

SECTION 1 – ITEM 7

Application No: 21/P/2123/OUT

Proposal: Outline application for the erection of up to 25no. dwellings with details of access and associated works (all other matters of appearance, landscaping, layout and scale reserved for subsequent approval)

Site address: Land at Dinghurst Road, Churchill

Applicant: Coln Residential

Target date: 21.10.2021

Extended date:

Case officer: Andrew Stevenson

Parish/Ward: Churchill/Blagdon and Churchill

Ward Councillors: Councillor Patrick Keating

REFERRED BY COUNCILLOR KEATING

Summary of recommendation

It is recommended that, subject to the completion of a legal agreement and Habitats Regulation Assessment, the application be **APPROVED** subject to conditions. The full recommendation is set out at the end of this report.

Background

This outline application follows a refused full application ref 19/P/2713/FUL for 48 dwellings. The main change is that there has been a significant reduction in the quantum of development from 48 units to 25, allowing for greater levels of landscaping and spacing across the site to address previous concerns in relation to the urbanising effects, impact on the AONB, biodiversity impacts, tree retention, drainage strategy and neighbour impacts. This outline application now omits the introduction of built form to the south-west portion of the site adjoining Skinners Lane and adjacent to the AONB.

The Site

The application site comprises a parcel of land to the south of Dinghurst Road and east of Skinners Lane measuring approximately 2.6 hectares and is currently in agricultural use as a pasture/orchard.

The site is adjacent to the Churchill settlement boundary and enclosed by mature native hedgerows with existing linear residential development bordering the east and west edges. It is close to, but outside, the Mendip Hills Area of Outstanding Natural Beauty(AONB) which extends to the west of Skinners Lane. It is not in the Green Belt and is not subject to other landscape designations. It is outside the Churchill Conservation Area and not in

close proximity to any listed buildings. The site is within Flood Zone 1, which is at lowest risk of flooding, and there are no site specific ecological constraints, though is within the consultation zone of the North Somerset and Mendip Bats SAC.

The Application

This outline application is for up to 25 dwellings including 8 (32%) affordable units and the formation of a new vehicular access to Dinghurst Road. All matters except for access are reserved for future consideration.

An indicative layout plan has been submitted to demonstrate how the site could accommodate the number of dwellings ranging in size and to include provision of 30% as affordable housing. The indicative layout shows new pedestrian links to Dinghurst Road and Skinners Lane, landscaped open space to include a community orchard, biodiversity mitigation including landscaped bat corridors, and the reinstatement of native hedgerows.

Relevant Planning History

Year: 2020
Reference: 19/P/2713/FUL
Proposal: Erection of 48 dwellings
Decision: Refused

Policy Framework

The site is affected by the following constraints:

- Adjacent to the Churchill settlement boundary
- Adjacent to Mendip Hills AONB
- North Somerset and Mendip Bats SAC

The Development Plan

North Somerset Core Strategy (NSCS) (adopted January 2017)

The following policies are particularly relevant to this proposal:

CS4	Nature Conservation
CS5	Landscape and the historic environment
CS9	Green infrastructure
CS10	Transport and movement
CS12	Achieving high quality design and place making
CS13	Scale of new housing
CS14	Distribution of new housing
CS15	Mixed and balanced communities
CS16	Affordable housing
CS32	Service Villages
CS34	Infrastructure delivery and Development Contributions

Sites and Policies Plan Part 1: Development Management Policies (adopted 19 July 2016)

The following policies are particularly relevant to this proposal:

DM1	Flooding and drainage
DM8	Nature Conservation
DM9	Trees
DM10	Landscape
DM11	Mendip Hills Area of Outstanding Natural Beauty
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM25	Public rights of way, pedestrian and cycle access
DM28	Parking standards
DM32	High quality design and place making
DM34	Housing type and mix
DM42	Accessible and adaptable housing and housing space standards
DM71	Development contributions, Community Infrastructure Levy and viability

Other material policy guidance

National Planning Policy Framework (NPPF) (2021)

The following sections are particularly relevant to this proposal:

- 4 Decision-making
- 5 Delivering a sufficient supply of homes
- 11 Making effective use of land
- 12 Achieving well designed places
- 15 Conserving and enhancing the natural environment
- 16 Conserving and enhancing the historic environment

