



**Gladman Developments Ltd**

**North Somerset Sites and Policies: Part 2: Site Allocations Plan**

**Examination Hearing Sessions**

**Matter 2 - Housing**

**April 2017**

## **Matter 2 – Housing**

### **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**

2.1.1 North Somerset Council (NSC) has a requirement to deliver a minimum of 20,985 dwellings (Policy CS13) over the adopted Core Strategy (CS) plan period 2006-2026. Policy CS13 was re-adopted by the Council in September 2015 following a successful legal challenge from Bristol University in 2012 which remitted the policy back to the pre-examination stage. The challenge succeeded partly on the NSC's reliance on an unsound evidence base in the calculation of their housing requirement and Policy CS13 was remitted to the pre-examination stage rather than quashed outright.

2.1.2 From 1<sup>st</sup> April 2006 – 31<sup>st</sup> March 2016, a total of 7,995 dwellings have been completed, resulting in a remaining requirement of 12,990 dwellings to be delivered in the final 10 years of the CS plan period. The policy confirms that the appropriate level of new homes will be reviewed by 2018.

2.1.3 The Site Allocations Plan (SAP) Schedule 1 of sites demonstrates a proposed delivery of 13,849 units by the 31<sup>st</sup> March 2026, which when added to the existing total completions, would equal 21,844 units. NSC have identified sites to surpass the minimum housing requirement by the end of the CS plan period, however as will be discussed in sections 2.2 + 2.3, there are sites included by NSC which simply won't deliver at all or the expected delivery rates of the larger sites (most notably the Weston Villages) are considerably over ambitious as set out in Schedule 1.

#### **ii) The distribution of development in accordance with Policy CS14.**

2.1.4 Gladman are content that the distribution of development as set out in Policy CS14 is correct and all housing targets are expressed as a minimum. However, due to the historic (and future anticipated) poor delivery rates at the Weston Villages, it is expected that Clevedon, Nailsea and Portishead, the 'Service Villages' and 'Other settlements and countryside' will need to take additional growth to that is currently set out in the Plan, in order for NSC to demonstrate a five year housing land supply upon adoption of the SAP.

### **2.2 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?**

2.2.1 There are a number of sites included in the SAP (Schedule 1) which do not currently meet the three tests set out in Footnote 11 of the Framework.

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2.2.2 I have set out below a list of sites which Gladman don't believe will be delivered at any point during the plan period. I have also provided a few examples of sites discussed in more detail. I have attached Mr Simon Fitton's Appendices 14-16 of his proof of evidence to the Wrington Lane, Congresbury inquiry where the disputed sites are discussed in more detail.

- Orchard House, W-S-M -> According to the Council's evidence there are 'no constraints to prevent delivery in the short term' despite the fact that the landowner is required to purchase adjoining land to secure an access. The NPPG states that a site should only be considered available when there is confidence that there are no legal or ownership problems such as unresolved multiple ownerships or ransom strips.
- Meade Vale Shopping Centre, Worle -> There are currently numerous commercial and community uses operating on this site and I consider that the site would not be *available now*. Further, parts of the site are located within the Tidal Flood Zone, therefore it would be necessary to undertake both the sequential and exception tests to justify development at the site. The site is not considered to be *deliverable*.
- Trendlewood Way, Nailsea -> This site has been subject to numerous objections from members of the public. Nailsea Action Group have raised concerns over ecology, flood risk and infrastructure. Further, the Coal Authority have confirmed that the site falls within a Coal Mining High Risk Area, with no evidence having been submitted to mitigate this concern. The site cannot be considered as being suitable or available for development now as required by footnote 11 of the NPPF.

2.2.3 Sites also disputed and set out in chronological order within the appendices:

- Oxford Plasma Technology, Yatton
  - Bleadon Quarry, Bleadon
  - The Farm, 117 High Street, Portishead
  - Bridge Farm, Bristol Road
  - Westacres Caravan Park
  - Land at Wemberham Lane, Yatton
  - Millcross, Clevedon
  - Land north of Churchill Avenue, Clevedon
  - Land at West End, Nailsea
  - Land at Engine Lane, Nailsea
  - Land south of the Uplands, Nailsea
  - Land at Station Road, North West Nailsea
  - Land to the west of Winterstoke Road, W-S-M
  - Former Sweat FA Site, W-S-M
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- Station Approach, W-S-M
- Land to the Rear of Locking Road, W-S-M
- Land south of Herluin Way, W-SM
- Former Bourneville School, Selworthy Road, W-S-M

**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?**

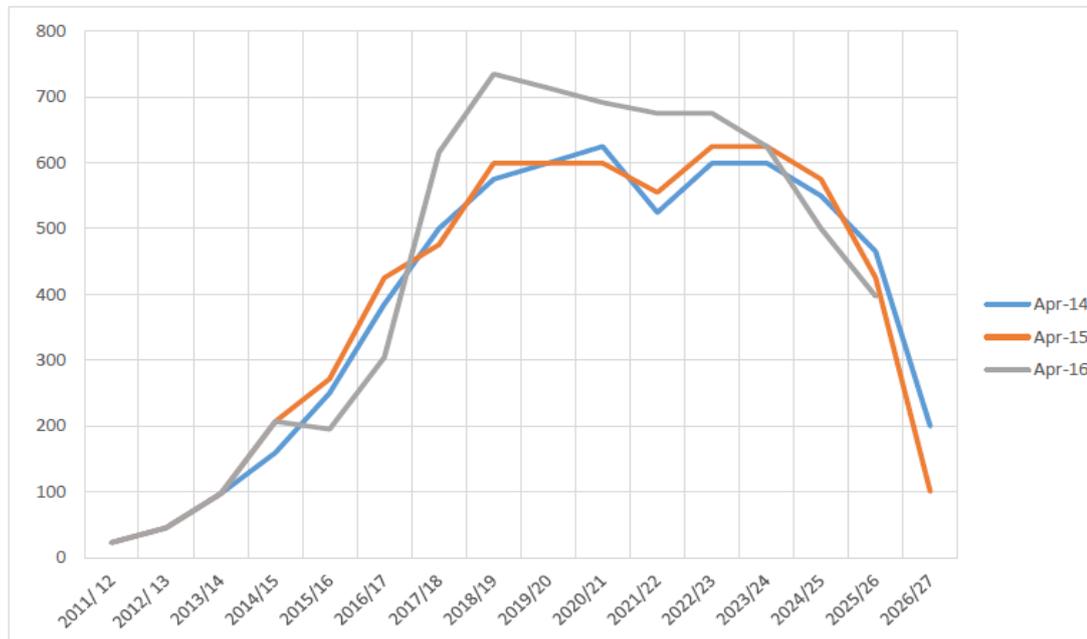
- 2.2.4 The total number of dwellings expected to have been delivered by NSC by the end of the 2006-2026 plan period is 20,985. This can be broken down as 7,995 total completions (1<sup>st</sup> April 2006 - 31<sup>st</sup> March 2016) and 12,900 houses remaining to be built (1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2026). This results in an average of 1,290 dwellings per annum (d.p.a.) needing to be delivered until the end of the plan period to reach this target.
- 2.2.5 As an average total, 1,290 d.p.a. has only been exceeded once in the first ten years of the CS plan period (2007/08) and is a total the council hasn't been close to achieving over the previous eight monitoring years (soon to be nine following the publication of the April 2017 Housing Land Supply Statement<sup>1</sup>). Taking the past five years housing delivery as an example, 3,045 dwellings have been delivered, which is an average delivery rate of just 608 d.p.a. These are not 'marginal misses' and this is an important factor when considering the scale of under-delivery.
- 2.2.6 The delivery rate at the Weston Villages is a significant issue which concerns a number of developers as it forms a significant element of the supply. NSC expect delivery rates of 735 units (2018/19), 714 units (2019/20), 692 units (2020/21) and then 700 d.p.a. (2021-2024). The highest completions recorded nationally from an SUE is 610 d.p.a., whereas the national average per year is around 350 d.p.a. House builders would have to build houses at astronomical rates to achieve such an ambitious target. It is noticeable from 2011-2016, 1,650 dwellings were planned to be delivered in the Weston Villages when in fact only 567 dwellings were achieved.

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<sup>1</sup> As anticipated orally by Natalie Richards of NSC at the Congresbury inquiry

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2.2.7 The two graphs below taken from the proof of evidence of Mr Simon Fitton to the ‘Wrighton Lane, Congresbury’ inquiry demonstrates the sheer magnitude of delivery at the Weston Villages which the Council anticipate over the next few years.



