



# RIDGE

**PLANNING AND AFFORDABLE  
HOUSING STATEMENT FOR LAND  
TO THE EAST OF CHURCH LANE  
AND NORTH OF FRONT STREET,  
CHURCHILL**

**FOR BEEHCROFT LAND LTD.**

July 2021

# PLANNING AND AFFORDABLE HOUSING STATEMENT FOR LAND TO THE EAST OF CHURCH LANE AND NORTH OF FRONT STREET, CHURCHILL

July 2021

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# 1. INTRODUCTION

## Statement Background

- 1.1. This Planning and Affordable Housing Statement has been prepared by Ridge and Partners on behalf of Beechcroft Land Ltd. for the erection of up to 62 dwellings (30% affordable housing), alongside a new access, landscaping, and other associated works at Land to the east of Church Lane and north of Front Street, Churchill. All matters are reserved except for access.
- 1.2. The site sits within the built form of the village of Churchill and comprises open fields that within its northern half are used for equestrian purposes and in its southern half are in agricultural use. The development proposals will be seen to form a modest and logical extension to the settlement.
- 1.3. This application follows a pre-application formal response from the LPA received on 15<sup>th</sup> January 2021, details of which are summarised within this Statement.
- 1.4. This application also represents a resubmission of a previous outline planning application (ref. 21/P/0478/OUT) for the erection of up to 75 dwellings (30% affordable housing) alongside a new access, landscaping and other associated works with matters of appearance, landscaping, layout and scale reserved for subsequent approval which was received by the Council on 17<sup>th</sup> February 2021 but determined invalid due to several reasons, one of which required more detailed plans to be submitted. The applicant has sought to address those requirements and in doing so, has prepared detailed plans to accompany this outline application. This includes a detailed layout, as well as indicative elevations and street scenes which outline details on materials and demonstrates a maximum of two storeys will be delivered on site. A landscape masterplan and detailed access drawings also accompany this resubmission.
- 1.5. The submission of this level of detail has resulted in the design team reviewing the proposals and consequently the number of units has decreased from 75 to 62. The applicant considers the documentation accompanying this application is adequate in order for the LPA to determine this outline application.
- 1.6. It should also be noted that the applicant sought to engage with Churchill Parish Council prior to the submission of the original planning application. However, the Parish Council respectfully declined the applicant's invitation stating they are opposed to any development at the application site.

## Statement Structure

- 1.7. This Statement will explore the context of the application site and relevant planning history before summarising the pre-application response by the LPA. A detailed description of the proposed development will then be outlined and following this a review of the planning policy context will be undertaken. This Statement will then assess the development proposals against the relevant

planning policy before addressing the planning balance. Finally, a summary of the key points raised in this Statement will then be provided.

1.8. This statement should be read in conjunction with the following documents:

- Application form;
- Existing Site Location Plan;
- Indicative Proposed Site Layout (prepared by Inspire Design);
- Indicative Proposed Elevations and Street Scenes (prepared by Inspire Design);
- Design and Access Statement (prepared by Inspire Design);
- Accessible Housing Statement (included in Design and Access Statement);
- Open Space Assessment (included in Design and Access Statement);
- Landscape and Visual Impact Assessment (prepared by Pegasus Group);
- Landscaping Masterplan (prepared by Pegasus Group);
- Heritage Statement (prepared by Cotswold Archaeology);
- Geophysical Survey Report (prepared SUMO Geophysics Ltd.);
- Ecological Assessment (prepared by Ecology Solutions);
- Shadow Habitats Regulation Assessment (prepared by Ecology Solutions);
- Lighting Strategy Report (prepared by Illume Design Ltd.);
- Transport Statement (prepared by Peter Evans Partnership);
- Visibility Splay Plans (prepared by Peter Evans Partnership);
- Travel Plan (prepared by Peter Evans Partnership);
- Flood Risk Assessment and Drainage Strategy (prepared by Clive Onions); and
- Arboricultural Survey Report (prepared by Barton Hyett Associates).

## 2. SITE AND SURROUNDING AREA

### Site Description

- 2.1 The site sits on the western edge of Churchill and adjacent to the village's settlement boundary. The site itself comprises open fields that are used for equestrian purposes in its northern half<sup>1</sup>, and agricultural use in its southern half, in total measuring approximately 4.4 hectares in size. The site itself is moderately flat but gradually slopes downwards towards its southern end. There are two large trees that sit within the centre of the site. The site is divided into three parcels through low lying hedgerow and post and rail fencing. Bordering all sides of the site is a mix of denser and more unmanaged hedgerow, trees and fencing.
- 2.2 Located in the site's north western corner is an existing stable and a ménage with an associated access track. The site also benefits from existing access points in its north western corner, further south of the site along Church Lane, and off Front Street.

### The Wider Area

- 2.3 Directly north are open agricultural fields. Directly east is a mix of open agricultural fields and existing residential dwellings that make up the village of Churchill. Directly south are existing residential dwellings, and further south are open agricultural fields. Directly west is Churchill Academy and Sixth Form and sports centre, and beyond that are open agricultural fields with few residential dwellings.
- 2.4 Churchill, a Service Village as defined by the North Somerset Core Strategy, contains a number of services and facilities that are all within walking distance of the site. This includes the secondary school, sixth form and sports centre adjacent to the site, two churches, a post office, local store, a tearoom, two pubs/restaurants and a fish bar. Churchill Parish Recreation Ground and Churchill and Langford Skate Park and Playground are also located east of the site. The site also sits within walking distance of several bus stops, the closest being an approximate 6 minute walk. That bus stop provides regular services to Bridgwater, Weston-Super-Mare, Banwell, Rooksbridge, Langford and Bristol Airport.
- 2.5 Just east of Churchill is Langford, and just west is Sandford, both also defined as Service Villages. Those villages contain a number of additional services and facilities including two primary schools, medical practice, nursery/pre-school, heritage centre and play park.
- 2.6 The site is therefore considered to be accessible to shops, services and facilities by sustainable modes of transport.

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<sup>1</sup> Planning permission approved for change of use of this parcel of land from agricultural to equestrian under planning application 13/P/0871/F.

## Site Constraints

- 2.7 The site does not contain any statutory landscape designations however, the Mendip Hills Area of Outstanding Natural Beauty (AONB) sits further south of the site. Part of the site lies within the recently designated Churchill Conservation Area. In addition, north west of the site sits a Grade I listed church, namely Church of St John the Baptist, Churchill Court and The Cottage, two Grade II listed buildings, and a Grade II listed gate associated with Churchill Court.
- 2.8 The site sits within Flood Zone 1 according to the Environment Agency's mapping service and is at the lowest risk of flooding.
- 2.9 A public right of way (PROW) runs diagonally across the site from its north western corner to its south eastern corner according to the Council's mapping service<sup>2</sup>. When on site that PROW runs along its northern and eastern boundary, joining another PROW which runs along its eastern boundary from a northerly direction<sup>3</sup>.
- 2.10 The site is located approximately 2.8km north east of the North Somerset and Mendips Bats Special Area of Conservation (SAC) and approximately 3.9km north east of the Mendips Limestone Grassland Special Area of Conservation (SAC).

## Planning History

- 2.11 The following planning history is of relevance to the site:
- **Ref. no: 1498/74** – Residential development on land (related to southern parcel of the site) – refused 12<sup>th</sup> December 1974;
  - **Ref. no: 13/P/0871/F** – Change of use from agricultural land to equestrian use with erection of private stables and associated ménage arena to include fencing (related to northern parcel of the site) – approved on 9<sup>th</sup> July 2013;
  - **Ref. no: 16/P0273/F** – Extension to stables. Erection of post and rail fence. Erection of new field/horsebox store building. Installation of mirror training aid on arena post and rail fence – approved on 17<sup>th</sup> March 2016;
  - **Ref. no: 17/P/1191/LUP** – Application for a Lawful Development Certificate for the proposed creation of an access track, including turning area for landrover and horsebox; creation of an all weather surface laid to protect soil structure and provide winter yard

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<sup>2</sup> PROW reference AX14/29/10.

<sup>3</sup> PROW reference AX14/31/20.

(external) and the erection of a post and rail fence to match existing – refused 5<sup>th</sup> July 2017; and

- **Ref. no: 17/P/2016/F** – Creation of access track, all weather surface to provide winter yard and erection of a section of 1.2m high fence – approved 19<sup>th</sup> October 2017.

2.12 As above, more recently an outline application was submitted and received by the Council on 17<sup>th</sup> February 2021 (**ref. 21/P/0478/OUT**) for the erection of up to 75 dwellings (30% affordable housing) alongside a new access, landscaping and other associated works with matters of appearance, landscaping, layout and scale reserved for subsequent approval. However, the Council deemed this application invalid for several reasons, one of which required the application to submit further details of access, layout of the site, siting of the building with full plans and elevations of the buildings, materials and landscaping. The applicant has met these requests through the submission of detailed plans which accompany this resubmission, such as a landscaping masterplan, a detailed layout and indicative elevations which demonstrate the types of materials proposed. Consequently, the resubmission includes a reduction in units from 75 to 62.

### 3. PRE-APPLICATION RESPONSE

- 3.1 A pre-application enquiry was submitted on 27<sup>th</sup> February 2020 to obtain the LPA's advice on the principle of residential development on site, and a response was received on the 15<sup>th</sup> January 2021. The following summarises the pre-application response.