Supplementary Planning Documents (SPD)

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- North Somerset Parking Standards SPD (adopted November 2021)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)
- Creating sustainable buildings and places SPD (adopted April 2021)
- Affordable Housing SPD (adopted November 2013)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)

Consultations

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Third Parties: 323 letters of objection have been received. The principal planning points made are as follows:

- Previous refusal for residential development of the site

- Excessive development has occurred in Churchill
- Contrary to climate emergency objectives
- Harm to character and appearance of the area
- Harm to the setting and views of the Mendip Hills AONB
- Additional vehicle traffic and pressure on existing road network
- Impact in conjunction with Banwell Bypass proposals
- Proposed access to A368 unsafe
- Insufficient capacity for local services and facilities including schools and GP surgery
- Lack of local employment opportunities
- Poor public transport links
- Existing problems with surface and foul water drainage not resolved
- Harm to ecological features and loss of biodiversity
- Harm to living conditions of local residents

Churchill Parish Council:

“Objects to this planning application in the strongest possible terms and fully supports North Somerset Council’s previous refusal of application 19/P/2713/FUL on this site” (See appendix 1 for full comments).

Wrighton Parish Council also objects to the application on the grounds of impact on the AONB, failure to comply with the requirements of policies CS32 and DM32; cumulative traffic and other impacts; pedestrian safety; and insufficient local facilities.

Other Comments Received:

National Highways (formerly Highways England): No objection

Natural England

- The proposal is not directly connected with or necessary for the management of the European site.
- The proposal is unlikely to have a significant effect on any European site, either alone or in-combination with other plans and projects and can therefore be screened out from and requirement for further appropriate assessment.
- Mitigation proposals for the development include retention and enhancement of habitat connections both north-south and east-west
- A Habitat Evaluation Procedure calculation has been provided. This concludes that the proposals overall achieve a gain in habitat for both Greater and Lesser Horseshoe bats. The HEP calculation is accepted.
- The Lighting Assessment addresses light-sensitive Horseshoe bats.
- Supports Mendip Hills AONB objection

Mendip Hills AONB Service

Object to the development considering that the proposed development will not conserve and enhance the special qualities of the AONB daytime or night-time landscape, ecology, relative tranquillity and scenic beauty of the Mendip Hills AONB. The development is inappropriate encroachment in the immediate setting of the AONB. The proposed housing density is inappropriate. The proposals will have a significant negative impact on dark skies. A night-time LVIA should be carried out.

Principal Planning Issues

The principal planning issues in this case are (1) the principle of development, (2) transport and access considerations, (3) landscape character impact, (4) flood risk and drainage, (5) ecology, (6) impact on living conditions of neighbouring residential occupiers, (7) other matters, and (8) and planning obligations.

Issue 1: The principle of development

The site is outside but adjacent to the settlement boundary for Churchill and the proposal is in outline form for up to 25 dwellings. The site is close to, but not within, the AONB.

Section 38 (6) of the Planning and Compulsory Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan includes the Core Strategy and policy CS13 requires sufficient developable land to deliver a minimum of 20,985 dwellings between 2006 and 2026. Policy CS14 sets out the distribution of the housing requirement across the settlement hierarchy. This prioritises new housing development at Weston-super-Mare followed by the other towns and then service villages. Policies CS28, CS31 and CS32 provide flexibility to deliver an appropriate scale of growth within and adjoining town and service village settlement boundaries through the development management process.

Churchill is a 'Service Village' and Policy CS32 allows in principle for developments of up to "about 25 dwellings" adjoining settlement boundaries of service villages. The policy states that new housing development within or adjoining service village settlement boundaries will be supported subject to proposals meeting the following criteria:

- 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 the development maximises opportunities to reduce the need to travel and encourages active travel modes and public transport; and
- It demonstrates safe and attractive pedestrian routes to facilities within the settlement within reasonable walking distance.

As the scheme is for up to 25 dwellings, and is adjoining to the Churchill settlement boundary, it would comply with the terms of Policy CS32 in this respect. It is considered that the scale of the proposed development and its general form, together with the matters that will be resolved through the reserved matters stage, can enable the development to be of sufficient quality. In turn, this will ensure the development respects the local character and can be readily assimilated into the village edge. The site is accessible on foot to local facilities distributed in the main sections of Churchill and is close to bus stops which have reasonable local bus connections. The indicative mix of housing proposed is appropriate to the village and will not cause significant adverse impacts on local infrastructure.

