedule 1 identifies at least one site in FZ3 which requires an exception test, whereas for residential development the exception test is only required in FZ3A. There may be others. This is another indication of the inadequate assessment of flooding in the SAP.
5. What the council have done is include two sub-objectives (4.6 Tidal/Flood Risk and 4.7 Risk of Surface Water Flooding) within the higher level objective of maintaining and improving environmental quality and assets as part of the SA. The NPPF is clear that the sequential test should be undertaken as part of an SFRA to inform site allocation – the analysis the council have carried out in the SA is not an SFRA.
6. The identification of the need for an FRA for sites in the SAP indicates that no sequential test (ST) has been undertaken to inform the SAP. Thus, for a site that requires a ST to be granted planning permission an exercise must be undertaken to determine whether there are any other potential sites available not within FZ2 or FZ3. There are no limiting factors which constrains the area of search for sites within FZ1. There may be factors (such as green belt, AONB, proximity to settlement etc) which needs to be balanced against development in FZ2 or FZ3, but that is the purpose of an ST being undertaken as part of an SFRA. SA does not fulfil this requirement either.
7. Therefore we conclude that the SAP does not properly assess the impact of development on drainage and flooding by accepting that a specific FRA has not been produced to accompany the plan and by identifying 1,411 dwellings on 20 sites which are subject to a sequential and exceptions test.