2.2.8 The bar graph below paints a stark picture confirming that the rates of development NSC now needs to achieve eclipse anything that has happened in the past 34 years. Development rates were high in the 1980’s whilst a record high of 1,474 was achieved at the beginning of this plan period in 2007/08. Whilst the delivery of this quantum of land is absolutely necessary over the next five years it is relevant to consider just how practical it is to think it can be achieved based on the marginal supply position NSC contends that it can demonstrate.

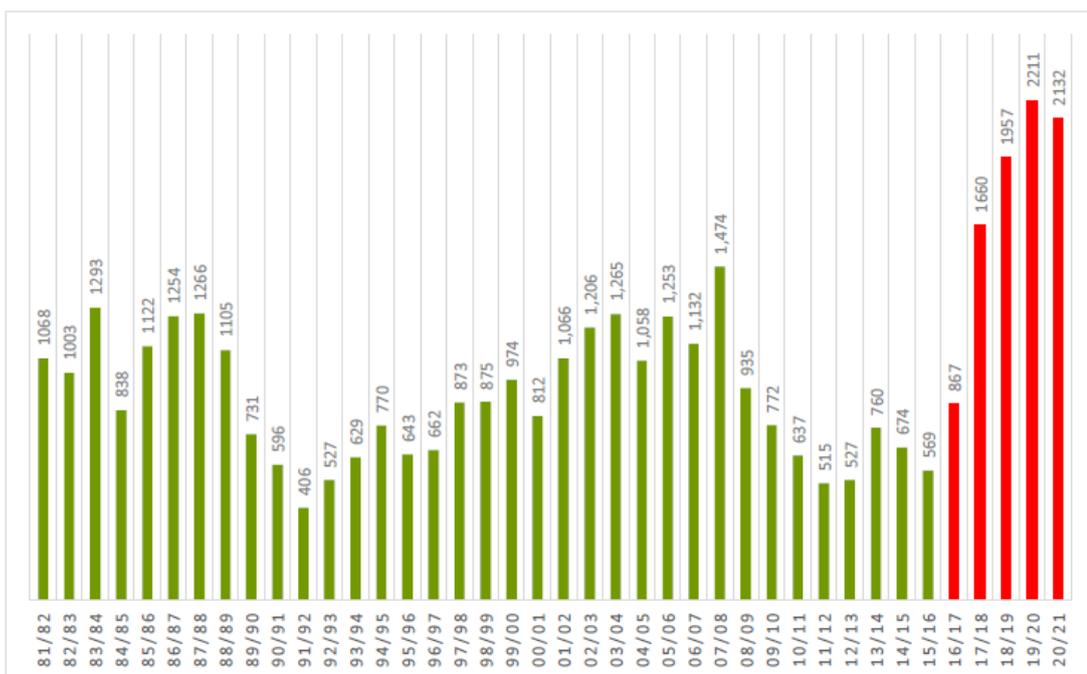


Figure 1: Past completion rates and future delivery comparison

2.2.9 Total completions are anticipated to rise by nearly 300% in years 2018-2021. There is simply no evidence provided by NSC to adduce that these targets are deliverable.

2.2.10 Gladman are content that the sites identified in the Proposed Amendments document (SD20) will be fully delivered within the CS Plan period due to their smaller scale.

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

2.2.11 Gladman are content that the allowance for windfall development within the calculation of housing provision in Table 1 is acceptable and did not seek to contest this position at the recent Congresbury inquiry. However, Gladman are keen to point out that the provision of empty homes included in the Council's latest 5YHLS calculation should not be double counted within the windfall allowance.

**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?**

2.3.1 The most up to date calculation of NSC's delivery is found in Council document CD1a 'Site Allocations Plan Schedule 1' submitted on 21<sup>st</sup> March 2017. NSC maintain they can deliver 8,198 dwellings (+63 dwellings above the 5% buffer requirement) over the five year period from 1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2021.

2.3.2 The information above supersedes the HLS Statement of Common Ground (SoCG) for the Congresbury inquiry in March 2017 where NSC stated in the SoCG that they could deliver 8,217 dwellings over the five year period from 1<sup>st</sup> April 2016 – 31<sup>st</sup> March 2021.

2.3.3 Following recent discussions with another housing developer which post-dated the publication of the Hearing Programme, NSC's Research and Monitoring Supervisor Mrs Richards confirmed that the Council will rely on HLS evidence with a base date of April 2017 for the forthcoming SAP examination. However this information is not expected to be published until early May 2017 so it has been agreed that participants for Matter 2 will submit evidence based on the April 2016 base date. It is unknown yet as to whether there will be significant differences between the April 2016 and April 2017 data.

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

2.3.4 In the first part of the plan period (2006-2016), NSC have accumulated a shortfall of 2,498 dwellings against the adopted CS annualised requirement of 1,049 d.p.a. This includes 8 years of persistent under-delivery (PUD) against the adopted CS requirement from 2008/09 – 2015/16. It was agreed in the HLS SoCG for the recent Backwell<sup>2</sup> and Congresbury<sup>3</sup> inquiries (both March 2017) that the CS

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<sup>2</sup> Land at Farleigh Fields and 54, 56 & 58 Farleigh Road, Backwell (APP/D0121/W/16/3153935)

<sup>3</sup> Land off Wrington Lane, Congresbury (APP/D0121/W/15/3151600)

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annualised requirement will not be met in the monitoring year 2016/17 either. Therefore, the shortfall is expected to increase to 2,765 following the publication of NSC's April 2017 HLS statement.

2.3.5 The Inspector for the recently issued 'Old Mixon Road, Weston-super-Mare' appeal stated at Para 99: *"whether or not one takes the deliverable supply of housing land to be no more than 4.2 years or no more than 2.3 years, the inevitable and common conclusion is that the shortfall is very serious, significant and is a matter of substantial weight."*<sup>4</sup>

**iii) Does the Sedgfield 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?**

2.3.6 Inspector Bore acknowledged at the start of his questions at the remitted policies examination (21<sup>st</sup>-23<sup>rd</sup> June 2016) that he did **"...not want to replicate a detailed S78 type discussion on the subject"** of five year land supply. It is clear that a full analysis on the five year housing land supply wasn't undertaken by the examining inspector and instead he dealt with only with matters of principle.

2.3.7 Since the remitted policies examination, NSC's HLS position has been tested five times at the Sandford<sup>5</sup> (August 2016), Banwell (September 2016) Weston-super-Mare (January 2017), Backwell and Congresbury (both March 2017) inquiries. Three appeal decisions at have been issued at Sandford, Banwell and Weston-super-Mare whilst two decisions are pending.

2.3.8 In their respective decision letters (October 2016), both Inspector Richards and Inspector Pope came to the same conclusion that the Sedgfield approach and a 20% buffer is applicable to North Somerset due to PUD. Paragraph 30 of Inspector Pope's decision letter noted:

**'it was also made clear during the examination into the remitted CS policies that there would be no "detailed s78 type discussion on the subject." In contrast, PUD was explored at some length during the Inquiry that I held in September. During cross-examination, the LPA's relevant witness accepted that in the last ten years there had been PUD against the adopted CS housing requirement. On the evidence before me, I find that a buffer of 20% should be applied.'**<sup>6</sup>

2.3.9 NSC accepted in their proof of evidence for the Old Mixon Road inquiry (January 2017) that "The Council accepts (for the purposes of this inquiry) that it is unable to demonstrate more than a 4.2 year supply". NSC had therefore clearly considered the Final Report of Inspector Bore and had concluded that irrespective of this there was still a record of persistent under-delivery. Furthermore,

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<sup>4</sup> Para 99: Land to the north of Old Mixon Road, Weston-super-Mare (APP/D0121/W/16/3150985).

<sup>5</sup> Land north of Greenhill Road, Sandford (APP/D0121/W/15/3139633)

<sup>6</sup> Para 30: Land south of Knightcott Road, Banwell (APP/D0121/W/15/3138816)

the Council accepted that even if this were not the case (and a 5% buffer was applied), they would still only be able to demonstrate a 4.8 year land supply.

- 2.3.10 The Committee Reports for sites as 'Withydale Farm, Weston Road, Congresbury'<sup>7</sup> and 'Cothill Station Road, Sandford'<sup>8</sup> both post-dated the exchange of evidence for the Backwell inquiry and both Officers acknowledge that NSC can only demonstrate a 4.2 years supply based on a 20% buffer (Inspector Pope's conclusions). However, for the recent Backwell and Congresbury inquiries, NSC claimed to be able to demonstrate a 5YHLS (based on applying a 5% buffer) of 5.12 years and 5.05 years respectively. The approach taken here by the Council is entirely inconsistent.