#### Principle of Development

- 3.2 The LPA considers residential development on site would fail to meet "Policy CS32: Service Villages" as the site does not adjoin the settlement boundary of Churchill, and that the scale of residential development proposed is above the limit set by that policy which allows for up to 25 dwellings to be developed outside settlement boundaries subject to criteria set out at Policy CS32. Any number of dwellings above that limit would need to be brought forward as allocations through Local Plans or Neighbourhood Plans. Additionally, the LPA advised the proposals would fail to meet "Policy CS14: Distribution of Housing" where development abutting settlement boundaries of Service Villages is allowed where it is small-scale, or where development outside settlement boundaries is allowed when allocated within a Local Plan or where it comprises sustainable development which accords with criteria set out in the relevant settlement policies, which in this case is Policy CS32. Given the above, the LPA considered the proposals against Policy CS33 which allows for strictly limited development outside of settlement boundaries stating the proposals did not meet the requirements of that policy.
- 3.3 Notwithstanding the above, the LPA recognise that they cannot deliver a five year housing land supply and therefore Paragraph 11 d) of the NPPF applies. However, it is the LPA's view that the *"locational strategy of the Development Plan, potential impacts on village character, landscape setting including proximity to AONB, the character and appearance of the Conservation Area, the setting of listed buildings, are material and likely to weigh heavily against development of this site."* Those considerations are set out in more detail below.
- 3.4 Equally they comment on the limited facilities in Churchill and raise concerns over how future residents would safely and conveniently access those facilities given the absence of continuous footways along Front Street.
- 3.5 To that end, the LPA do not accept the principle of development.

#### Landscape and Character Input

- 3.6 It is not clear whether the pre-application proposals were consulted upon by the Council's landscape officer. However, the pre-application response concludes that the scheme *"has the potential to negatively impact on key landscape features."* Additionally, concerns have been raised on the potential coalescence of the *"settlement parts"*, and that *"the loss of the visual and physical*

*separation provided by Church Lane would be harmful to the character of the area”, concluding that the proposals would “detrimentally affect the character of the settlement form.” Further, the response considers the site is visible from and has inter-visibility with areas of the AONB to the south and could potentially have a “significant impact to the rural ambience and views into and out of the AONB.”*

- 3.7 A Landscape and Visual Impact Assessment (LVIA) and Landscape Masterplan accompany this planning application, demonstrating that the proposals would not cause landscape harm, nor would they significantly impact upon the setting of the AONB. In addition, soft landscaping measures are proposed to conserve and enhance the landscape qualities and characteristics of the site, softening the development into the wider landscape.

## Heritage

- 3.8 The LPA consider the site falls within the setting of a number of listed buildings and non-designated heritage assets and confirms its situation within the Churchill Conservation Area. The LPA considered the relevant assessment had not been made within the pre-application submission to demonstrate the proposals comply with Paragraph 189 and 192 of the NPPF. As such a request for a full assessment of the heritage assets on and surrounding the site is undertaken and accompanies any future planning application. A Heritage Assessment has been prepared and accompanies this planning application which includes a Desk-Based Assessment and Geo-Physical Survey, and makes the necessary assessments concluding the site has no potential to include significant archaeological remains, and that the proposals would not cause harm to the character and appearance of the Conservation Area or setting to nearby listed buildings.
- 3.9 In addition, the proposals have been designed to conserve and enhance the setting of nearby listed buildings and the character and appearance of the Conservation Area. This is discussed in more detail at Section 6 of this Statement.

## Highways and Access Arrangements

- 3.10 As requested by the LPA within their pre-application response, a Transport Assessment and Travel plan accompanies this planning application. The Transport Assessment demonstrates that the two proposed access points off Church Lane and Front Street are safe and suitable, and that the proposals do not cause an unacceptable impact on highway safety nor would they cause a severe residual cumulative impact on the highway network. This is explained in detail within Section 6 of this Statement.

## Flood Risk

- 3.11 The pre-application response provides advice on the hierarchy of sustainable drainage options that can be implemented. These are reflected within the Flood Risk Assessment and Drainage Strategy that accompanies this application and which is explained in detail within Section 6 of this Statement.

## Ecology

- 3.12 The LPA within their response note the site sits within an area that may support bat species of the North Somerset and Mendip Bats Special Area of Conservation and advise the appropriate surveys to be carried out to support any future planning application. They also state that the scale of the development proposed will result in a loss of greenfield land and conclude *“that there is a potential for significant loss of and impact on biodiversity.”*
- 3.13 An Ecological Assessment and Shadow Habitats Regulation Assessment accompanies this application which includes all surveys necessary to comply with the statutory legislation and the North Somerset Bat SAC and ‘Biodiversity and Trees’ SPD guidance. As part of this extensive mitigation measures are recommended to offset any loss of habitat on site. This is explained in detail at Section 6 of this Statement.

## Affordable Housing

- 3.14 The pre-application response advises that on sites proposing 11 dwellings or more, 30% on-site affordable housing is required as a minimum and discussions on housing need, mix, unit type and affordability are up for discussion.
- 3.15 The proposals are seeking to achieve 30% on-site affordable housing.

## 4. THE PROPOSALS

- 4.1. The proposals seek for the erection of up to 62 dwellings (30% affordable housing) alongside a new access, landscaping and other associated works at Land to the east of Church Lane and north of Front Street, Churchill.
- 4.2. Whilst indicative, the accompanying proposed site layout has been designed having regard to the constraints on site and responds to the LPA's pre-application response. In addition, indicative street elevations accompany this application indicating a maximum height of two storey dwellings will be achieved. A palette of materials are suggested based on the local vernacular of the site which are indicated on the proposed elevations and within the DAS.

### Housing Mix

- 4.3. The proposal is for up to 62 dwellings including 30% affordable housing, equating to 19 affordable homes. The housing mix and type is to be discussed during the planning application process and secured at the detailed design stages. However, an indicative schedule of accommodation has been prepared to accompany this application which includes:

#### **Open Market Housing**

- 7 x 2 bedroom units;
- 23 x 3 bedroom units; and
- 13 x 4 bedroom units.

#### **Affordable Housing**

- 10 x 2 bedroom units;
- 6 x 3 bedroom units; and
- 3 x 4 bedroom units.

- 4.4. The proposed housing will comprise a mix of detached, semi-detached and terraced properties.
- 4.5. All housing will be designed to meet the requirements of Part M of the Building Regulations and an appropriate percentage will be designed to be adaptable to changing family requirements.

### Access

- 4.6. Vehicular access is proposed at two of the existing access points. This includes the access point to the south of the site off Front Street and the access point off Church Lane towards the north west. An access road which loops round through the site is proposed which links the two access points.

These vehicular access points also include pedestrian pathways either side of the road. Additionally, five separate pedestrian footpaths are proposed, three which directly lead off Church lane and two from Front Street. The existing PROWs are to be retained and enhanced as part of the development proposals.

## Green Infrastructure

- 4.7. Across the site a number of existing trees and hedgerows are to be retained. Additional landscaping is also proposed in the form of native species to enhance the site within its setting and to provide bat corridors given the potential on site. Examples of this can be found along the northern, eastern and southern boundaries of the site where a landscape/habitat buffer zone is proposed. Also along the northern boundary and the east will lie informal mown grass paths which aim to increase the recreational opportunities across the site and provide alternative routes between the existing on-site PROW.
- 4.8. Two distinctive public open spaces are also proposed, one in the north western corner of the site and one in the south western corner of the site. The former is proposed as a LEAP which contains an existing PROW. The latter will comprise a 'village green' style, creating a focal point for the village. Additionally, public open space exists along the south eastern boundary of the site, and within the centre of the site in a linear format creating a 'rural park' feature and which also contain three ponds and swales forming part of the sustainable drainage strategy for development.

## Drainage

- 4.9. The proposals incorporate a SuDS scheme in line with the SuDS hierarchy. The site within its centre will contain three ponds which will allow for infiltration alongside providing ecological and landscape benefits. In addition, a below ground attenuation tank is located in the north western corner of the site. Further details of the proposed drainage strategy can be found in the accompanying Flood Risk Assessment and Drainage Strategy.

## Ecology

- 4.10. Given the site's location in proximity to the North Somerset and Mendips Bats SAC and Mendips Limestone Grassland SAC the following measures have been included as part of the design proposals, details of which can be found in the accompanying Ecological Assessment and Shadow Habitats Regulation Assessment:
- Retaining and enhancing existing vegetated corridors within and surrounding the site to provide possible commuting routes for bats.
  - Reorientating dwellings so the impact of light does not adversely impact the dark corridors proposed within the site.

- Introducing 'hop overs' at points along the access road that runs through the site to provide crossings for the bats.
- Additional landscaping and screening proposed adjacent to dwellings to reduce the impact of light on dark corridors. This will include species-rich grassland with a long sward, woodland planting with grassy glades, woodland planting with water and hedgerows 3 metres to 6 metres wide and 3 metres high with standard tree planting along the length.

## 5. DRAFT HEADS OF TERMS

- 5.1 The following section sets out obligations that may be necessary subject to appropriate justification being received from the Council and other Consultees.

