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Report

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North Somerset Site Allocations Examination

Statement on behalf of St Modwen

Matter 2 Housing

April 2017



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Prepared By: Pete Stockall, Director
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For and on behalf of GVA Grimley Limited

1. Introduction & Context

1.1 This statement seeks to build upon the detailed representations submitted by GVA on behalf of St Modwen Developments Ltd in relation to their land interests within North Somerset which include amongst other sites:

- 'land west of Kenn Road', on the edge of Clevedon;
- Locking Parklands (former RAF Locking); and
- 'land west of Locking Parklands' (formerly 'Moss Land').

1.2 **This statement should be read in conjunction with our previous representations dated 28 April 2016 submitted in response to the consultation draft (March 2016) version of the Plan and 19th December 2016 submitted in response to the Publication draft version of the Plan (October 2016).** In summary we are wholly unconvinced that our previous submissions have been robustly assessed and considered. We have reviewed the Council's latest evidence for the Examination and in our opinion the documents do not provide a sound, fully tested and considered evidence base to justify the approach of the Plan. Our concerns focus on two key sites:

- **Land west of Kenn Road, Clevedon:** The evidence base does not justify the retention of the land as an employment allocation rather than a residential led scheme.
- **Land west of Locking Parklands:** The evidence base does not justify the lack of extension of the settlement boundary to allow further development in this part of the Weston Villages Regeneration Area.

2. Response to Inspector Questions

2.1 We deal with each of the Inspector's question in turn and make comments where considered appropriate.

Q 2.1 *Would the scale of housing to be delivered on allocated sites in the SAP provide for new housing in accordance with the requirements of the CS in relation to:*

i. The scale of development identified in Policy CS13.

2.2 The wording within **Policy CS13** already recognises the distinct concerns regarding the potential for the delivery of growth required in light of the review expected by 2018. In other words a review should already be underway. This review should therefore be reflected in the Site Allocations document on the basis that adoption is unlikely until the above review work is

well underway. This is also set within the context of a continued approach by the Council to restrict growth figures as evidenced within the re-examination of the Core Strategy. Therefore, there is significant concern within the development industry regarding the ability of the Plan to deliver even the latest figure of 20,985 given the track record to date. On this basis, we reiterate that further scrutiny (over and above that in comparable exercises) should be given to the ability of the proposed allocations to deliver not only the minimum target of 20,985 but also consideration to the envisaged uplift in this figure as part of the review work that should be well underway. In light of St Modwen's land interests we have only considered focused areas within the District but even at this scale, there are evidenced concerns regarding the assumptions of delivery made by the Council on allocations, therefore we would question as to whether this repeated elsewhere in the authority area.

ii. The distribution of development in accordance with Policy CS14.

- 2.3 With regards to the distribution of development as set out within **Policy CS14** we have previously raised significant concerns with regards to the distribution of dwelling numbers in Clevedon which are disproportionately low given the size and status of the settlement. The Core Strategy approach within CS14 expects outside of Weston *'most development will take place in Clevedon, Nailsea and Portishead' on sites within or abutting settlement boundaries but outside the Green Belt*. The supporting text *'reiterates (para. 3.195) this point as these towns are expected to act as service centres and will be 'the focal points for locally significant scales of development, including the provision for the majority of district housing provision outside of Weston'*. Yet Clevedon has been significantly ignored for growth on what appears to be the justification (paragraph 3.196) of being *'highly constrained by Green Belt and flood constraints'* alongside Nailsea although reference is then made to opportunities at Nailsea outside the Green Belt. Whilst there are Green Belt and flood constraints in areas of Clevedon, there are opportunities which are demonstrated as not being constrained (including the employment allocation West of Kenn Road) which need to be considered in order to deliver the aspirations within Policy CS13 and CS14.
- 2.4 Furthermore, as discussed below, the two main (albeit limited) allocations which make up 52% of the allocations in Clevedon (the majority of the remainder already having been built or under construction) do not pass the tests of soundness in terms of being available and deliverable. This will further compound the major problems for the town in terms of affordable housing delivery which has been pitiful in recent years given the limited number of sites that have come forward, and even where sites have been or are about to be delivered, they are providing zero affordable housing provision and a low proportion of family dwellings. The above is set against a backdrop of a significant number of speculative and successful applications and successful appeals for major residential schemes on the edge of smaller less sustainable settlements which are not identified for within CS14. The Plan needs to assist in

redressing this balance in order to fulfil the requirements of CS14 (and other policies including affordable housing delivery) as currently it does not and will therefore continue to fail the Town of Clevedon in terms of the scale of envisaged development growth within the Core Strategy (which we argue is already too low).