**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**

- 2.3.11 NSC would have to be correct with the delivery rates on nearly every single individual site included in their March 2017 HLS calculation to demonstrate a supply of 5.04 years, however this is entirely unrealistic and not achievable. As it stands on NSC's figures, the council have a "wafer-thin" surplus of +63 dwellings. Simply removing one or two of the larger sites referred to in Para 2.2.1 from the calculation would push the Council under five years.

- **The Sedgefield approach with a 20% buffer**

- 2.3.12 If NSC were correct with the delivery rates for every individual site within their latest HLS calculation, they could only demonstrate a 5YHLS of 4.41 years based on the Sedgefield approach and applying a 20% buffer. This results in a shortfall of 1,095 dwellings against the minimum requirement. The Council acknowledges that they are unable to demonstrate a HLS when applying a 20% buffer.
- 2.3.13 Gladman submitted 5YHLS evidence for the Congresbury inquiry in March 2017 where only a 2.77 years supply could be demonstrated using the Sedgefield approach and applying a 20% buffer. Pegasus Planning submitted 5YHLS evidence for the Backwell inquiry in March 2017, maintaining only a 2.3 years supply could be demonstrate (note, this increased to 2.73 years following the round table discussion at the inquiry). If the Inspector was to accept that either of the positions discussed above are correct, NSC would have a deficit of over 4,000 dwellings to identify just to meet their minimum five year housing land supply requirement.

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<sup>7</sup> Withydale Farm, Weston Road, Congresbury Committee Report

<sup>8</sup> Cothill Station Road, Sandford Committee Report

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

2.4.1 The plan would not be able to be found 'sound' by the examining Inspector and additional sites would have to be identified by the council in order to meet the minimum five year requirement based on the examining Inspector's decision on the 5% / 20% buffer.

**2.5 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?**

2.5.1 The Framework is clear that Local Planning Authorities should ensure choice and competition in the market for land. §47 is explicit that Local Planning Authorities should seek to "boost significantly the supply of housing". The housing requirement, which is accepted by the Council is not derived from a FOAN, is not and should not be viewed as a ceiling to development.

2.5.2 Paragraph 14 of the Framework is clear that the only justifiable reason for not meeting need is that "any adverse impacts of doing so would significantly or demonstrably outweigh the benefits...or specific policies in the Framework indicate development should be restricted."

2.5.3 It wouldn't be appropriate to apply a stepped trajectory for this authority. NSC are highly confident that they can deliver the housing targets that they have set out in their HLS Statement (soon to be updated to April 2017 base date).

2.5.4 The Hosing White Paper issued in February 2017 maintains that *local planning authorities have a responsibility to do all that they can to meet their housing requirements, even though not every area may be able to do so in full. Their identified housing requirement should be accommodated in the Local Plan, unless there are policies elsewhere in the National Planning Policy Framework that provide **strong reasons** for restricting development, or the adverse impacts of meeting this requirement would significantly and demonstrably outweigh the benefits.*<sup>9</sup>

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<sup>9</sup> Para 1.22, Page 24, Housing White Paper, 7<sup>th</sup> February 2017

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## Appendix 14: Large Sites with Planning Permission Critique

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<b>Site Ref:</b>	4/524	
<b>Location:</b>	Oxford Plasma Technology, Yatton	
<b>Proposal:</b>	Residential development of 51 units	
<b>Procedure:</b>	Full planning application	
<b>Current Status</b>	Extant planning permission	
<b>Planning Ref:</b>	14/P/2468/RM	
<b>Remaining Capacity (Net)</b>	23	
<b>Five Year Supply Availability</b>	<b>Council</b>	<b>Alder King</b>
	23	0

**SUMMARY EVIDENCE**

**Site Condition:**

The site is located within the built up area of Yatton and consists of a large industrial building (B1(c )) as well as ancillary office accommodation. The buildings provide a total of c.5,500m2 of employment floor space. Oxford Plasma Technology continue to operate at the site.

**Deliverability:**

This site has an extensive planning history. An outline scheme for residential development was first secured consent in 2006, with a subsequent reserved matters approval in 2009. This permission was due to lapse therefore an application was made to extend the time limit for its implementation which was approved in 2011. A further reserved matters application was made and approved (ref: 14/P/2468/RM), to provide 51 residential units which presents the latest permission at the site and which expires on 27 March 2017.

In relation to this latest permission, no pre-commencement/occupation conditions have been discharged with Oxford Plasma Technology continuing to operate at the site. A planning obligation associated with this permission requires, amongst other matters, that operations at the existing site are re-located to alternative or newly constructed premises within North Somerset prior to the re-development of the site. I consider that insufficient time remains within the parameters of this existing permission to facilitate this relocation and in turn to implement the permission. I consider that this latest permission will lapse.

A new outline planning application has been submitted at the site for 55 dwellings and which is pending consideration. Given that an extant permission exists, I consider that this is a *suitable location* for development and that this application will likely be approved, albeit subject to the same relocation requirements as per the original permission.

Despite the fact that the site is likely to benefit from a fresh planning permission in the short to medium term, I consider that the need to relocate the existing operation prior to it implementation presents a major constraint to delivery, demonstrated by the track record of unimplemented permissions. For these reasons I consider that the site is not *available now*.

The site is not considered *deliverable* and so 51 units have been discounted.



**Trajectory:**

Alder King - N/A

Council - Not provided

<b>Site Ref:</b>	4/586	
<b>Location:</b>	Bleadon Quarry, Bleadon	
<b>Proposal:</b>	Erection of 42 dwellings	
<b>Procedure:</b>	Outline planning application	
<b>Current Status</b>	Resolution to grant permission	
<b>Planning Ref:</b>	14/P/0687/O	
<b>Remaining Capacity (Net)</b>	42	
	<b>Council</b>	<b>Alder King</b>
<b>Five Year Supply Availability</b>	42	0

### SUMMARY EVIDENCE

**Site Condition:**

The site formerly consisted of a limestone quarry, although it is currently used for the manufacture of concrete blocks. There are a number of factory buildings, offices and associated plant at the site.

**Deliverability:**

In August 2013 Planning Committee resolved to grant planning permission for a mixed use scheme which included 42 residential units subject to the completion of a s.106 Agreement. Correspondence between the Council and the applicant suggest that the s.106 agreement will be finalised in June 2016 although it remains outstanding.

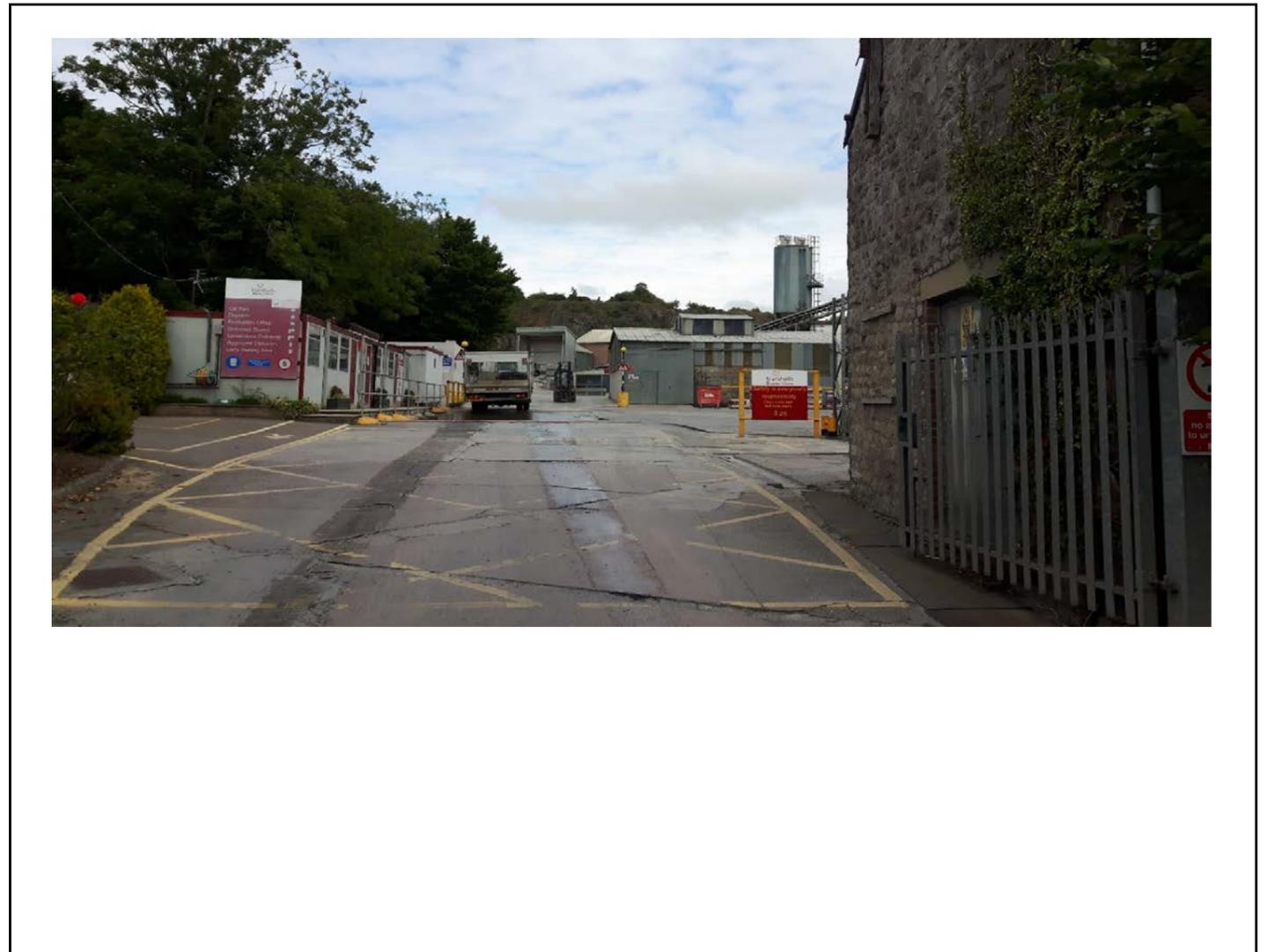
The site is previously developed and located within Bleadon's settlement boundary therefore I consider it to be a *suitable location* for development and that planning permission will be granted within the next five years. However, given the presence of the existing factory and the need for its de-commission/demolition, until such time that these measures have been undertaken, the site cannot be considered *available now*, regardless of whether a permission has been issued.