### Affordable Housing

- 5.2 Policy CS16 seeks for all sites proposed for 11 or more dwellings to require a minimum of 30% on-site affordable housing. The proposals include 30% affordable housing. The exact type and mix of housing will be negotiated during the course of the application with the local planning authority.

### Highways

- 5.3 As contained with the pre-application response it is possible that the local highways authority will require highways improvements near to the site which will ensure road safety improvements as a result of the development. It is also possible that measures to promote the use of sustainable transport such as travel packs will be requested, both elements of which could be secured through a S106 Agreement. This will be discussed between the applicant and the LPA during the course of the application.

### On-site Green Infrastructure

- 5.4 The pre-application response refers to likely contributions requested to secure on-site Green Infrastructure. This will be discussed between the applicant and the LPA during the course of the application.

### Ecological Mitigation

- 5.5 Given the location of the site near to the North Somerset and Mendips Bats SAC and the Mendips Limestone Grassland SAC, and the subsequent mitigation proposed in light of this, it is possible mitigation measures will be secured via a S106 Agreement. This will be discussed between the applicant and the LPA during the course of the application.

### CIL Requirements

- 5.6 The development proposals are subject to the Council's CIL Charging Schedule that took effect on 18<sup>th</sup> January 2018. In accordance with the Community Infrastructure Levy Indexation (starting 1<sup>st</sup> January 2021 and ending December 31<sup>st</sup> 2021), the CIL charge 2020 per square metre is £93.15.

## 6. PLANNING POLICY CONTEXT

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. This section provides an overview of relevant planning policy and guidance to the proposed development.
- 6.2. The Development Plan for North Somerset comprises the Core Strategy (adopted January 2017) and the Development Management Policies: Sites and Policies Plan Part 1 (adopted July 2016).

### Core Strategy

- 6.3. The Core Strategy sets out in 'Vision 6' that *"by 2026 the Service Villages will become thriving rural communities and a focal point for local housing needs, services and community facilities."* Churchill is defined as a Service Village.
- 6.4. **Policy CS1** states North Somerset is committed to reducing carbon emissions and tackling climate change, mitigating further impacts and supporting adaptation to its effects. Within that policy are a number of guidelines on how development can achieve this, including:
- Development should demonstrate a commitment to reducing carbon emissions, including reducing energy demand through good design, and utilising renewable energy where feasible and viable in line with standards set out in Policy CS2; and by focusing development in accordance with the settlement strategy set out in the Area Policies;
  - Maximise the opportunities for all new homes to contribute to tackling climate change through adherence to emerging national standards such as the Code for Sustainable Homes to ensure they perform well against evolving energy standards, and have a reduced carbon footprint;
  - Developments of 10 or more dwellings should demonstrate a commitment to maximising the use of sustainable transport solutions. Opportunities for walking, cycling and use of public transport should be maximised through new development and in existing areas emphasising the aim to provide opportunities that encourage and facilitate modal shift towards more sustainable transport modes;
  - A network of multifunctional green infrastructure will be planned for and delivered through new development. They should be located throughout and in adjacent developments and demonstrate a functional relationship to the proposed development and existing area;
  - Protecting and enhancing biodiversity across North Somerset including species and habitats that are characteristic of the area, in order to support adaptation to climate change; and

- Areas will be enhanced to be resilient to the impacts of climate change including flood defence and public realm enhancements including the integration of effective shading through, for example, tree planting.

6.5. **Policy CS2** looks to deliver sustainable design and construction. That policy states new residential development should demonstrate a commitment to sustainable design and construction, increasing energy efficiency through design, and prioritising the use of sustainable low or zero carbon forms of renewable energy generation in order to increase the sustainability of the building stock across North Somerset. The Council requires development to be of a design that is energy efficient and will reduce energy demands.

6.6. **Policy CS3** states development that would result in air, water or other environmental pollution or harm to amenity, health or safety will only be permitted if the potential adverse effects would be mitigated to an acceptable level by other control regimes, or by measures included in the proposals.

6.7. **Policy CS4** states the biodiversity of North Somerset will be maintained and enhanced by ensuring new development is designed to maximise benefits to biodiversity. A net loss of biodiversity interest should be avoided, and a net gain achieved where possible. Promoting the enhancement of existing and provision of new green infrastructure of value to wildlife, and promoting native tree planting and encouraging retention of trees, with a view to enhancing biodiversity will be favoured.

6.8. **Policy CS5** looks at landscape and the historic environment. It requires the character, distinctiveness, diversity and quality of the District's landscape to be protected and enhanced by careful, sensitive management and design of development. The Mendip Hills Area of Outstanding Natural Beauty (AONB) will be protected by ensuring that development proposals conserve and enhance its natural beauty and respect its character, taking into account the economic and social well-being of the area. In addition, the Council seek to conserve the historic environment of the District, having regard to the significance of heritage assets such as conservation areas and listed buildings.

6.9. **Policy CS9** states existing network of green infrastructure will be safeguarded, improved and enhanced by further provision, linking in to existing provision where appropriate, ensuring it is a multi-functional, accessible network which promotes healthy lifestyles, maintains and improves biodiversity and landscape character and contributes to climate changes objectives. Priority will be given that is relevant to the development proposals:

- The protection and enhancement of biodiversity; and
- The management, maintenance, upgrading and extension of the public rights of way network including improved connectivity to areas of green infrastructure within and outside North Somerset.

- 6.10. **Policy CS10** states development proposals that encourage an improved and integrated transport network will be encouraged and supported. **Policy CS11** states adequate parking must be provided and managed to meet the needs of anticipated users, and should create a balance between good urban design, highway safety and residential amenity. New developments must seek to maximise off street provision, assess where on-street provision may be appropriate, demonstrate that buses, service and emergency vehicles are not restricted, and ensure that the road network is safe for all users.
- 6.11. **Policy CS12** states high quality architecture and urban design will be sought from development demonstrating a robust design process to generate solutions that have clearly considered the existing context, and contribute to social, economic and environmental sustainability. Proposals of all scales will be required to demonstrate sensitivity to the existing local character already established in the area and should take the opportunity to enhance the sense of place and local identity through a well thought out design. In particular and with relevance to the application, the following aspects of North Somerset should be maintained and enhanced: the historic built environment and historic rural settlements.
- 6.12. **Policy CS13** outlines the supply of deliverable and developable land will be identified to secure the delivery of a minimum of 20,985 dwellings within North Somerset 2006-2026. **Policy CS14** sets out that Service Villages aim to deliver 2,100 dwellings by 2026.
- 6.13. **Policy CS14** also sets out the settlement hierarchy for the District. That policy states at service villages there will be opportunities for small-scale development of an appropriate scale either within or abutting settlement boundaries or through site allocations. Development outside the settlement boundaries will only be acceptable where a site is allocated in a Local Plan or where it comprises sustainable development which accords with criteria set out in the relevant settlement policies. In terms of density, this will be determined primarily by local character and good quality design. The target net density across North Somerset is 40 dwellings per hectare, although this may be higher at highly accessible locations, and less in sensitive areas or where lower density development is positively encouraged.
- 6.14. **Policy CS15** states the Council seek to ensure a genuine mix of housing types in North Somerset. In doing so, they look for developments to:
- a) *“Contribute to a well-integrated mix of housing types and tenures to support a range of household sizes, ages and incomes to meet identified housing needs;*
  - b) *Reduce an existing proliferation of one housing type within an area through encouraging the development of a range of housing types that better meet housing needs, contribute to an improved local environment and support greater community cohesion; and*
  - c) *Contributing to creating an accessible, inclusive and safe community with easy access to a range of services.”*

- 6.15. **Policy CS16** states onsite affordable housing provision will be sought to meet local needs on all residential developments of 10 dwellings or more. The precise size and type of affordable housing to be provided on individual sites will be determined through negotiation, guided by the Strategic Housing Market Assessment, data from the housing needs register, and local housing needs surveys. There is no upper limit to the potential affordable housing provision or contribution, but a benchmark of 30% will be sought as a starting point.
- 6.16. **Policy CS32** states new development within or adjoining the settlement boundaries of the Service Villages which enhances the overall sustainability of the settlement will be supported where:
- *“It results in a form, design and scale of development which is high quality, respects and enhances the local character, contributes to place making and the reinforcement of local distinctiveness, and can be readily assimilated into the village;*
  - *It has regard to the size, type, tenure and range of housing that is required;*
  - *It will not cause significant adverse impacts on services and infrastructure and the local infrastructure is sufficient to accommodate the demands of the development;*
  - *It results in high quality sustainable schemes which is appropriate to its context and makes a positive contribution to the local environment and landscape setting;*
  - *It does not result in significant adverse cumulative impacts (such as highway impacts) likely to arise from existing and proposed development within the wider area;*
  - *The location of development maximises opportunities to reduce the need to travel and encourage active travel modes and public transport; and*
  - *It demonstrates safe and attractive pedestrian routes to facilities within the settlement within reasonable walking distance.”*
- 6.17. That policy then goes on to state sites outside the settlement boundaries in excess of about 25 dwellings must be brought forward as allocations through Local Plans and Neighbourhood Plans.
- 6.18. **Policy CS33** states development outside the areas covered by the approaches set out in Policies CS28, CS30, CS31 and CS32 will be strictly controlled in order to protect the character of the rural area and prevent unsustainable development. New residential development will be restricted to replacement dwellings, residential subdivision, residential conversion of buildings where alternative economic use is inappropriate, or dwellings for essential rural workers.