Q2.2 In terms of the delivery of the housing sites allocated in the SAP and by the Council in the proposed further amendments of February 2017 (SD20), taking each of the following settlements in turn:

i Are there any sites which should be excluded from the list of sites identified in Schedule 1 to the SAP and by the Council in the proposed further amendments of February 2017 (SD20) in order for the SAP to be sound?

ii Having regard to additional information supplied with examination document CD1 and Appendices, how likely is it that the sites allocated in Schedule 1 and the proposed amendments will deliver the housing requirement of the CS within the Plan period 2006 –2026?

a. Weston-super-Mare

2.5 We have previously raised concerns within our representations with regards to the Council's interpretation of capacity and delivery within Parklands Village. We have not been able to locate within the evidence a detailed up to date breakdown within the Weston Villages by land owner or component part of the development other than 'Parklands Village' and 'Winterstoke Village' (Appendix 1 of CD1 is out of date). This is fundamental to understanding the delivery of the various developments within Parklands Village given the different stages that each land holding is at. It also avoids double counting or misinterpretation of capacity and delivery. As we have highlighted within our representations in April 2016 and notably December 2016 there appears to be a discrepancy between the assumed site capacity, density and delivery rates within the SAP to that which is actually happening on the ground. We maintain our view that a further extension of Parklands village (such as Lock 3 SAP7 defined in SD3) is required in order to meet the Council's envisaged trajectory, and the Council needs to consider all alternative options beyond that of simply allocating the land adjoining the M5 on the basis it was subject of a planning application at the time.

b. Clevedon

2.6 Our submissions to date have highlighted why the new two main residential allocations (**North of Churchill Avenue and Millcross**) within Clevedon are not sound and therefore should be excluded from the Plan. The evidence within CD1, CD1a, CD1b does not in any way address our previously raised concerns regarding the assumptions by the Council in relation to the proposed new allocations within Clevedon.

2.7 There has been no recorded response to the constraints that we have flagged within our representations in December 2016 which include reference to an acceptance by the Council that the Millcross site is not 'available' and the Churchill Avenue site is protected and includes

restrictive covenants. Since our last representations we understand that as of April 2017 an application to list the Millcross site as a Community Asset has been submitted by the Town Council. We also understand that the Clinical Commissioning Group has stated that the site is not currently being considered for disposal by the NHS (despite the Councils reporting to the contrary in CD1b). The CCG has publically stated (see **appendix 1** - North Somerset Times Article April 2017) that *“the site is not for sale and NHS Property Services will continue to hold the land to support the CCG’s future plans until declared surplus to requirements. The long-term ambition is to see a new hospital on the site and the CCG will continue to work with NHS Property Services in respect of the aspiration”*.

- 2.8 The Churchill Avenue site is controversial on the basis of it forming protected open space within a residential area and faces stiff opposition locally. Clearly both of these sites are very contentious, are subject of significant uncertainty, local opposition, and neither site is in the ownership of, or being promoted by a developer interest. Their delivery is significantly in question and further questions remain regarding their actual capacity even if they did come forward as demonstrated within our earlier representations. We do not accept that these sites should be included in the five YHLS as currently proposed within the Council’s evidence (Supply as of February/March 2017 CD1b). These sites make up 52% of the total allocations in Clevedon so failure to deliver would have a massive impact on the Town’s growth.
- 2.9 The Council’s evidence (CD1b Supply position updated February/March 2017) seeks to demonstrate a five HLS supply from the other sites at February 2017 of 82 units within Clevedon, however 31 units were due for completion by 31st March 2017. Of the 82 noted by the Council, only 48 are houses. Therefore going forward for the next five years there are a very limited number of family houses expected for completion within the town. Even so, a total five year HLS (deleting Millcross and Churchill Avenue and the completed units above) of 51 units (apartments and dwellings) for a town the size of Clevedon is way short of the envisaged growth set out within the Core Strategy.
- 2.10 We would also note that if the Council’s position as set out within CD1b is correct then they expect the majority (89%) of their site allocations to be completed within five years. Schedule 1 (page 46 SD1) within the Plan proposes a total allocation of 221 for the town. Using CD1b, we note that the Council envisages 196 of these to be delivered within five years, leaving a total allocated supply of 25 dwellings for the remainder of the Plan period. We note that 10 of these units (Moor Lane) are carried over from the previous plan and despite being only 10 units the site is not expected (page 227 CD1b) to be completed until 2023, and therefore raises questions over it’s deliverability. Therefore the Plan also fails to plan for growth beyond the first five years.