Therefore the site is not *deliverable* and 42 units have been deducted from the supply.

**Trajectory:**

Alder King - N/A

Council - Not provided



## Appendix 15: Existing Local Plan Allocations Critique

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Site Ref:	4/525	
Location:	The Farm, 117 High Street, Portishead	
Proposal:	Allocated for 20 dwellings	
Procedure:	N/A	
Current Status	Allocated	
Planning Ref:	15/P/1091/LB	
Remaining Capacity (Net)	20	
Five Year Supply Availability	<b>Council</b>	<b>Alder King</b>
	20	0

#### SUMMARY EVIDENCE

##### Site Condition:

The site consists of a small complex of listed buildings. Directly abutting the site is a relatively new car park, which is owned by the Council. The site does not benefit from an access.

##### Deliverability:

The construction of the car park at the site has removed any direct access to the site. An application was made (ref: 15/P/1091/LB) which sought listed building consent to demolish part of a listed building to create a vehicular access. This application was withdrawn for heritage reasons.

Following a nine year period this allocated site remains undeveloped. I consider that this is due to heritage and access constraints. These constraints still remain and I have seen no evidence that suggests that they will be resolved in the next five years. I therefore do not consider that this site is a *suitable location*.

Residential development will not be *delivered* at this site in the five year period therefore 20 units have been discounted.

##### Trajectory:

Alder King - N/A

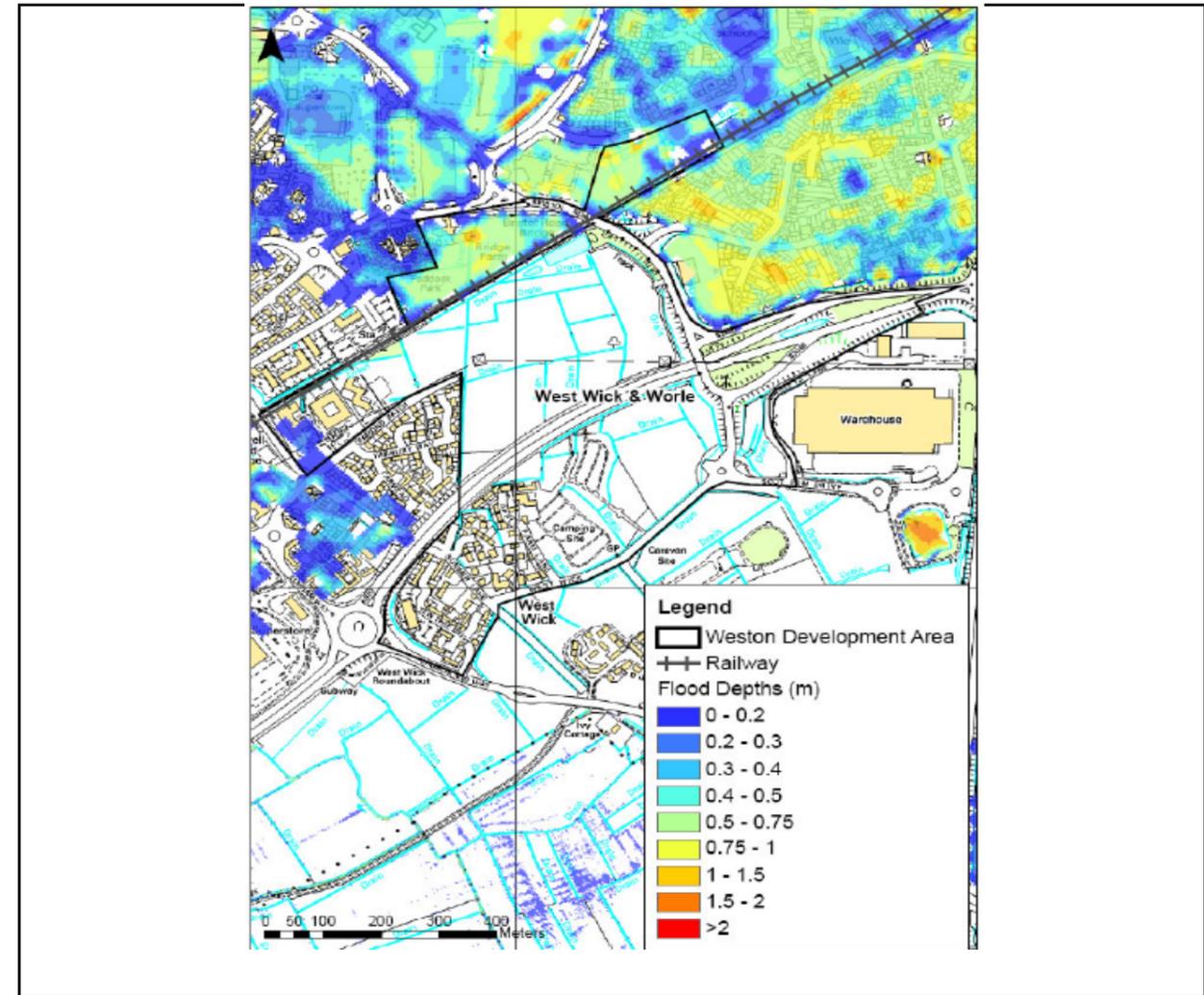
Council - Not provided



Site Ref:	4/520	
Location:	Bridge Farm, Bristol Road	
Proposal:	Mixed use allocation - 73 dwellings and 0.5 ha employment land	
Procedure:	N/A	
Current Status	Allocated	
Planning Ref:	N/A	
Remaining Capacity (Net)	73	
Five Year Supply Availability	Council	Alder King
	73	0

SUMMARY EVIDENCE	
<b>Site Condition:</b>	
This is a green field site, which is located within the settlement boundary of Weston-super-Mare, although within flood zone 3.	
<b>Deliverability:</b>	
According to the Council's Strategic Flood Risk Assessment (SFRA), the northern part of the site is located within Tidal Flood Zone 3a, with the southern part of the site occupied by a rhyne system. Therefore prior to the site being capable of being consider a <i>suitable location</i> for development, the SFRA acknowledges that the sequential and exception tests need to be satisfied. I have seen no evidence to demonstrate that these tests have been complied with.	
Given the site's location within flood zone 3a, I do not consider it to be a <i>suitable location</i> for development, and given the need for infrastructure to mitigate flood risk, neither is it <i>available now</i> . Despite being allocated for in excess of 9 years no progress has been made with this site. Therefore I do not consider the site to be <i>deliverable</i> and these 73 units have been discounted.	

**Trajectory:**  
Alder King - N/A  
Council - Not provided



<b>Site Ref:</b>	4/443	
<b>Location:</b>	Orchard House, Ebdon Road, Weston-super-Mare	
<b>Proposal:</b>	Erection of 12 Dwellings	
<b>Procedure:</b>	N/A	
<b>Current Status</b>	Allocated	
<b>Planning Ref:</b>	N/A	
<b>Remaining Capacity (Net)</b>	11	
<b>Five Year Supply Availability</b>	<b>Council</b>	<b>Alder King</b>
	11	0

### SUMMARY EVIDENCE

#### Site Condition:

This is a green field site that includes an existing residential property and associated outbuildings. It is located at the northern corner of Weston-super-Mare's settlement edge.