## Site and Policies Plan Part 1

- 6.19. The Sites and Policies Plan Part 1 provides detailed development plan policies that should be read alongside the Core Strategy.

- 6.20. **Policy DM1** states all development must consider its vulnerability to flooding, taking account of all sources of flood risk and the impacts of climate change up to 100 years ahead on residential sites. All development that would increase the rate of discharge of surface water from the site must consider its implications for the wider area. Sustainable drainage systems are expected for all major developments.
- 6.21. **Policy DM2** states new development will be required to demonstrate the application of renewable and low carbon energy generation as part of the energy statement for that site.
- 6.22. **Policy DM3** states when considering proposals within a Conservation Area, the Council will seek to:
- *“Secure the retention of the existing buildings, features, hard and soft landscape that contribute to its special character.*
  - *Ensure that new development will not cause harm to the existing character and appearance of the Conservation Area and wherever possible positively enhance it.*
  - *Ensure that development conforms to published guidance as set out within the Conservation Area Character Appraisals and Management Plans.”*
- 6.23. That policy then goes on to state when determining applications for new development, the Council will have regard to matters such as bulk, height, materials, colour, vertical or horizontal emphasis and design.
- 6.24. **Policy DM4** states development will be expected to preserve and where appropriate enhance, the character, appearance and special interest of the listed building and its setting. Applicants should provide the Council with sufficient information to enable an assessment to be made of the impact of the proposals on the special architectural or historic interest of the Listed Building and its setting.
- 6.25. **Policy DM6** states where an initial assessment indicates that the development site includes or has the potential to include heritage assets with archaeological interests, the Council will seek an archaeological assessment and field evaluation.
- 6.26. **Policy DM7** states when considering proposals involved non-designated heritage assets the Council will take into account their local significance whether they warrant protection where possible from removal or inappropriate change including harm to their setting.
- 6.27. **Policy DM8** states development proposals must take account of their impact on local biodiversity and identify appropriate mitigation measures to safeguard or enhance attributes of ecological importance. Where appropriate, proposals should seek to conserve the local natural environment by retaining, protecting, enhancing and linking existing wildlife habitats; by incorporating retained habitats sensitively into the development through appropriate design; and by ensuring that such retained and enhanced habitats are managed appropriately.

6.28. That policy then goes onto state development which would have an adverse impact on identified sites of international importance (which include Special Areas of Conservation (SACs), Special Protection Areas (SPA) and Ramsar sites) will not be permitted. Development which could harm, directly or indirectly, species, which are legally protected, or species and habitats that have been identified as Species or Habitats of Principal Importance in England (also known as Section 41 or 'Priority' species and habitats) will not be permitted unless the harm can be avoided or mitigated by appropriate measures. Development proposals should ensure that, where appropriate, provision is made for:

- *“any lighting scheme to avoid adverse impacts on light averse wildlife;*
- *Retention of native woodland, native trees (to include veteran trees), native hedgerows, watercourses, ponds, rhynes, other wetland habitats such as reedbeds, botanically diverse grasslands, traditional orchards, geological features, and other major natural features, habitats or wildlife corridors, and their protection during construction work;*
- *incorporation of habitat features of value to wildlife within the development (to include within building design) and including those which meet the needs of local species (e.g. provision of nesting features for swifts, swallows, house sparrows, bats)*
- *appropriate long term management of retained and newly created features of importance to wildlife;*
- *provision of monitoring of key species to evaluate impact of site management;*
- *planting of locally appropriate native species of local origin wherever possible; and*
- *measures to link habitats within the development and also that link into adjoining wildlife corridor networks.”*

6.29. Further, Policy DM8 states where development proposals may impact legally protected and notable species and habitats, they will need to be accompanied by an up to date ecological survey assessment as part of the submitted application.

6.30. **Policy DM9** seeks for the protection, retention and enhancement of trees as part development proposals.

6.31. **Policy DM10** states all development proposals should:

- *“Not have an unacceptable adverse impact on the designated landscape character of the district and respond to the distinctive qualities of the landscape.*

- *Be carefully integrated into the natural, built and historic environment, aiming to establish a strong sense of place, respond to local character, and reflect the identity of local surroundings, whilst minimising landscape impact.*
- *Respect the tranquillity of the area.*
- *Include appropriate landscaping and boundary treatments in the scheme.*
- *Conserve and enhance natural or semi-natural vegetation characteristic of the area.*
- *Respect the character of the historic landscape including features such as field patterns, watercourses, drainage ditches, stone walls and hedgerows.”*

6.32. That policy then goes on to state where some harm to the local landscape character is unavoidable, but a development is otherwise deemed beneficial, then positive mitigation measures should be secured by a landscape condition or planning agreement (Section 106), involving works on or off-site as necessary.

6.33. **Policy DM11** states development will need to conserve and, where possible, enhance the landscape and scenic beauty of the AONB. Development which would have an adverse impact on the landscape, setting and scenic beauty of the Mendip Hills AONB, including views into and out of the AONB, will not be permitted unless in exceptional circumstances and where it can be demonstrated that it is in the public interest. Particular attention will be given to the siting, scale, size, character, design, materials and landscaping of the proposed development, views to and from the AONB, as well as conservation of wildlife and cultural heritage.

6.34. **Policy DM19** states large-scale proposals in locations where there is a lack of green infrastructure or opportunities to create or improve green networks, will be required to contribute to the quality of the environment, through the creation of high quality well designed and accessible green infrastructure. Proposals will, where appropriate, ensure that green infrastructure is:

- *“Multi-functional;*
- *Part of a connected green infrastructure network;*
- *Able to maximise the opportunity to respond to climate change;*
- *Designed to enable the community to actively use green infrastructure for sports and play, and as an outdoor education resource, as well as passive recreation*
- *Able to promote community cohesion;*
- *Accessible; and*

- *Designed to promote and enhance local diversity and distinctiveness.”*

- 6.35. **Policy DM25** states development that would reduce, sever or adversely affect the use, amenity or safety of public rights of way and other forms of public access, or prejudice the planned development of the network will only be permitted if acceptable provision is made to mitigate those effects, or divert or replace the right of way or other form of access, before the development commences. Development will be required to provide, improve, or contribute to providing or improving multi-user infrastructure (to include pedestrian, cycling and equestrian) appropriate to its size and type, taking account of the latest information on and priorities for pedestrian, cycling and where appropriate, equestrian infrastructure. Residential development will be expected to ensure appropriate pedestrian/ cycling links to the nearest schools are developed at the required standard.
- 6.36. **Policy DM26** states Travel Plans will be required for all development which generate significant amounts of movement including major residential developments.
- 6.37. **Policy DM27** states all residential development comprising 50 or more dwellings should be within a reasonable distance, via a direct pedestrian route, of a bus stop which provides an appropriate level of service. **Policy DM28** states development proposals should meet the council’s standards for the parking of motor vehicles and bicycles. Development will not be permitted if the car parking arrangements would unacceptably harm the character of the area or the safe and effective operation of the local transport network. Planning applications must demonstrate to the satisfaction of the council that the functional parking needs of the development can be accommodated on or close to the site without prejudicing highway safety or resulting in an unacceptable impact on on-street parking in the surrounding area.
- 6.38. **Policy DM32** states the design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places where opportunities for physical activity and recreation are maximised. The design and planning of development proposals should demonstrate sensitivity to the local character, and the setting, and enhance the area taking into consideration the existing context. Design solutions should seek to enhance local distinctiveness and contribute to the creation of a sense of place and identity. Proposals which cause unacceptable harm to the character or appearance of the area will not be permitted. That policy provides a list of requirements to determine whether design would be considered acceptable:
- *“the siting, soft and hard landscaping, levels, density, form, scale, height, massing, detailing, colour and materials are appropriate and respect the characteristics of the site and surroundings and are appropriate to its use and position within the landscape and/or townscape; and*
  - *the site integrates with the surrounding environment including streets, paths and cycle ways, continuing successful local development patterns and creating an interconnected public realm; and*

- *the design and layout should not prejudice the living conditions for the occupiers of the proposal or that of adjoining occupiers through loss of privacy, overlooking, overshadowing or overbearing impact; and*
- *the design helps to reduce water and energy consumption; and*
- *the design reflects the need to deter crime and enhance security.”*

6.39. **Policy DM34** states the proposed development should help redress any identified imbalance in the existing local housing stock, meet the needs of local residents and contribute positively to the promotion of sustainable and inclusive communities.

6.40. **Policy DM36** states residential development should optimise the potential of the site to accommodate development whilst protecting or enhancing the distinctiveness and character of the area.

## Material Considerations

### **The National Planning Policy Framework**

6.41. A revised National Planning Policy Framework ('the Framework') was issued in February 2019 and sets out the governments planning policies for England and how they are expected to be applied.

6.42. **Paragraph 7** is clear that the purpose of the planning system is to contribute to sustainable development. Furthermore, at **Paragraph 8**, to achieve sustainable development means that the planning system has three overarching objectives; economic, social and environmental.

6.43. To deliver these objectives, **Paragraph 9** sets out that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflects the character, needs and opportunities of each area.

