Site Allocations Plan Examination
Written Statement on behalf of No Moor Development
FAO: Mrs Wendy Burden, Inspector
Introduction

Thank you for the invitation to participate in the oral representations to the hearings on behalf of the No Moor Development community action group (NMD)\(^1\).

I am grateful for the opportunity to submit a brief statement with reference to the allocated site - as amended - on land off Moor Road, Yatton.

As you are aware, I submitted comments in response to the consultation on the SAP in December 2016. However, there have been further developments since that date which I believe are relevant to the question you pose:

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

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

\(^1\) NMD was formed at the beginning of 2015 in response to multiple speculative housing applications in Yatton. Since then, the group has taken a proactive role in terms of providing information to the community through engagement online (website and newsletter) and offline (public meetings and parish poll), responding to individual planning applications and input into planning policy consultations.
In short, yes - notwithstanding the amended allocation - I believe there are sufficient grounds for excluding the Moor Road site from the SAP for the following reasons:

- The process by which the Moor Road site was identified for inclusion in the SAP was flawed.
- The blurred lines between a residential site allocation and an undetermined planning application.
- The evolving broader picture around the site of the allocation.

1. The process by which the Moor Road site was identified for inclusion in the SAP.

North Somerset Council’s (NSC) initial appraisal on this site (reference HE1442) was flawed.

We all want a planning system in which communities can have confidence. NSC categorically failed to provide an accurate appraisal of the relevant criteria which were assessed as part of the site selection process. The way 'sustainability' criteria were applied by NSC to the potential residential sites in Yatton put forward by developers and landowners was selective.

While ‘proximity’ to an SSSI or to ‘a wildlife site’ are given as reasons not to allocate some greenfield sites - this is not even mentioned in the case of Moor Road, despite the location of the Kenn Moor SSSI literally a few metres away.
on the other side of a narrow road. The site is linked visually with the surrounding countryside, a nature reserve and the Kenn Moor SSSI.

How is it that ‘access via High St’, and the ‘potential to increase congestion in High St’ apply to some sites, but seemingly not to Moor Road?

Likewise, the approach into Yatton is a valued gateway into the village and any residential development would unacceptably compromise the rural setting of this site which is a distinctive feature on the edge of the village settlement. This does not warrant a mention in the sustainability criteria.

The proposed allocation of 60 dwellings (or up to 83 in the undetermined planning application) is neither of a “modest scale” nor of “about 25 dwellings” permitted in the newly-adopted Core Strategy.
The justification for why the Moor Road site is preferred to alternatives is simply not supported by the available evidence.

There are a significant number of material constraints on this site (which I will not address in this statement) and in my opinion (and of many in the community, including Yatton Parish Council) any development would significantly and demonstrably outweigh any benefit additional housing would bring. Some of the stakeholders with whom the Council is obliged to consult are - in their advisory capacity - at best very uncomfortable about the prospect of development of any kind on this site. **May I therefore respectfully request that you seek further advice from Natural England before you make a judgement on the inclusion of the Moor Road site.**

It is also noteworthy that the March 2015 decision of the pre-application planning consultation was that the Council's "*initial assessment of [the Persimmon] proposal is that any forthcoming application will be recommended for refusal*".

All the more puzzling why NSC has insisted it is appropriate to allocate this site to the SAP.

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2. Blurring the lines between a residential allocation and an undetermined planning application.

Following a public statement by myself to the Executive Committee meeting held on 18th October 2016, during which I received vocal support from the Leader of the Council, Cllr Nigel Ashton (see below) - the Executive Member with responsibility for planning tabled an amendment which had not appeared on the announced agenda of the Executive Committee meeting. Consequently there was no opportunity for public consultation or advance consideration by other Members.

The manner in which the amendment was rushed and the agreed wording arguably demonstrates prejudice/pre-determination of the outcome of an as yet undetermined planning application.

Following the close of the SAP consultation on 19th December 2016, the consultation responses were considered by the Scrutiny Panel on 24th January 2017. At that meeting, district councillor Jill Iles received support from many other Members that construction vehicles should not have access across the orchard.

At the subsequent Executive Committee meeting on 7th February 2017, the Executive Member for planning proposed a further change relating to the site specific details/notes for Moor Road in respect of development of the orchard:

“No development in the orchard. The provision of an access road across the orchard will only be considered if alternative access arrangements cannot be
made and subject to a suitable scheme being agreed with Natural England. Should a suitable scheme not be agreed, alternative access arrangements must be made.”

This amendment has therefore been submitted to you as evidence as changes NSC wishes you to take into account.

However, I feel obliged to share with you the manner in which the original amendment was tabled at the Executive Committee meeting on 18th October 2016.

Deputy Leader and Executive Member for planning (Cllr Elfan Ap Rees):

"While we could reduce the [Moor Road] housing allocation to 60 dwellings so that there is no actual housing development in the orchard... at this stage there is no alternative access to the main site [the former training pitches] except through Moor Lane [sic]... and we cannot guess whether the adjoining [rugby] field on the other side would come forward in time. So at this stage the developer [Persimmon] is looking at access through the orchard. So while I could recommend an amendment to reduce the allocation to 60 dwellings with no development in the orchard other than access... other than that I would need to stand by the main recommendation.”