#### Deliverability:

According to the Council's evidence there are 'no constraints to prevent delivery in the short term' despite the fact that the landowner is required to purchase adjoining land to secure an access. The NPPG states that a site should only be considered *available* when there is confidence that there are no legal or ownership problems such as unresolved multiple ownerships or ransom strips etc.

I have seen no evidence from the Council to demonstrate that ownership issues relating to the access have been resolved, or that an alternative access solution exists. I therefore consider that the site is neither a *suitable location* nor *available now* meaning that these 11 units should be discounted.

#### Trajectory:

Alder King - N/A

Council - Not provided



Site Ref:	4/362a	
Location:	Westacres Caravan Park	
Proposal:	Erection of 100 dwellings	
Procedure:	N/A	
Current Status	Allocated	
Planning Ref:	N/A	
Remaining Capacity (Net)	100	
Five Year Supply Availability	<b>Council</b>	<b>Alder King</b>
	100	0

### SUMMARY EVIDENCE

#### Site Condition:

The site is currently located within Weston-super-Mare at its eastern edge. The site is currently in use as a caravan park and caravan storage facility.

#### Deliverability:

Since the site's allocation 9 years ago there has been no attempt to secure a planning permission for residential development. In the Council's latest evidence it acknowledges that the previous land owner has passed away, necessitating probate of the estate. No evidence has been presented by the Council that the probate process, including matters associated with the site's ownership have been resolved. I therefore do not consider that the site is *available now*.

I do not consider that the site is deliverable and therefore 100 units have been discounted.

#### Trajectory:

Alder King - N/A

Council - Not provided



<b>Site Ref:</b>	4/342	
<b>Location:</b>	Land at Wemberham Lane, Yatton	
<b>Proposal:</b>	Erection of 24 dwellings	
<b>Procedure:</b>	N/A	
<b>Current Status</b>	Allocated	
<b>Planning Ref:</b>	N/A	
<b>Remaining Capacity (Net)</b>	24	
<b>Five Year Supply Availability</b>	<b>Council</b>	<b>Alder King</b>
	24	0

### SUMMARY EVIDENCE

#### Site Condition:

The site is currently located at the north western edge of Yatton, within the settlement boundary. It consists of two green field parcels located either side of Wemberham Lane. Crest Nicholson control one parcel and Persimmon the second.

#### Deliverability:

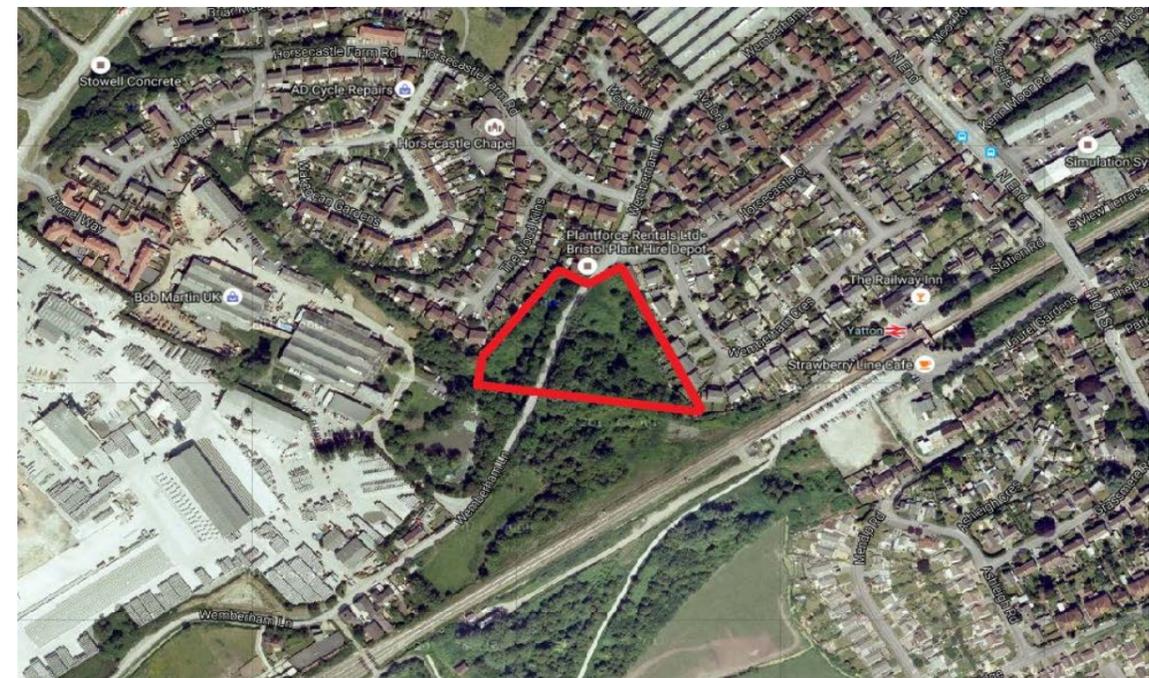
In the nine years that the site has been allocated there has been no attempt to secure a planning permission for residential development. Whilst Crest Nicholson has responded to the Council's developer questionnaire confirming that it intends to develop the site by 2018, no response has been provided by Persimmon. Further, at the recent EiP of remitted policies, Persimmon confirmed that there would be no prospect of delivering the site within the five year period.

This site is not considered *available now* therefore these 24 units have been discounted.

#### Trajectory:

Alder King - N/A

Council - Not provided



## Appendix 16: Emerging Allocations Critique

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Site Ref:	4/605	
Location:	Millcross, Clevedon	
Proposal:	70 dwellings	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	70	
Five Year Supply Availability	Council	Alder King
	70	0

### SUMMARY EVIDENCE

#### Site Condition:

This site consists of a cleared area of previously developed land, located within a predominantly residential area, within Clevedon's settlement boundary. The site is located within a Tidal Flood Zone.

#### Deliverability:

Whilst within the Settlement Boundary, the EA has commented on the site confirming that it is located within a Tidal Flood Zone. Whilst flood defences exist on the coastal edge of Clevedon, they do not offer protection to the site. Therefore to be considered *suitable now* it would be necessary for any residential allocation to satisfy both the sequential and exception tests. I have seen no evidence that these assessments have been undertaken.

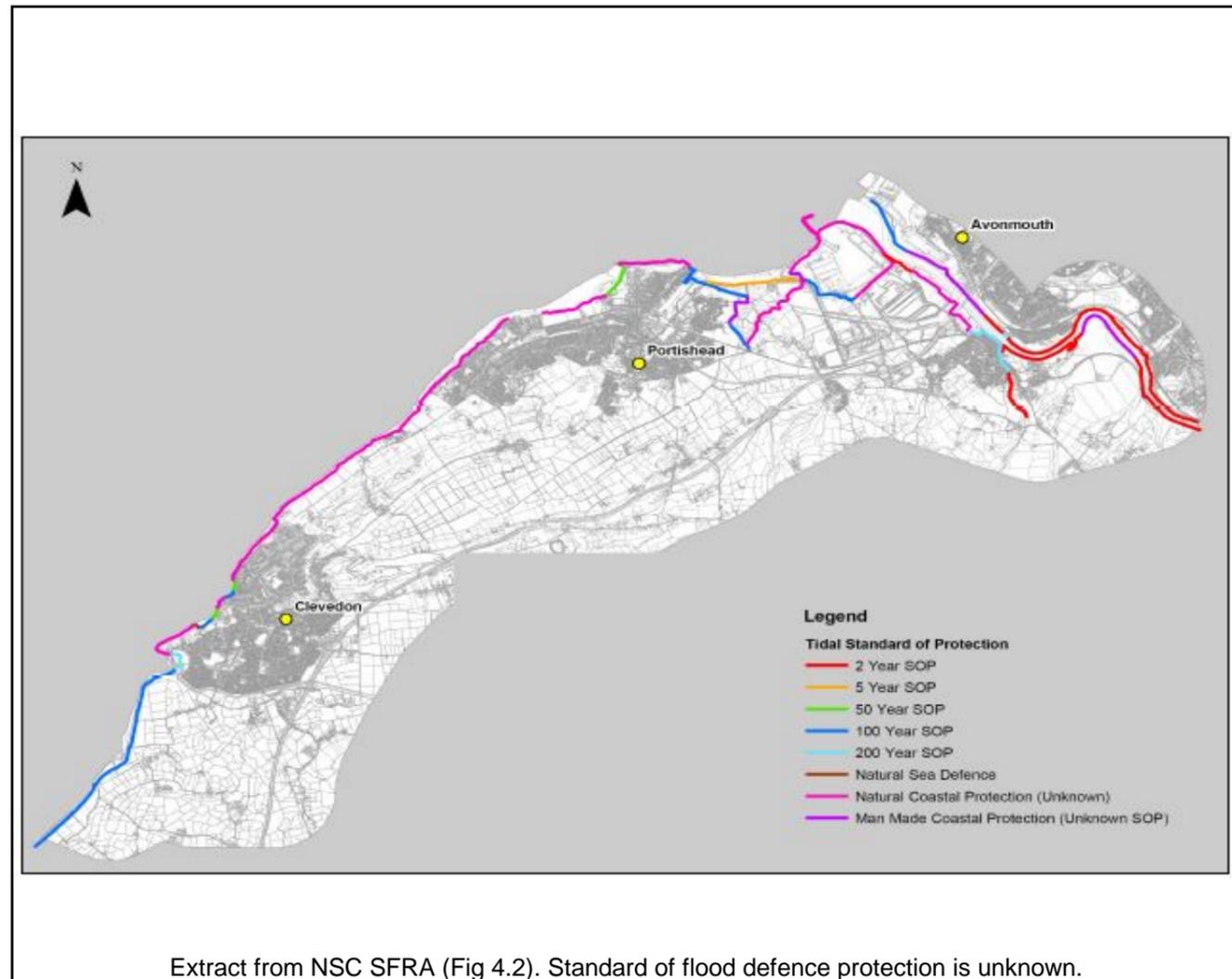
Further, there is an objection to this allocation by Clevedon Town Council, who seek the site retained as a potential location for a new hospital. This objection can only be resolved through the examination process.