6.44. **Paragraph 10** is clear that so sustainable development is pursued in a positive way, at the heart of the framework is a presumption in favour of sustainable development. **Paragraph 11** states for decision taking, this means:

- *“Approving development proposals that accord with an up to date development plan without delay; or*
- *Where there are no relevant development plan policies, or the policies that are most important for determining the application are out of date, granting permission unless;*
  - *The application of policies in this framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

- *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this framework taken as a whole."*

- 6.45. Footnote 7 of the Framework states where local planning authority cannot demonstrate a five year supply of deliverable housing sites, the relevant development planning policies are out-of-date.
- 6.46. **Paragraph 59** is clear that the Governments objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.47. **Paragraph 61** is clear that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.
- 6.48. Furthermore, at **Paragraph 64**, where major development involving the provision of affordable housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership.
- 6.49. **Paragraph 68** is clear that small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built up relatively quickly.
- 6.50. In respect of rural housing **Paragraph 78** sets out that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
- 6.51. **Chapter 8** supports the promotion of healthy and safe communities. **Paragraph 91** sets out that planning policies and decision should to achieve healthy, inclusive and safe places which:
- a) *"Promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other- for example through mixed use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
  - b) *Are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion- for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and*

- c) *Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs- for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

6.52. As set out in **Paragraph 102** from the earliest stages of development proposals, transport issues should be considered so that the potential impacts of development on transport networks can be addressed, opportunities to promote walking, cycling and public transport use are identified. Patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

6.53. The Framework is clear at **Paragraph 103** that the planning system should actively manage patterns of growth in support of these objectives. This paragraph is also clear that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan making and decision making. **Paragraph 108** states in assessing applications for development, it should be ensured that:

- a) *“appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) *Safe and suitable access to the site can be achieved for all users; and*
- c) *Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.”*

6.54. **Paragraph 109** is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

6.55. Within this context, **Paragraph 110** states applications for development should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

6.56. **Chapter 12** seeks to achieve well designed places. **Paragraph 124** states good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. **Paragraph 127** states planning policies and decisions should ensure developments:

- a) *“will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

- b) *Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *Establish or maintain a strong sense of place, using arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

6.57. **Paragraph 163** states where appropriate, applications should be supported by a site-specific flood-risk assessment. Furthermore, **Paragraph 165** states major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

6.58. **Chapter 15** looks to conserve and enhance the natural environment. **Paragraph 170** states planning policies and decisions should contribute to and enhance this by:

- *“Protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils;*
- *Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services;*
- *Minimising impacts on and providing net gains for biodiversity; and*
- *Preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.”*

6.59. **Paragraph 172** states great weight should be given to conserving and enhance landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB) which have the highest status of protection.

- 6.60. **Paragraph 175** states when determining planning applications, local planning authorities refuse planning permission is significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for.
- 6.61. **Paragraph 177** states the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 6.62. **Chapter 16** looks at conserving and enhancing the historic environment. **Paragraph 189** of the Framework states local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. **Paragraph 192** states local planning authorities, when determining applications, should take account of:
- a) *“the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
  - b) *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
  - c) *The desirability of new development making a positive contribution to local character and distinctiveness.”*
- 6.63. **Paragraph 196** states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.64. **Paragraph 200** states local planning authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

### **Emerging Local Plan**

- 6.65. The Council are undertaking a review of their Local Plan and are currently preparing a draft Local Plan that is to be released for public consultation at the end of 2021. The draft Local Plan will then be submitted to the Secretary of State in 2022.
- 6.66. This version of the Local Plan will be a full plan with strategic and detailed policies to guide development proposals and will seek to replace the Core Strategy, Development Management Plan and the Site Allocations Plan.

### **Five Year Housing Land Supply**

6.67. According to the Council's Residential Land Survey and Five Year Supply Position Statement (April 2020) they cannot currently demonstrate a five year housing land supply, equating to only 4.2 years.

## 7. CONSIDERATION OF PLANNING POLICY ISSUES

- 7.1 The previous section of this Statement has identified all relevant planning policies and national planning policy and guidance that are appropriate to the proposed development. This section seeks to assess the proposal against those requirements and weighs up the application in the planning balance.

### Principle of Development

- 7.2 The site is located within the village of Churchill which is defined as a Service Village within the Core Strategy. By 2026 the Core Strategy aims for those villages to *“become thriving rural communities and a focal point for local housing needs, services and community facilities.”* Policy CS13 aims for North Somerset to deliver a minimum of 20,985 dwellings by 2026. Policy CS14 specifically states Service Villages are to deliver 2,100 of those dwellings. Both policies reflect the Government’s aim to significantly boost the supply of housing as stipulated within Paragraph 59 of the NPPF.
- 7.3 Whilst within its core, the site sits outside but adjacent to the village’s settlement boundary and therefore in planning policy terms is defined as the open countryside. Policy CS14 sets out the settlement hierarchy for the District which allows for small-scale development of an appropriate scale at sites abutting settlement boundaries or through site allocations; reflecting the importance of small and medium sized sites being delivered to meet the housing requirement of the area as stipulated in Paragraph 68 of the NPPF. It then goes on to state development outside the settlement boundaries will only be acceptable where a site is allocated in a Local Plan or where it comprises sustainable development which accords with criteria set out in the relevant settlement policies.
- 7.4 As the site is not allocated in the Local Plan attention is drawn to the relevant settlement policy for Churchill which is contained within “Policy CS32: Service Villages”. That policy states new development within or adjoining the settlement boundary which enhances the overall sustainability of the settlement will be supported subject to a consideration of a number of criteria. That policy then goes on to state sites outside settlement boundaries in excess of about 25 dwellings will only be brought forward as allocations through Local Plans and Neighbourhood Plans.
- 7.5 The LPA consider within the pre-application response that the site does not adjoin the settlement boundary of Churchill and as the proposals are to deliver above 25 dwellings and are not being promoted as allocations through the Local Plan then Policy CS32 is not relevant. Consequently, the LPA then assessed the proposals against Policy CS33 which strictly limits residential development in the open countryside. Given the scale of development and its location, the LPA concluded the principle of development was not acceptable.
- 7.6 The applicant does not dispute the fact that the site does not adjoin the settlement boundary, nor do they dispute that the proposals would seek to deliver 25 dwellings or below. However, the settlement boundary sits immediately adjacent to the application boundary running along the

opposite side of Front Street to where the site sits. The settlement boundary therefore runs parallel to the site and as such is well related to the village of Churchill and the services and facilities that lie within it. Moreover, the site sits in between Churchill Academy and Sixth Form, a sports centre, a residential dwelling and church, which also sit outside the settlement boundary, and the village core. Considering the school, sports centre and church are key services within the village, the site is considered a logical and suitable site for residential development in locational terms. There is no material difference to the site's location being physically attached to the settlement boundary compared to where it sits now and therefore the degree of conflict with this part of the policy should be tempered accordingly. To that end, we consider the overarching principles of Policy CS32 are relevant. The following sets out how the proposals meet the criteria attached to that policy.

### **Meeting the requirements of Policy CS32**

- 7.7 The layout, whilst indicative, has been designed to complement the existing settlement grain of development and will comprise a style and character that complements the appearance of existing built form within the village and wider Conservation Area. The layout has been both landscape, heritage and ecology led given the constraints on site which is explained in further detail below. Given the site's location toward the core of the village and next to the school, sport centre and church, the scale proposed is considered relative to the existing built form surrounding the site and therefore the proposals will be readily assimilated into the village. Therefore, point one and four of the criteria attached to Policy CS32 are met.
- 7.8 The size, type and range of housing will be discussed as part of the application process and secured at the detailed design stages. However, regard has been had to these matters as part of the outline application given the detailed indicative layout that accompanies this application, to ensure the proposals are reflective of the site's surrounding context. Therefore, point two is met.
- 7.9 Point three requires development proposals to not cause a significant adverse impact on services and infrastructure and that the local infrastructure is sufficient to accommodate the demands of the development. The proposals will seek to conserve and enhance the vitality of the local services within the village and support services and villages in nearby Langford and Sandford, supported by Paragraph 78 of the NPPF. Further the Transport Assessment accompanying this planning application confirms the local road network can support the number of dwellings proposed. To that end, point three and five are met.
- 7.10 Additionally, as demonstrated in the Transport Assessment, future occupiers of the site would be able to access existing facilities within the settlement safely all of which are within walking distance of the site. It is noted that footways do not exist along part of Front Street, however, existing PROWs within the site will be conserved and enhanced and new footpaths are proposed to provide safe walking routes through the development, improving the site's connectivity. Where services and facilities are not located in walking distance, bus services exist within walking distance of the site which provide services to Bridgwater, Weston-Super-Mare, Banwell, Rooksbridge, Langford and

Bristol Airport. Given the rural location of the village, sustainable transport options are limited and therefore there will be, to an extent, a reliance on the private vehicle. However, as stipulated in Paragraph 103 of the NPPF opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making. To that end, points 6 and 7 of the criteria are met.

- 7.11 Given the above, the development proposals will enhance the overall sustainability of the settlement complying with aims of Policy CS32 and thereafter Policy CS14.

### **Five Year Housing Land Supply**

- 7.12 Notwithstanding the above, as the proposals are outside the settlement boundary and comprise a number of dwellings above 25, then the principle of development is not compliant with Policy CS32. Further, the proposals would fail to meet Policy CS33 which allows for limited development in the open countryside.