The next to speak was Leader of the Council, Cllr Nigel Ashton:
"While I said earlier on that I agreed with the comments made by Mr Bridger. There will be comments coming in [during the consultation] about that site, and I will be supporting it, because there are alternatives. I think it’s about time we looked at Yatton ‘in the whole’, and stop looking at it site by site by site, so they lose every time and don’t get anything for it. That’s got to stop. You mention the rugby club site – I’ve been involved in talks on that; we can progress that. If the people involved are also the same people involved in other sites, we put it altogether and work it out logically, we could actually make progress. When I’ve attended meetings and they’ve said, ‘well, we can’t do this until we do that’, and that’s a different group of people... that’s nonsense. That’s just got to stop. We’ve got to look at it properly. We’ve had two housing allocations come out that weren’t expected in the last couple of weeks, so that can more than replace that, and also the site of the rugby ground who are looking to put the housing on that at some stage. That hasn’t been in the Plan either, so there is more compensation around... and actually makes more sense because the access could go through onto the High Street, rather than onto a totally inadequate and inappropriate Moor Lane [sic]."

This debate was not reflected in the minutes - a matter subsequently taken up by district councillor Jill Iles with the Clerk. The minutes record that “Members
welcomed the proposed amendments to address the concerns around access to the site and development in the orchard.”

If I may be permitted to speak plainly, the Moor Road allocation has for many months had the whiff of pre-determination about it. The argument that the orchard is worthy of protection, but then permitting it to be traversed for the purpose of an access road is pure folly and is not supported by the evidence - nor by the Leader of the Council.

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3. The wider context

I note that in your letter to NSC dated 6 March 2017 in which you make clear how you will conduct the Inquiry you state the following:

“I will not therefore consider the merits of any proposals for development which have been omitted from the Plan. In the event that in the course of the examination there appears to be a need for additional development sites in order to deliver the requirements of the CS, it will be a matter for me to raise with the Council to ascertain what it would propose in order to meet such a need.”

While I completely accept this, it is evidently also true that we can’t not know what we know.

As alluded to above, the situation in Yatton is fluid, with other more suitable unallocated sites emerging: for example, the adjacent rugby club land - shaded yellow on the map below.
Yatton RFC has put the land it owns up for sale for residential development. NSC has had discussions with Yatton RFC, who are developing an action plan (to relocate). The rugby club submitted a pre-application in October 2016 (for a new site) and while progress has been slow, plan-led development (not to mention common sense) would suggest that housing on that site would be deliverable within the plan period - and would by-and-large not be opposed by the community, with access onto the main B3133 highway.

NSC has gone on record as suggesting the most appropriate way forward now would be "concurrent planning applications for the development of the rugby club site [for housing] and the provision of replacement pitches."
After Persimmon submitted an application for full planning permission in March 2016, it became clear that the developer had used the allocation of this land in the SAP to 'wash its hands' of obligations (to which it previously committed) to find a replacement site for the junior section of Yatton RFC. Understandably, the Sport England objection to the application remains in place.

Local Green Space

We strongly support the principles of Policy SA7 and congratulate NSC on recognising the need to protect these areas which are highly valued by their local communities.

Part of the Moor Road site in Yatton has been allocated in NSC’s draft local plan for housing, but Yatton Parish Council and the emerging Neighbourhood Development Plan (albeit at the draft consultation stage) have also sought to protect the former training pitches as Local Green Space.

This should be supported given that the land was leased to Yatton RFC for 8 years as training pitches for their junior section.

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Finally, it is not always easy to articulate what inspires us about the everyday landscapes and buildings around us, and why this matters. It is easy to take them for granted, and consequently view them - rather dispassionately - as simply a jigsaw puzzle of numbered site allocations.

The Moor Road site is held dear by the community. Removing it from the SAP - bearing in mind the likely sale of the rugby club land for residential
development next door - would support the NPPF objectives of protecting the intrinsic beauty and character of the countryside.

I look forward to participating openly and constructively at the hearings.

Mr Steve Bridger
On behalf of No Moor Development

April 2017
A note on the ‘hierarchy’ and cumulative impact

As you will be aware, in February 2016 NSC undertook an assessment to provide an indicative ‘hierarchy’ of the relative ‘sustainability’ of settlements in North Somerset. NSC admitted at the time that "this is not a precise art and... a matter of judgement."

The sustainability appraisal for Yatton accepted that “there is a major recognised issue with traffic congestion through the village” - although this merited only a cursory mention. This constraint is now recognised in the emerging West of England Joint Spatial Plan.

Comparing data derived from the 2011 census with the Site Allocation proposals, the 696 planned and approved new dwellings in Yatton - a ‘Service Village’ - amounts to an increase of 22% on the 3,116 existing dwellings.

I welcome the modification to the Core Strategy which states that “the cumulative impact of development will be a significant consideration and a succession of piecemeal developments which individually or taken together have an adverse effect on any individual village are unlikely to be supported.”

I believe this is particularly relevant to the Moor Road allocated site, given the significant other permissions in the immediate vicinity.

Yatton accounts for only 4% of the total population of North Somerset, yet house-builders are saturating the housing market in one location.
The gateway approach to the village
The field previously leased to Yatton RFC as junior training pitches.

The field today
The orchard