The site is not a *suitable location* for residential development. The site is not *deliverable* therefore these 70 units have been discounted.

#### Trajectory:

Alder King - N/A

Council - Not provided



<b>Site Ref:</b>	4/637	
<b>Location:</b>	Land north of Churchill Avenue, Clevedon	
<b>Proposal:</b>	70 dwellings	
<b>Procedure:</b>	N/A	
<b>Current Status</b>	Emerging allocation	
<b>Planning Ref:</b>	N/A	
<b>Remaining Capacity (Net)</b>	44	
<b>Five Year Supply Availability</b>	<b>Council</b>	<b>Alder King</b>
	44	0

**SUMMARY EVIDENCE**

**Site Condition:**

This site consists of a green field located within a predominantly residential area, within Clevedon's settlement boundary. The site is located within a Tidal Flood Zone.

**Deliverability:**

Whilst within the Settlement Boundary, the EA has commented on the site confirming that it is located within a Tidal Flood Zone. Whilst flood defences exist on the coastal edge of Clevedon, The Council's SFRA confirms (section 7.1) that the adequacy of these defences is uncertain and that a strategic review of them is required to inform core strategy allocations. I have seen no evidence of this strategic review. Therefore to be considered *suitable now* it would be necessary for any residential allocation to satisfy both the sequential and exception tests. I have seen no evidence that these assessment have been undertaken.

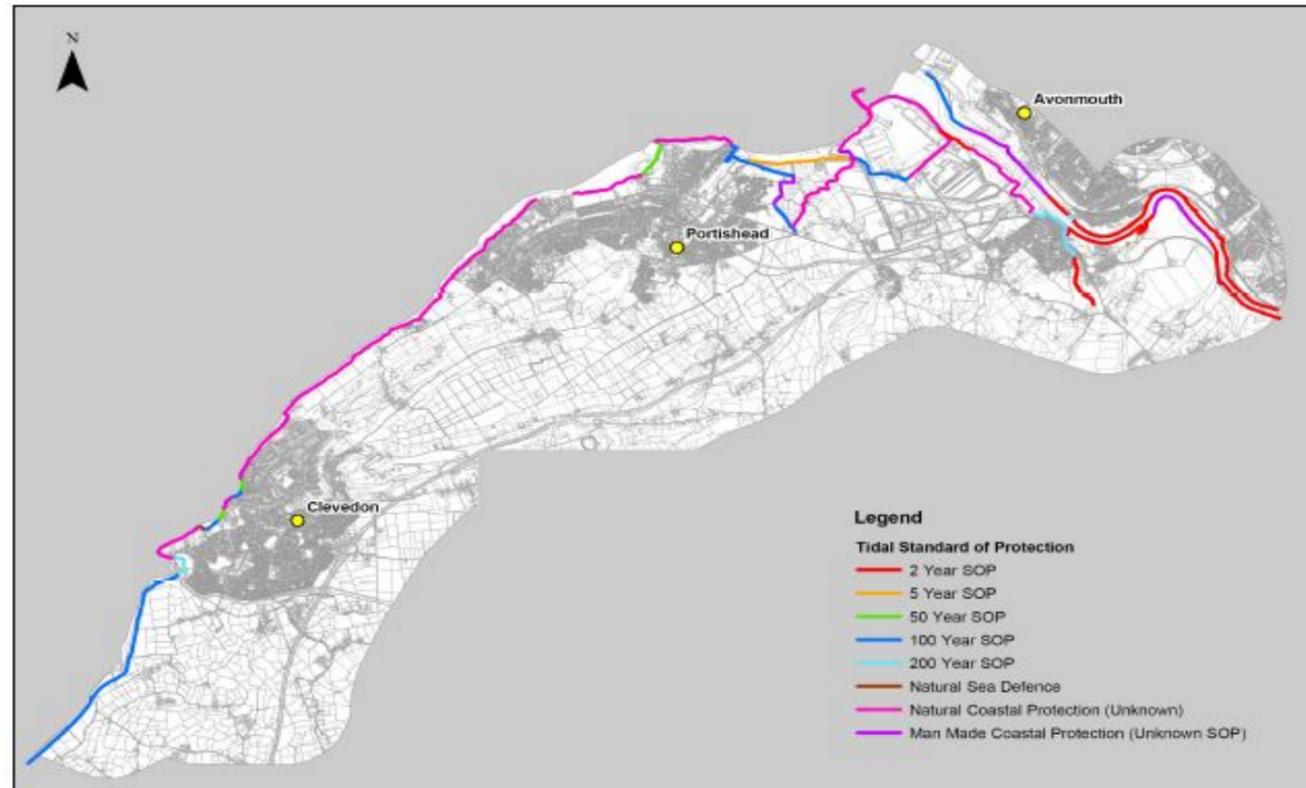
Further, there is an objection to this allocation by Clevedon Town Council, who seek the site designated as public green space. This objection can only be resolved through the examination process.

The site is not a *suitable location* for residential development. The site is not *deliverable* therefore these 44 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided



Extract from NSC SFRA. Land allocated red benefits from protection from flood defences.



Site Ref:	4/597	
Location:	Land at West End, Nailsea	
Proposal:	20 dwellings	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	20	
Five Year Supply Availability	<b>Council</b>	<b>Alder King</b>
	20	0

**SUMMARY EVIDENCE**

**Site Condition:**

This site is green field and located in open countryside. Whilst it is in close proximity to Nailsea's settlement boundary, it is not adjacent to it, instead being separated by a further parcel of land.

**Deliverability:**

Residential development at this site would not accord with adopted policy, given its location within open countryside. There are also outstanding objections to this site, with the most notable being from Nailsea Action Group who have raised concerns over flooding, highways and infrastructure.

These objections can only be resolved through the examination process, and until such time it cannot be confirmed that the site is a *suitable location* for development. Therefore the site is not considered deliverable and these 20 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided

Green field site. Photo not applicable.



Site Ref:	4/639	
Location:	Land at Engine Lane, Nailsea	
Proposal:	180 dwellings	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	180	
Five Year Supply Availability	<b>Council</b>	<b>Alder King</b>
	180	0

**SUMMARY EVIDENCE**

**Site Condition:**

This site is green field, located adjacent to Nailsea's settlement boundary, albeit in open countryside.

**Deliverability:**

Residential development at this site would not accord with adopted policy, given its location within open countryside. There are also numerous outstanding objections to this allocation, relating to the loss of a greenfield site, lack of infrastructure and highway concerns.