- 7.13 However, the Council cannot currently demonstrate a five year housing land supply, equating to 4.2 years. In line with Paragraph 11 d) of the NPPF the relevant planning policies within the development plan are therefore considered out-of-date and the tilted planning balance is applied.

- 7.14 In this context, the LPA within their pre-application advised:

*“...the locational strategy of the Development Plan, potential impacts on village character, landscape setting including proximity to AONB, the character and appearance of the Conservation Area, the setting of listed buildings, are material and likely to weigh heavily against development of this site.”*

- 7.15 The remainder of this Statement seeks to deal with each of these matters in turn and then a planning balance will be provided demonstrating that firstly, there is no clear reason for refusing the development proposed when assessing the application against the relevant policies in the NPPF which protect areas or assets of particular importance, such as the AONB and designated heritage assets, and secondly that the proposals would not cause adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme.

### **Affordable Housing and Housing Mix**

- 7.16 The amount of affordable housing proposed complies with Policy CS16 by seeking to deliver 30% affordable housing on-site, equating to 19 dwellings. The exact type and mix of housing will be negotiated during the course of the application and secured through the detailed design stages. However, the proposals will ensure that they include a well-integrated mix of housing types and tenures to support local identified housing need and support a greater community cohesion for the village and surrounding area. Further, all dwellings will ensure an accessible, inclusive and safe community is achieved having easy access to a range of services within the village and further afield.

To that end the proposals meet Policy CS15 and Policy DM34 thereafter Paragraphs 61 and 64 of the NPPF.

## Design and Layout

- 7.17 Policy CS12 requires high quality architecture and urban design to be sought from development which has considered the existing context and contributes toward social, economic and environmental sustainability. Additionally, proposals are required to demonstrate how they respond to existing local character of the area, and that policy pays particular regard to maintaining and enhancing the historic built environment and historic rural settlements. These principles are echoed in Policy DM32 and Paragraph 127 of the NPPF.
- 7.18 The detail of layout, scale and appearance of the development are matters reserved for the more detailed stages of the application. However, an indicative proposed site layout accompanies this application which has responded to the heritage, landscape and ecology constraints on site as well as incorporating sustainable drainage measures. In terms of layout, the siting of dwellings are reflective of the existing settlement pattern of the village. To assist in ensuring the setting of the Grade I listed church and Grade II listed buildings north west of the site are conserved and enhanced, a POS is proposed in the north western corner of the site allowing for views of the church from within and out toward the site whilst softening the development proposals into the site's surrounding historic context. Equally, as demonstrated in the Design and Access Statement, the appropriate use of materials that reflect the character and appearance of the village and Conservation Area and nearby designated and non-designated heritage assets will be delivered, ensuring a high quality but sympathetic design is achieved. Indicative elevations of the proposed dwellings accompany this application, demonstrating how the development will sit comfortably within the wider context of the site, having regard to its location within a Conservation Area. As a maximum, two storey dwellings will be delivered.
- 7.19 Further, existing hedgerows and trees are retained where possible on site and significant landscaping measures including the introduction of four POSs are proposed to help soften the development within the wider landscape, having regard to the site's location within the setting of the AONB. This in turn improves the green networks within the village contributing toward the quality of the environment, meeting the requirements of Policy DM19. Finally, dark corridors are proposed throughout the development to help mitigate against bats on site, details of which are explained in further detail below.
- 7.20 To that end it is considered the proposals have responded well to the local context of the site and the surrounding context, ensuring they deliver a high quality design; complying with Policy CS12 and Paragraph 127 of the NPPF.
- 7.21 Policies CS1 and CS2 looks to deliver sustainable design and construction, stating new residential development must demonstrate a commitment to sustainable design and construction. Policy DM2

states an Energy Statement is required to demonstrate the application of renewable and low carbon energy at a site. An Energy Statement accompanies this planning application which details energy efficient principles that are to be adopted. To that end, the proposals comply with Policies CS1, CS2 and DM2.

## Heritage Considerations

- 7.22 The site sits within the recently adopted Churchill Conservation Area and within the setting of several listed buildings as detailed within the accompanying Heritage Assessment. That assessment has also considered the archaeological potential of the site.
- 7.23 Policy CS5 seeks to conserve the historic environment of the District, having regard to the significance of heritage assets such as Conservation Areas and listed buildings. Policy DM3 states new development within a Conservation Area should not cause harm to its existing character and appearance and where possible positively enhance it. Policy DM4 seeks to preserve and where appropriate enhance the character, appearance and special interest of the setting of listed buildings. Policy DM6 requires applicants to submit an archaeological assessment and field evaluation where there is potential for the site to include heritage assets with archaeological interests. Paragraph 189 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting.
- 7.24 The pre-application response considered the residential development on site could cause potential harm to the character and appearance of the Conservation Area and setting of nearby listed buildings. As advised by the LPA, a Heritage Assessment accompanies this planning application which considers the archaeological potential of the site, the site's situation within the Conservation Area and setting of nearby listed buildings.
- 7.25 To identify the archaeological impacts a geophysical survey was undertaken, results of which can be found within the Heritage Assessment. In summary, the site has potential to contain prehistoric, medieval, post-medieval and modern deposits but it is highly unlikely they will be of significance such that it would preclude development. It is suggested a programme of appropriate and proportionate archaeological works is agreed with North Somerset County Council. It is also suggested that suitable notice is given to the North Somerset County Council prior to the removal of any hedgerows given they may be of 'important' status under the 1997 Hedgerow Regulations. As such, the proposals comply with Policy DM6.
- 7.26 With regard to the Conservation Area, an assessment of whether the proposals would cause harm to its character and appearance has been undertaken. It is concluded the new built form would not bring about harm to the Conservation Area in line with Policy DM3 and Paragraph 189 of the NPPF and consideration should be given to Paragraph 201 of the NPPF which states not all elements of a Conservation Area will contribute to its significance.

- 7.27 The Heritage Assessment then assesses the heritage significance of listed buildings where the site contributes towards their historic setting, namely the Grade I listed church, the Grade II listed Churchill Court and its associated Gatepiers and Gate, and the Grade II listed The Cottage. In summary, the proposals would not change the heritage significance of these listed buildings concluding their special architectural and historic interest will be preserved, complying with Policy DM4.
- 7.28 Given the above, the proposals comply with Policy CS5 and Policies DM3, DM4 and DM6 and Paragraphs 189 and 201 of the NPPF.

## Landscape Considerations

- 7.29 The site does not comprise any statutory landscape designations but does sit within the open countryside and within the setting of the AONB. Policy CS5 requires the character, distinctiveness, diversity and quality of the District's landscape to be protected and enhanced by careful, sensitive management and design of development; reflecting the principles within Paragraph 170 of the NPPF. Policy CS5 also states where proposals effect the Mendip Hills AONB it will need to be demonstrated that the development conserves and enhances its natural beauty and respects its character, taking into account the economic and social well-being of the area. This is echoed in Paragraph 172 of the NPPF. Policy DM11 adds to this, stating where development has an adverse impact on the landscape, setting and scenic beauty of the AONB, including views into and out of the AONB, it will not be permitted unless in exceptional circumstances and where it can be demonstrated that it is in the public interest. It then goes on to state particular attention will be given to the siting, scale, size, character, design, materials and landscaping of the proposed development, views to and from the AONB, as well as conservation of wildlife and cultural heritage.
- 7.30 The pre-application response concluded that the proposals could significantly impact upon the views into and out of the AONB. In addition, concerns were raised over the coalescence the proposals would cause between the settlement parts referring to the school, sports centre and church to the site's west and the existing residential development east, concluding these would be harmful to the character of the area and the settlement form.
- 7.31 A Landscape and Visual Impact Assessment (LVIA) accompanies this application which has sought to respond to the pre-application advice and assesses the level of harm caused to the landscape and setting of the AONB. Firstly, it is considered that the proposals would not cause coalescence. The site sits amongst the built form of Churchill with existing residential dwellings to the east and the church, school and sports centre to the west. Consequently, the site would form part of Churchill, therefore the matter of coalescence is irrelevant.
- 7.32 In addition, the LVIA concludes the development proposals would protect and enhance the landscape features of the site and would be in keeping with the character and form of Churchill.

Moreover, the LVIA concludes that the proposals would not cause an adverse impact on the setting of the AONB, conserving and enhancing its special landscape qualities and characteristics.

- 7.33 Where possible existing hedgerow and trees are to be retained across the development site, complying with Policy DM9, and significant additional soft landscaping is proposed to conserve and enhance the landscape qualities of the site and its setting and to soften the development into the wider landscape. This is in form of dark, vegetated corridors which will also mitigate the potential bat use on site as well as two public open spaces to the north western corner and south western corner and a further POS along the centre of the site and also on the southern boundary of the site. The POS in the north western corner ties in with the existing PROW route and will contain a LEAP and the POS in the south western corner will act as a new village green. The proposals have taken account of the existing PROW routes on site and have improved these through the introduction of green infrastructure, connecting the development to the wider landscape; complying with Policies CS9, DM19 and DM25.
- 7.34 Given the above and conclusions reached by the LVIA, the proposed development complies with Policies CS5, DM9 and DM11 and Paragraphs 170 and 172 of the NPPF. Further, the proposals provide opportunity to enhance the landscaping on site through additional soft landscaping proposals and consequently improve the existing PROW network on site, complying with Policies CS9, DM19 and DM25.