- 2.11 Furthermore it is our understanding that none of the developments recently completed or under construction will deliver any on site affordable housing with limited evidence of off-site provision being made elsewhere in the Town. As detailed below (question 2.3) we await the Council's latest five year HLS position to understand their trajectory for the Town. We would also seek clarification from the Council as to the envisaged provision for affordable housing within the Town in recent years and going forward as a result of their envisaged allocations.
- 2.12 Whilst we appreciate that the purpose of this Examination session is not to discuss omission sites we would simply reiterate our previous submissions which sets out why the land West of Kenn Road (Clev 2 HE14174 as per SD3 which will be discussed within the Matter 3 Employment Session) provides the logical and only deliverable solution to either replacing these allocations or complementing them with a meaningful contribution towards meeting the Core Strategy objectives. We would also note that on the basis that the Millcross and Churchill Avenue allocations are situated within the development boundary of Clevedon (albeit one is greenfield) should they become available and deliverable then they could provide windfall or infill opportunities under other policy considerations. Their current inclusion makes the Plan unsound.

Other Settlements (c. to p. inclusive)

- 2.13 We have no further specific comments on the remaining settlements listed within c to p inclusive) other than to raise concerns with the level of growth identified within those settlements smaller than Clevedon which is disproportionate to their scale, service role and ability to meet sustainability objectives of the Core Strategy. One specific example is **Yatton** which has been inexplicably identified for growth levels beyond it's means and service and employment role. The Plan fails to justify why the scale of allocations here are justified in comparison to redistribution to the more sustainable opportunities in Clevedon and the Weston Villages which would be more akin to the requirements of the Core Strategy.

iii Is it appropriate to include an allowance for windfall development within the calculation of housing provision in Table 1 to the SAP?

- 2.14 Not in this case. This is based on the recognition of persistent under delivery over a ten year period within North Somerset (see Banwell Inspector report -Appeal Decision APP/D0121/W/15/3138816) and the attempt by North Somerset to maintain an unrealistic reliance on windfall in their supply as confirmed again by the Banwell Inspector decision (notably paragraph 35,36). The Inspector clearly dismissed the LPA's calculation of 500 units from 'large site windfall and broad locations', citing national planning policy requires a supply of specific "deliverable" sites and noting that under cross-examination, the Council's relevant witnesses accepted that its large windfall allowance could not be considered "deliverable".

The Inspector also found that by including an allowance for such sites, there is a risk of introducing double counting into an assessment of HLS.

- 2.15 We also note with specific reference to Clevedon that the windfall allowance (90) is extremely high in comparison to the total allocation (221), a figure of 41% if compared. This demonstrates a significant over reliance on windfalls especially when compared to the remainder of the district (7.6% if comparing total windfall 897 against total allocations 11,755 as per table 1 CD20). We would also note that a number of the allocations in the SAP for Clevedon which are now built or under construction could have been included in the previous completions figures (and we seek the Council's confirmation of this).

Q 2.3 In terms of providing for a five year housing land supply (HLS):

i What is the most up to date calculation of delivery in the period since the start of the Plan period in 2006?

ii What is the level of shortfall in provision against the CS requirement for the first part of the Plan period?

iii Does the Sedgefield approach to the calculation of HLS with a 5% buffer as identified by the Inspector in his report on the Core Strategy remain the most appropriate methodology for delivery?

iv Having regard to the evidence on the delivery of allocated sites under Question 2.2, how likely is it that the SAP would deliver a five year supply of housing at the time of adoption in accordance with either: The Sedgefield approach with a 5% buffer or The Sedgefield approach with a 20% buffer.

- 2.16 We have highlighted concerns above (question 2.2) with regards to the supply assumptions being made by the Council (CD1b) with specific reference to Clevedon and we also note past records of under delivery as confirmed in the Inspector's decision for the Banwell appeal. We also note that the Banwell Inspector (paragraph 38 of report) raised concerns with the Council's assumed five HLS contribution from the Weston Villages and sought a discount of 300 units. Therefore we have concerns with the Council's ability to demonstrate a position with a 5% or 20% buffer. We also note the significant work that has been undertaken by the Council and appellant's during recent appeals within North Somerset and we note the significant differences between the parties. We understand that the Council will be providing an updated five year HLS in advance of the Examination and therefore we reserve the opportunity to review this evidence and provide any further comments in advance of, or at the Matter 2 session.

Q2.4 What provision could be made if the evidence suggests that the submitted SAP would not able to deliver a five year supply at the time of adoption?