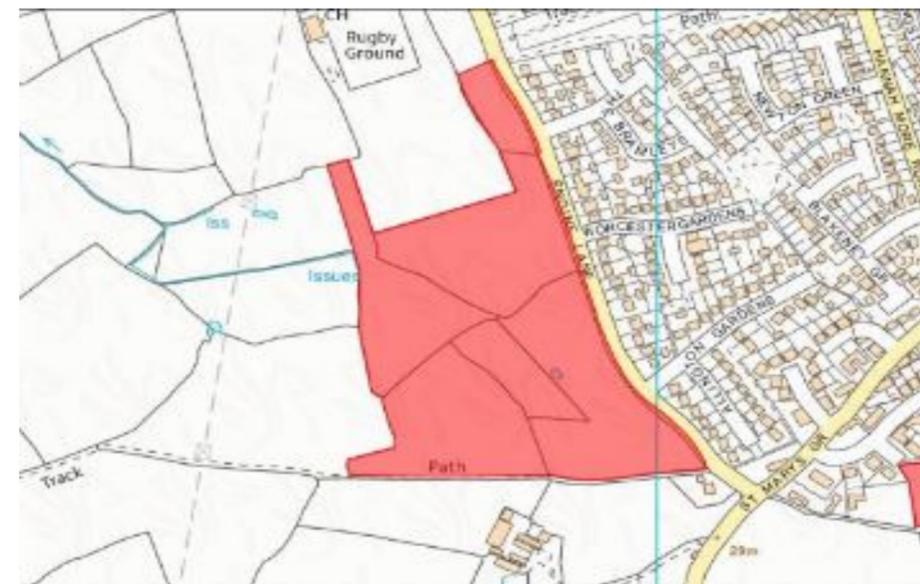
These objections can only be resolved through the examination process, and until such time it cannot be confirmed that the site is a *suitable location* for development. Therefore the site is not considered deliverable and 180 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided

Green field site. Photo not applicable.



<b>Site Ref:</b>	4/595	
<b>Location:</b>	Trendlewood Way, Nailsea	
<b>Proposal:</b>	30 dwellings	
<b>Procedure:</b>	N/A	
<b>Current Status</b>	Emerging allocation	
<b>Planning Ref:</b>	N/A	
<b>Remaining Capacity (Net)</b>	30	
<b>Five Year Supply Availability</b>	<b>Council</b>	<b>Alder King</b>
	30	0

**SUMMARY EVIDENCE**

**Site Condition:**

This is a green field site located amidst a residential area within Nailsea's Settlement Boundary.

**Deliverability:**

Whilst the site is located within the settlement boundary, due to its green field status it has been subject to numerous objections from members of the public. Nailsea Action Group have raised concerns over ecology, flood risk and infrastructure. Further, the Coal Authority have confirmed that the site falls within a Coal Mining High Risk Area, with no evidence having been submitted to mitigate this concern. Until this evidence is provided, and until such time that other outstanding objections have been resolved at examination, the site cannot be considered as a *suitable location* for development.

Furthermore, the Nailsea Action Group, as well as other respondents, have stated that the land has been bequeathed for a community use. Given this the site cannot be considered *available now*.

The site is not considered deliverable and 30 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided

Green field site. Photo not applicable.



Site Ref:	4/640	
Location:	Land South of The Uplands, Nailsea	
Proposal:	60 dwellings	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	100	
	<b>Council</b>	<b>Alder King</b>
Five Year Supply Availability	60	0

**SUMMARY EVIDENCE**

**Site Condition:**

This is a green field site located adjacent to Nailsea's Settlement Boundary, albeit in open countryside.

**Deliverability:**

Due to its green field status the site has been subject to numerous objections from members of the public. Nailsea Action Group have raised concerns over ecology, flood risk and infrastructure. Nailsea Town Council have also raised objection in relation to the quantum of development proposed. Until such time that these outstanding objections have been resolved at examination, the site cannot be considered as a *suitable location* for development.

The site is not considered *deliverable* and 60 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided

Green field site. Photo not applicable.



<b>Site Ref:</b>	4/596	
<b>Location:</b>	Land at Station Road, North West Nailsea	
<b>Proposal:</b>	450 dwellings	
<b>Procedure:</b>	N/A	
<b>Current Status</b>	Emerging allocation	
<b>Planning Ref:</b>	N/A	
<b>Remaining Capacity (Net)</b>	100	
	<b>Council</b>	<b>Alder King</b>
<b>Five Year Supply Availability</b>	100	0

**SUMMARY EVIDENCE**

**Site Condition:**

This is a green field site located in open countryside, beyond Nailsea's Settlement Boundary

**Deliverability:**

This green field site has been allocated for 450 units, although the Council only considers that 100 units will be deliverable within the next five years. The allocation is subject to numerous objections including from Nailsea Action Group who have raised concerns over visual amenity, drainage and ecology. The Council has acknowledged that the site would need extensive infrastructure works, including the removal of pylons and undergrounding 132kv power lines, the delivery of a central spine road and also the relocation or replacement of sports pitches. A landscape assessment commissioned by Gleeson Strategic Land has assessed these infrastructure works and suggests that the capacity of the site to accommodate the anticipated development is questionable.

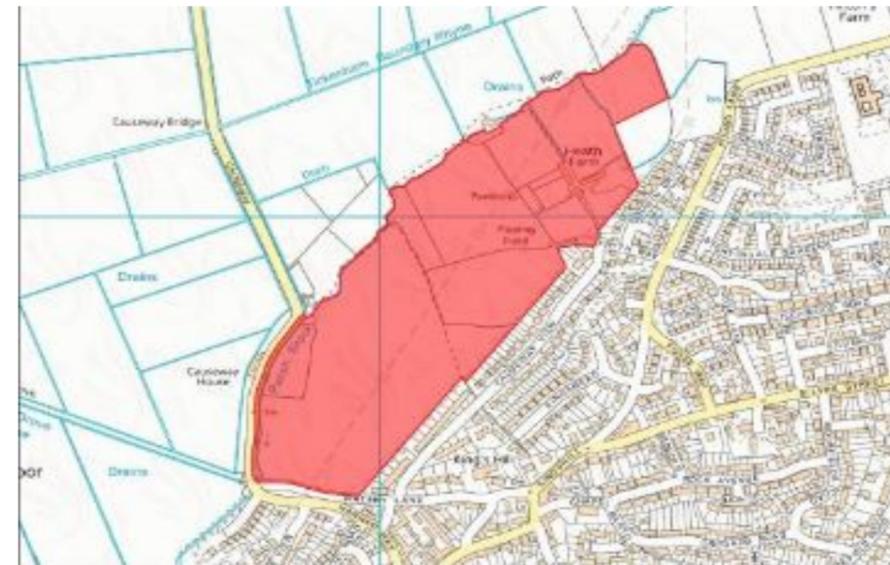
Development at the site would not accord with the planning policy, and given the number of outstanding objection and constraints it cannot be considered a *suitable location* for development. The site is not *deliverable* and therefore 100 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided

Green field site. Photo not applicable.



Site Ref:	4/591	
Location:	Land to the West of Winterstoke Road, W-S-M	
Proposal:	70	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	70	
Five Year Supply Availability	<b>Council</b>	<b>Alder King</b>
	70	0

**SUMMARY EVIDENCE**

**Site Condition:**

This site is green field, with part of it being used as sport pitches associated with the adjacent Woodspring Stadium. It is located within the settlement boundary.

**Deliverability:**

Sport England have commented on the emerging allocation to confirm that the loss of the existing sports pitch will need to be offset by compensatory provision of a higher quality. The developers for the site, Persimmon, have also commented on the allocation, confirming that the compensatory provision will be provided by the Woodspring Stadium in the form of a new 3G facility at the stadium. To date, no progress has been made on the delivery of the compensatory provision.

Given the presence of sports pitches at the site it is not considered to be a *suitable location* for development. This site is not *deliverable* within the five year period and so 70 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided



Site Ref:	4/592	
Location:	Land to the Rear of Locking Road, Weston-super-Mare	
Proposal:	24	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	24	
	<b>Council</b>	<b>Alder King</b>
Five Year Supply Availability	24	0

**SUMMARY EVIDENCE**

**Site Condition:**

The site is located within the settlement boundary and is currently occupied by a number of commercial units. All units are currently in use.

**Deliverability:**

The agents acting for the owner of the site have confirmed that their client has no intention of bringing the site forward for residential development, instead seeking to retain the site in commercial use. Therefore the site is not currently *available*.

The site is not *deliverable* so 24 units have been discounted

**Trajectory:**

Alder King - N/A

Council - Not provided



Site Ref:	4/645	
Location:	Station Approach, Weston-super-Mare	
Proposal:	300 units as part of a mixed use scheme	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	300	
Five Year Supply Availability	<b>Council</b>	<b>Alder King</b>
	200	0

**SUMMARY EVIDENCE**

**Site Condition:**

This is a previously developed site located within the centre of Weston-super-Mare. It consist of a large area of hardstanding, as well as areas of car parking, some of which forms part of an existing food retail store.