## Highways

- 7.35 The site contains existing access points in its north western corner off Church Lane, further south of the site along Church Lane and off Front Street. The site also contains two existing PROWs which are to be retained and enhanced as part of the development proposals and new pedestrian foot links are proposed, ensuring pedestrian connectivity throughout the development toward the wider village; complying with Policy CS9.
- 7.36 The existing accesses off Church Lane and Front Street are to be retained and reconfigured to provide vehicular access into the site. A Transport Assessment accompanies this planning application demonstrating that the access points are safe and suitable for development, complying with Paragraph 108 of the NPPF.
- 7.37 In addition, the Transport Assessment concludes that the development proposals would not cause an unacceptable impact on highway safety, nor would there be a severe residual cumulative impact on the road network, complying with Policy CS32 and Paragraph 109 of the NPPF.
- 7.38 The number of car parking and cycle spaces takes into account local car ownerships and are considered acceptable as set out in the accompanying Transport Assessment.

7.39 Further, the site is considered accessible and sustainable location for pedestrian, cyclists and public transport users complying with Policies CS32, DM25, DM26 and DM27, and Paragraph 108 of the NPPF.

## Flooding and Drainage

7.40 The site sits within Flood Zone 1 and is therefore at the lowest risk of flooding. Policy CS1 requires development to be resilient to the impacts of climate change including flood defence. Policy DM1 reflects this and expects all major developments to incorporate sustainable drainage systems. This is echoed in Paragraph 165 of the NPPF.

7.41 A Flood Risk Assessment and Drainage Strategy accompanies this application which has taken account of above policies as well as the advice received at pre-application. In summary, that assessment concludes that the proposed development will not increase flooding within or outside the site. Rather a betterment in terms of drainage will be achieved through the incorporation of a high quality sustainable drainage solution which accords with the SuDS hierarchy.

7.42 The SuDS proposed includes three storage ponds located within the centre of the site and a below ground attenuation tank located in the north western corner of the site, both of which reduce run-off rates on site. Surface water will discharge from the site at its northern corner and be conveyed down Church Lane into a new sewer before discharging into the receiving watercourse. Additionally, a wildlife buffer along the east and northern boundaries of the site will protect the development from surface water from adjacent fields. All water will be collected and conveyed by a swale with check dams to encourage infiltration on site.

7.43 Given the above, the proposals comply with Policy CS1, Policy DM1 and Paragraph 165 of the NPPF.

## Ecology

7.44 The site as well as being within a rural landscape also sits within an area that may support bat species from the North Somerset and Mendip Bats Special Area of Conservation (SAC) and the Mendips Limestone Grassland SAC. Policy CS1 seeks to protect and enhance biodiversity across North Somerset in order to support adaptation to climate change. Policy CS4 requires biodiversity to be maintained and enhanced by ensuring new development is designed to maximise benefits to biodiversity. That policy aims for development to achieve a net biodiversity gain where possible and seeks to promote the enhancement of existing and provision of new green infrastructure including native tree planting and encouraging the retention of trees. Policy DM8 echoes this and provides further detail on how development should provide for biodiversity. That policy also considers sites for development that could be affected by SACs stating development which would have an adverse impact on these sites will not be permitted.

- 7.45 Paragraph 175 states when determining planning applications, local planning authorities should refuse planning permission if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for. Paragraph 177 states the presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site.
- 7.46 The potential for the site to support bat species from the SAC is identified within the pre-application response and the LPA also consider that the loss of a greenfield site could cause significant loss of and impact on biodiversity. In response to this and as advised, an Ecological Assessment accompanies this application which includes all the necessary surveys and outlines potential mitigation measures to be secured at the more detailed design stages of the application. In addition, a Shadow Habitats Regulation Assessment (SHRA) accompanies this application which deals with the potential impacts of the proposals on the North Somerset and Mendips Bats SAC and the Mendips Limestone Grassland SAC.
- 7.47 In summary, the Ecological Assessment confirms the site is in proximity to the North Somerset and Mendips Bats SAC, the Mendips Limestone Grassland SAC and the Mendips Woodlands SAC. The North Somerset and Mendip Bats SAC and the Mendips Limestone Grassland SAC are dealt with in detail within the SHRA. Consequently, given the site's association with these designated areas it has been identified bats exist on site and a number of mitigation measures are proposed to ensure this species is conserved and enhanced. With this mitigation in place, which is in excess of what is required, the SHRA concludes that the proposals will not cause an adverse impact on the integrity of both designated sites. Details of the mitigation measures proposed can be found in the accompanying Ecological Assessment and SHRA.
- 7.48 With regard to the Mendips Woodlands SAC it is concluded that no adverse impact will be caused by the development proposals given the SAC is separated from the site by a road, existing residential dwellings and areas of open countryside. Further it is concluded that no adverse impacts will be caused to other statutory and non-statutory designated sites.
- 7.49 In terms of habitats, there are none contained within the site that contain intrinsic ecological importance, however, the hedgerows and trees on site have the greatest ecological value when looking at the site as a whole. A number of mitigation measures are proposed to ensure that all ecological features on site are maintained and enhanced.
- 7.50 In addition, evidence of a very small population of Slow Worm were found on site. Further, suitable habitats for both birds and invertebrates exist on site, however no evidence of these species were found on site, and no evidence of badgers, Great Crested Newts or dormice were found on site.

That said, suitable mitigation measures are proposed to ensure these species are conserved and enhanced.

7.51 Given the above, the proposals comply with Policies CS1 and CS4, Policy DM8 and Paragraphs 175 and 177 of the NPPF.

## Sustainable Form of Development

7.52 The following outlines how the proposals meet the requirements set out within Paragraph 8 of the Framework:

### **Economic Objectives**

7.53 The development of housing growth and investment into the housing sector brings significant growth to the construction industry. With reference to the "Laying the Foundations: A Housing Strategy for England. HM Government" every £1 million received from new housing development supports 12 net jobs (seven direct and five indirect) for a year, as well as apprenticeship opportunities. A more responsive housing market can play a major role in delivering local economic growth, with housing construction, repairs and maintenance having a direct impact on economic output, accounting for an average 3% of GDP. This would bring prosperity and growth to the local economy.

7.54 A well-functioning housing market is therefore vital to the Country's competitiveness and attractiveness to business, which will drive the economic growth the country needs. The availability of housing in the right places and at the right time will therefore bring economic prosperity to areas, supporting the economic dimension to sustainable development.

7.55 In this case, the economic value of development can be taken directly from the House Builders Federation (HBF) calculator, that stipulates that the delivery of approximately 62 dwellings will generate the following economic benefits:

- Support the employment of 192 people, including the provision of 2 apprentices, graduates or trainees; and
- Generate £747,286 in tax revenue (including £70,026.52 in council tax revenue).

7.56 Additionally, future residents of the residential development will contribute towards the local economy by supporting existing services and facilities within North Somerset, particularly those in Churchill, Sandford and Langford, boosting the local authority's GDP. The proposals will also help maintain Churchill as a Service Village, a focal point for local housing needs, services and facilities.

7.57 In light of the above, the proposal contributes towards building a strong, responsive and competitive economy, delivering major economic benefits.

## **Social Objectives**

- 7.58 The delivery of this site has the potential to supply housing to meet needs of present and future generations, a key principle within the Framework. As such, the site would deliver a mix of housing that would contribute towards meeting the Council's identified housing need, a significant benefit given the Council's lack of five year housing land supply.
- 7.59 As part of delivering a policy compliant housing mix, the scheme provides the opportunity to cater for those who are in need of affordable housing, consequently reducing the rate of those that are on housing registers.
- 7.60 The future residents of the site will contribute towards the local communities, and services and facilities that exist within Churchill, and more widely within North Somerset. Moreover, developer contributions made through a S106 agreement/Community Infrastructure Levy will enhance existing community facilities and services.
- 7.61 Finally, the proposals offer an enhancement to the existing PROW network allowing for better connectivity within and surrounding the site. Moreover, the proposals offer the opportunity for a LEAP and village green like style POS to be incorporated, enhancing the community facilities within the village, contributing toward a healthy, balanced and inclusive community.
- 7.62 This site therefore has the potential to deliver significant social benefits.

## **Environmental Objectives**

- 7.63 The environmental dimension encourages development to protect and enhance the natural, built and historic environment by helping to improve biodiversity, using natural resources, and moving towards a low carbon economy.
- 7.64 The development proposals seek to conserve and enhance the heritage assets contained on and surrounding the site through a careful and high quality designed layout that is heritage led. This is demonstrated through the introduction of green infrastructure, a layout that reflects the settlement pattern of the village and proposed materials that are reflective of the style of existing built form within the village and moreover the Conservation Area.
- 7.65 It has been demonstrated the proposals do not cause harm to the special landscape qualities and characteristics of the landscape and the site's setting within the AONB. The additional soft landscaping proposed helps soften the development into the wider landscape and acts as screening to the wider open countryside.
- 7.66 Consequently, the amount of soft landscaping proposed brings biodiversity enhancements on site and aims to achieve a biodiversity net gain. It has been demonstrated that appropriate mitigation measures will be delivered to protect, conserve and enhance the biodiversity on site and no adverse

impact will occur to the North Somerset and Mendip Bats SAC and Mendips Limestone Grassland SAC.