- 2.17 Clearly, if the SAP would not be able to deliver a five year HLS at the time of adoption this is not an acceptable position and contrary to NPPF. There are clearly a number of omission sites including those subject to current planning applications that could be allocated which are demonstrated as being deliverable in the first five years in light of the detailed technical work (well beyond those allocations which have not been subject to applications) which demonstrate that they can be delivered in accordance with the overall requirements of the Core Strategy and Development Management Policies.

Q2.5 Having regard to the distribution of new housing in CS Policy CS14 with its concentration in the Weston urban area and Weston Villages, how appropriate would it be to consider a stepped trajectory for the delivery of new housing over the Plan period?

- 2.18 There a number of concerns with adopting a stepped trajectory given the track record of North Somerset in persistent under delivery, timescale for Plan adoption and the imminent required review of the housing target. We would also be concerned that the Council might lead itself to the conclusion that it could claim that it no longer has a record of persistent under-delivery given a lower five year HLS target. Furthermore we would be very concerned with the ability of the Council to make up for its under-delivery in Phase 1 by delivering at a much higher rate in Phase 2 with an immediate demonstrable degree of impact rather than towards the back end of the Plan.

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Appendix I
Newspaper
Article

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Hospital or homes at Clevedon Millcross site?

PUBLISHED: 06:00 12 April 2017 | Liam Jones (<mailto:liam.jones@archant.co.uk>)

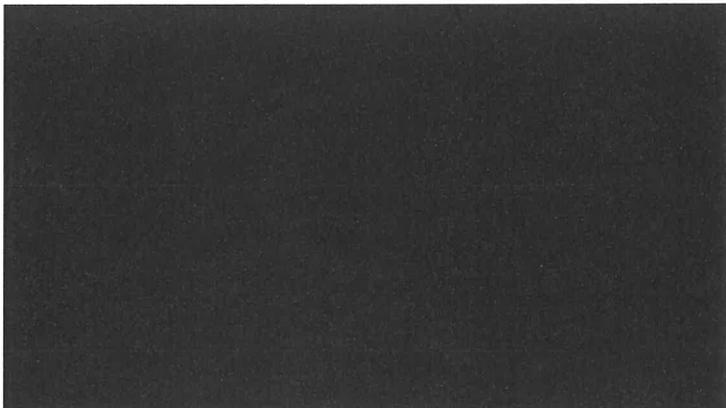


The derelict land at Millcross.

Clevedon Town Council has declared its desire to buy land formerly earmarked for a new hospital, if no facility is ever built.



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Millcross has been empty since 2013 and the council is considering the possibility of opening it up to housing (<http://www.northsomersettimes.co.uk/news/campaign-for-new-houses-in-clevedon-receives-boost-1-4815570>), if the idea of a hospital there is scrapped completely.

The site is owned by NHS Property Services and will be sold if North Somerset Clinical Commissioning Group (CCG) decides it is no longer required in its plans for healthcare provision in the district. However, the CCG has reiterated its ambition to build a new hospital at Millcross, despite plans for a facility being axed in 2012 due to spiralling costs. (<http://www.northsomersettimes.co.uk/news/13m-hospital-plans-scrapped-1-1452116>)

Its spokesman said: "The site is not for sale and NHS Property Services will continue to hold the land to support the CCG's future plans until declared surplus to requirements.

"The long-term ambition is to see a new hospital on the site, and the CCG will continue to work with NHS Property Services in respect of this aspiration.

"If any proposed new health facility did not use the whole site, a complimentary healthcare and residential option for the remaining land would be considered."

The town council has submitted a community right to bid application for Millcross meaning it must be notified whenever the site is for sale on the open market, assuming North Somerset Council agrees to list the area as an asset of community value.

If the application is successful, a six-month moratorium period would be imposed if the land is put up for sale to allow a bid to be prepared.

Although the authority's priority is to see a healthcare facility built at Millcross the possibility of buying the land to provide affordable housing has been discussed.

A petition in support of Clevedon Hospital Action Team's (CHAT) long-running campaign to get a new hospital in the town has also been sent with the right to bid application, outlining support from across North Somerset.

A CHAT statement said: "CHAT notes the interest of Clevedon Town Council in the future of the Millcross site should it ever be offered for sale by the NHS.

"It welcomes the preferred desire by the council that the site be used for a replacement hospital and hopes that speculating on any other use does not distract from the possible achievement of this purpose in the future."

KEYWORDS: CLEVEDON (/TOPIC/LOCATION/CLEVEDON)



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