**Deliverability:**

The site is allocated for 300 dwelling, although the Council consider that only 200 will be brought forward in the five year period. This is a complex site that includes multiple land ownerships and the delivery of a primary school. The former point presents issues over *availability* and the latter issues concerning *deliverability*. Parts of the site are located within the tidal flood zone which would necessitate compliance with the sequential and exception tests. I have seen no evidence to show that these tests have been carried out, therefore doubts exists over the *suitability* of the site.

The site is not considered *deliverable* and therefore these 200 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided



Site Ref:	4/602	
Location:	Meade Vale Shopping Centre, Worle	
Proposal:	40	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	40	
	<b>Council</b>	<b>Alder King</b>
Five Year Supply Availability	40	0

#### SUMMARY EVIDENCE

##### Site Condition:

This is a previously developed site located within the settlement boundary. It currently forms part of a shopping centre which includes a public house and a number of commercial uses, all of which remain in use.

##### Deliverability:

This site has been allocated for a mixed use scheme which includes 40 dwellings. Given the presence of numerous commercial and community uses I consider that the site would not be *available now*. Further, parts of the site are located within the Tidal Flood Zone, therefore it would be necessary to undertake both the sequential and exception tests to justify development at the site. I have seen no evidence that these tests have been satisfied therefore the site is not considered a *suitable location*.

The site is not considered *deliverable* therefore these 40 units have been discounted.

##### Trajectory:

Alder King - N/A

Council - Not provided



Site Ref:	4/646	
Location:	Land at Bridgwater Road, Weston-super-Mare	
Proposal:	70	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	70	
	<b>Council</b>	<b>Alder King</b>
Five Year Supply Availability	70	0

**SUMMARY EVIDENCE**

**Site Condition:**

This is a green field site located outside of the settlement boundary, within open countryside. The site is located on a bend on Bridgwater Rd. Its perimeter boundary consists of mature trees.

**Deliverability:**

The site has been allocated for 70 dwellings. Whilst no objections to this allocation have been made, I am not aware of any technical investigations that demonstrate that the site is suitable for development. Due to the site's green field nature and the presence of mature trees around all of its boundaries, particular issues that would need to be considered relate to potential ecological constraints. I also consider that investigations of potential access options should be undertaken given the narrowness of Bleadon Hill Road and associated visibility concerns.

In accordance with the Wainhomes Judgement, the fact that the site benefits from an emerging allocation does not mean that it is *deliverable*. A site's deliverability is dependent on the quality of the evidence base to inform such a decision. I have seen no robust evidence that this site is a *suitable location* for development and therefore I do not consider it to be *deliverable*.

For the reasons above 70 units have been discounted from the supply.

**Trajectory:**

Alder King - N/A

Council - Not provided



Site Ref:	4/594	
Location:	Land south of Herluin Way, Weston-Super-Mare	
Proposal:	Allocation for 750 dwellings	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	750	
Five Year Supply Availability	<b>Council</b>	<b>Alder King</b>
	250	0

**SUMMARY EVIDENCE**

**Site Condition:**

This is primarily a green field site, although it does occupy the site of a former landfill and parts are in use as a scrap yard. It is within the settlement boundary.

**Deliverability:**

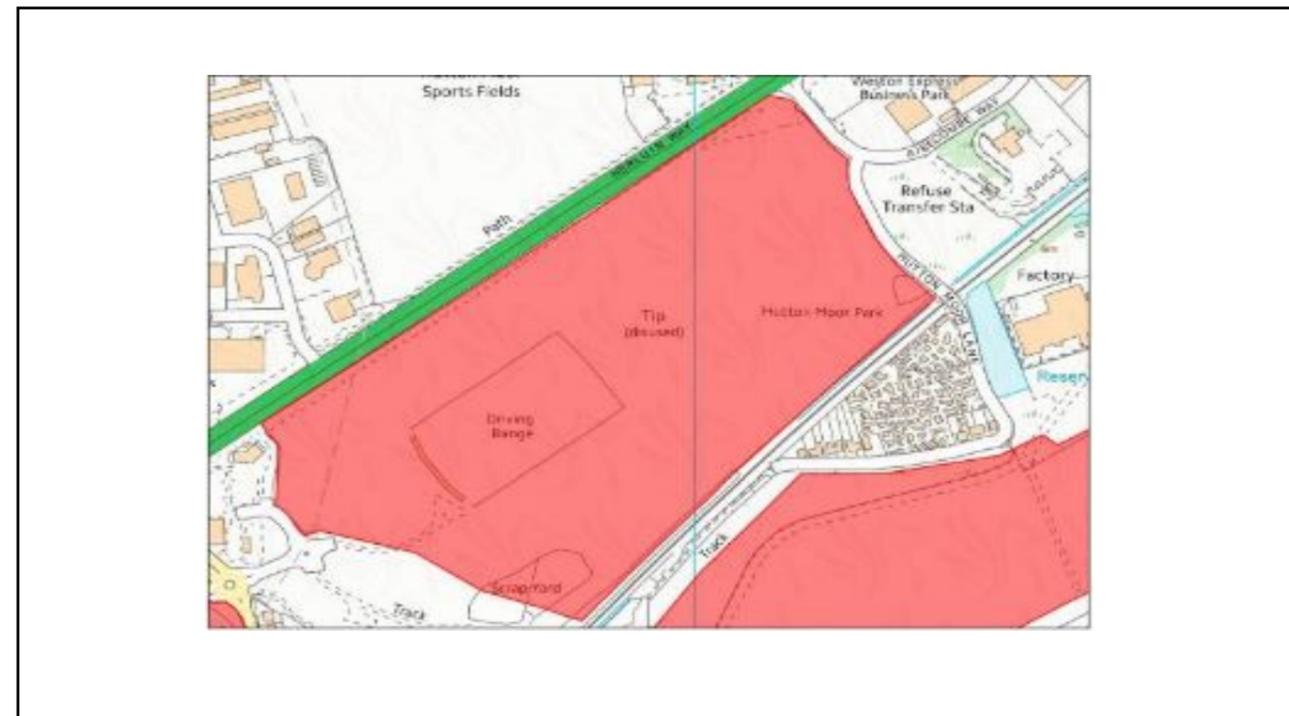
The Environment Agency has advised that part of the site comprised a former landfill which accepted commercial and domestic waste. It therefore advises that the site could be at risk of gassing and associated contamination. The landfill is an obvious constraint to development and one that needs to be subject to thorough technical investigation in order to ensure deliverability. I have seen no evidence to demonstrate that the site is a *suitable location* for development.

For the reasons above the site is not considered *deliverable* so 250 units have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided



Site Ref:	4/647	
Location:	Former Bournville School, Selworthy Rd, W-S-M	
Proposal:	Allocation for 45 dwellings	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	45	
	<b>Council</b>	<b>Alder King</b>
Five Year Supply Availability	45	0

**SUMMARY EVIDENCE**

**Site Condition:**

This is a green field site associated with a former school on which is located a sports pitch. The site is within a predominantly residential area within the settlement boundary.

**Deliverability:**

Sport England have advised that replacement sport pitch provision of a better quality than that existing will be required to offset the loss of the existing provision. I have seen no evidence that such an arrangement has been secured. Such a requirement is complex to address and is unlikely to be done in the short term. For this reason I do not consider that the site is *available now*.

Further, the site is located within Flood Zone 3A, therefore the sequential and exception tests would be required. I have seen no evidence of these tests having been undertaken therefore the site cannot be considered *suitable now*.

The site is not *deliverable* therefore 45 dwellings have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided



Site Ref:	4/648	
Location:	Former Sweat FA Site, Winterstoke Rd, W-S-M	
Proposal:	Allocation for 45 dwellings	
Procedure:	N/A	
Current Status	Emerging allocation	
Planning Ref:	N/A	
Remaining Capacity (Net)	45	
	<b>Council</b>	<b>Alder King</b>
Five Year Supply Availability	45	0

**SUMMARY EVIDENCE**

**Site Condition:**

The site is previously developed and located within the settlement boundary. Parts of it have been cleared, although the majority of it is occupied by a commercial unit that is currently in use.

**Deliverability:**

Given the presence of an active commercial unit on the site, it cannot be considered to be *available now*. Further, planning permission for a retail led scheme at the site has been consented, and according to the planning file a number of conditions associated with it have been discharged. It is therefore questionable as to whether there is a genuine intent to deliver the site for residential development. In the event that the retail use continues to be progressed, then the site cannot be considered as *available now*.

Given the above, I do not consider that the site is *deliverable* and so 45 have been discounted.

**Trajectory:**

Alder King - N/A

Council - Not provided