- 7.67 In terms of drainage, sustainable measures are proposed to control the rate of surface discharge that will occur from the development proposals, ensuring that flood risk is not increased. Consequently, a betterment in terms of drainage is achieved as part of the proposals.
- 7.68 Finally, as set out in the accompanying Energy Statement energy efficient measures are to be incorporated into the scheme which will be secured at the detailed design stage, aiming to reduce carbon emissions and tackle climate change.
- 7.69 The above has demonstrated residential development at this site will significantly contribute towards the three objectives within the Framework, which in turn achieves sustainable development.

## The Tilted Planning Balance

- 7.70 As above, the proposal is contrary to Policy CS32 because the number of dwellings exceeds what is allowed for under that policy and the application site does not adjoin the settlement boundary. However, the site does lie adjacent to the settlement boundary and therefore the degree of conflict with this part of the policy should be tempered accordingly. Indeed, it must be acknowledged that not only does development lie on three of its four sides but the site is within walking distance to the range of facilities and services within the village. Ultimately the site is therefore consistent with the purposes for defining settlement boundaries and meets the criterion set out at Policy CS32 thereafter enhancing the overall sustainability of the village.
- 7.71 Notwithstanding the above, the Council is unable to demonstrate a five year housing land supply and therefore the weight to be given to Policy CS32 should be reduced accordingly such that no more than limited weight is given. Given this, the tilted planning balance is therefore engaged in line with Paragraph 11 d) of the NPPF whereby the granting of planning permission should be given unless:
- i) *“the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - ii) *Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*
- 7.72 The requirement of part i) is met as demonstrated within the conclusions of the accompanying Heritage Assessment and LVIA, concluding that no harm is caused to the site’s location within the Conservation Area, the setting of nearby listed buildings and the setting of the AONB.
- 7.73 In meeting part ii), it must be demonstrated that any harm caused is significantly and demonstrably outweighed by the benefits of the scheme. The public benefits of the scheme include:

- The proposals will seek to significantly boost the supply of housing for North Somerset, a key aim of the government as advocated within Paragraph 59 of the NPPF and assist the Council to achieve a five year housing land supply. Given the Council can currently only demonstrate 4.2 years this is considered a significant public benefit of the scheme.
- The proposals seek to deliver affordable housing compliant with the development plan, providing an opportunity for local residents and younger people to remain within their local community, and enabling younger families to migrate which in turn will help boost the vitality of local services and facilities within the village as well as the local economy.
- As identified above, the delivery of housing will provide significant economic benefits for North Somerset in terms of job provision and financial contributions that could be delivered through either a S106 or CIL, which could help improve local infrastructure and services.
- The proposals aim to enhance the pedestrian routes through the village through retaining and improving the existing PROW network and introducing new footpaths, enhancing connectivity within the site and the wider village. This promotes the use of sustainable modes of transport such as walking, cycling and the use of public transport, helping to achieve a healthier, safer and inclusive community. Further, there is opportunity for POS to be delivered on site in the form of a LEAP and a village green, enhancing the community facilities within the village.
- The technical reports accompanying this assessment conclude that no harm is caused to the special landscape qualities and characteristics of the setting of the AONB, and to the setting of nearby listed buildings or the character and appearance of the Conservation Area. Rather the proposals provide significant enhancements through the delivery of additional landscaping to soften the development into the landscape and screen it from the open countryside, and through a high quality designed layout that has been both heritage and landscape led.
- Finally, due to the additional landscaping proposed and suggested mitigation measures, biodiversity enhancements can be achieved on site. Additionally, a betterment will be delivered in terms of surface water discharge through the incorporate of sustainable drainage methods.

7.74 Given the above and the technical reports that support this application, we consider the benefits of the scheme do significantly outweigh any adverse impacts of the scheme, and therefore in line with Paragraph 11 d) of the NPPF planning permission should be granted.

## 8. CONCLUSIONS

- 8.1 This Planning and Affordable Housing Statement has been prepared by Ridge and Partners on behalf of Beechcroft Land Ltd. for the erection of up to 62 dwellings (including 30% affordable housing), alongside a new access, landscaping, and other associated works at Land to the east of Church Lane and north of Front Street, Churchill. All matters are reserved except for access.
- 8.2 This outline application follows a pre-application response received by the LPA on 15<sup>th</sup> January 2021. The proposals have sought to respond to the advice given and the relevant technical assessments have been undertaken as demonstrated within this Statement.
- 8.3 This application also represents the resubmission of a previous outline planning application (ref. 21/P/0478/OUT) for the erection of up to 75 dwellings (30% affordable housing) alongside a new access, landscaping and other associated works with matters of appearance, landscaping, layout and scale reserved for subsequent approval which was received by the Council on 17<sup>th</sup> February 2021 but determined invalid due to several reasons, one of which required a more detailed plans to be submitted. The applicant has sought to address those requirements by preparing detailed plans to accompany this outline application, including a more detailed layout, indicative elevations and indicative street scenes which outline details on materials and demonstrates a maximum of two storey dwellings will be achieved. A landscape masterplan and detailed access drawings also accompany this resubmission. As a result of this resubmission, the number of units has decreased from 75 to 62.
- 8.4 The above planning assessment acknowledges that the proposals are contrary to Policy CS32 due to the number of dwellings proposed, and that the site does not directly adjoin the settlement boundary. However, the site does sit immediately adjacent to it with Front Street separating the two boundaries. As the application boundary runs parallel to the development boundary the site is well related to the existing village, particularly given it sits in between key services to its west (including a school, sports centre and church) and existing residential development to its east. To that end, the site is considered a suitable and logical site for residential development. Given this, the degree of conflict with this part of the policy should be tempered accordingly.
- 8.5 Notwithstanding the above, the Council cannot demonstrate a five year housing land supply which in line with Paragraph 11 d) of the NPPF defines the relevant development plan policies out-of-date and triggers the tilted planning balance where planning permission should be granted unless there is a clear reason for refusing the development when assessing the application against the relevant policies that protect areas or assets of particular importance in the NPPF, and any adverse impacts caused would significantly and demonstrably outweigh the benefits.
- 8.6 The amount of affordable housing proposed complies with the development plan. The exact housing mix and type is to be negotiated during the planning application process and secured at the more

detailed design stages. However, the proposals will ensure the mix and type provided supports the local housing need and creates an inclusive and cohesive community.

- 8.7 The design and layout of the scheme are matters reserved for the detailed stages of the application. However, the proposed site layout and proposed elevation plans accompanying this application demonstrate residential development can be achieved on site at an appropriate density and scale that responds to the site's context and its environs. Particular attention has been made to the historic, landscape and ecological constraints attached to the site, producing a scheme that is of high quality whilst conserving and enhancing the site's natural and historic environment. This is achieved through a development pattern that responds to the wider village and thereafter Conservation Area and setting of the AONB, and materials that will be used which reflect the village character. In addition, extensive soft landscaping and planting is proposed to help soften the proposals into the wider landscape and conserve and enhance views in and out of the site from nearby listed buildings and the wider AONB.
- 8.8 In terms of heritage, it is concluded that no harm will be caused to the character and appearance of the Conservation or to the setting of nearby listed buildings. In addition, it is considered no archaeological deposits are contained on site that would be of significance.
- 8.9 In terms of landscape, the LVIA concludes that no harm will be caused to the landscape character and appearance of the site as the development proposals would sit within the built form of the village. Further, it is concluded no harm will be caused to the setting of the AONB, conserving and enhancing its special landscape qualities and characteristics. Retention of existing hedgerows and trees and extensive additional landscaping is proposed which seeks to conserve and enhance the special landscape qualities and characteristics of the site's setting within the AONB.
- 8.10 The Transport Assessment and Travel Plan accompanying this application demonstrate that there is no reason to refuse the application on highways ground as the proposals would not cause an unacceptable impact on highway safety, nor would there be a severe residual cumulative impact on the road network. Equally the site accesses proposed are demonstrated as being safe and suitable. Finally, the site is considered a sustainable and accessible location for development given its proximity to a number of services and facilities all within walking distance of the site and seeks to promote sustainable modes of transport where possible, including the retention and enhancement of existing PROWs and the introduction of new footpaths.
- 8.11 A Flood Risk Assessment and Drainage Strategy accompanies this application demonstrating flood risk will not be increased elsewhere and that sustainable drainage measures will be incorporated into the scheme achieving a betterment to the site.
- 8.12 The Ecological Assessment accompanying this application concludes that biodiversity on site will be conserved and enhanced through the incorporation of mitigation measures, and that no adverse

impact will be caused to the integrity of the North Somerset and Mendip SAC and the Mendips Limestone Grassland SAC.

8.13 Finally, the proposals conform with the three objectives of sustainable development as outlined at Paragraph 8 of the NPPF.

8.14 Taking all the above into account, in line with Paragraph 11 d) of the NPPF it is demonstrated that there is no reason to refuse development as the relevant policies in the NPPF that protect areas or assets of particular importance have been complied with. Equally, a number of public benefits are attributed to the scheme including the supply of housing the proposals will deliver which will assist the Council in meeting their five year housing land supply and overall housing need as set out at Policies CS13 and CS14. Consequently, the benefits of the scheme significantly and demonstrably outweigh any adverse impact caused.

8.15 Therefore, it is respectfully requested that planning permission is granted without further delay.

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