As set out in detail in the following section of this report, it is considered that the cumulative impacts on traffic will not result in a severe impact and the site-specific matters connected with achieving safe access to the site itself can be satisfactorily resolved. It is concluded that the proposal therefore complies with Policy CS32.

Issue 2: Transport and access considerations

Policies CS32 of the Core Strategy and DM24 of the Sites and Policies Plan provide the framework where development will only be permitted if it would not prejudice highway safety and the site can be readily integrated with public transport, cycleway and footpath links. Development giving rise to a significant number of travel movements will only be refused on transport grounds if it is likely to have severe residual cumulative impact on traffic congestion or on the character of the surrounding area.

The highway matters to be assessed with this application comprise the location of the proposed access and impact of this to the wider highway network, road safety and accessibility considerations. In support of the application a Transport Statement has been submitted which provides information on trip generation from the planned development, site access arrangements, and accessibility to local services facilities and job opportunities by pedestrian, cycle and public transport options. This concludes that the development site can be suitably and safely accessed by all users and will not have a material impact on the operation of the local highway network.

The site will be served by a new priority junction onto Dinghurst Road, which is located at the north-west boundary of the site approximately 170 metres east from the existing junction of A38 and A386. The A368 is relatively narrow at this location and varies between 5.75m and 6.0m in width, however this route forms part of the strategic highway network. The plans submitted indicate that visibility splays of 2.4m x 120m to the east requires some vegetation clearance and 2.4m x 120m to the west are provided.

The applicant has proposed a 6m wide access road to serve the development with 2m wide footpath each side which is considered acceptable. In consultation with the Highway Authority, further design work has been undertaken on the junction bellmouth radius and vehicle tracking diagrams now demonstrate how refuse vehicles can safely enter and exit the site. A Road Safety Audit has been undertaken and no significant issues with the access have been identified.

The level of traffic likely to be generated by the development is estimated at 13 two-way trips during the AM peak hour and 12 in the PM peak hour. Based on analysis of journey to work trips it is estimated that of this number 46% of traffic will turn westbound and 54%

eastbound towards the signal junction. During the AM peak hour this would result in approximately 4 trips westbound and 5 eastbound. In isolation this is unlikely to have a significant impact on traffic conditions locally. It is considered therefore that trip generation from this quantum of development will be relatively limited and well within existing junction capacity taken alone and cumulatively with other development in Churchill and the wider area.

Within the site the illustrative details demonstrate how appropriate levels of parking, including visitor spaces, can be accommodated in accordance with the requirements of the North Somerset Parking Standards SPD. Details of estate roads, turning areas and vehicle tracking, supporting infrastructure, EV charging and cycle storage can be secured through the reserved matters.

To enhance active travel provision it has been agreed that a new footway link will be provided within the site to link to connect to a separate short link of off-site footway to the north east of the site along Dinghurst Road. This work can be completed within the adopted highway and will be subject to further design detail contingent on the outcome of a Road Safety Audit (RSA). This will take pedestrians to a signal controlled crossing and whilst the footway would be below normal widths, this would be sufficient to serve the proposed development. The submitted travel plan sets out how the sustainable travel choices are to be promoted to incoming residents.

Overall, the scale of the development will not result in significant number of new vehicle movements that would have a severe impact on junction capacity. The site access plans demonstrate that there will be no unacceptable harm to highways safety as a result of the proposed development. The application is therefore in accordance with Policy DM24 of the Sites and Policies DPD.

Issue 3: Landscape character impact

The Council's landscape policy is CS5 of the Core Strategy which is amplified through policies DM10 and DM11 of the Sites and Policies Plan. Policy DM10 includes a requirement for development not to have an unacceptable adverse impact on the designated landscape character of the district as defined in the Landscape Character Assessment SPD. Under policy DM11, development which would have an adverse effect on the landscape, setting and scenic beauty of the AONB, including views into and out the AONB will not be permitted unless there are exceptional circumstances.

This site lies immediately adjacent to the Mendip Hills AONB in an area defined in the SPD as being of "strong landscape character in good condition E1: Mendip Ridges and Combes". The Landscape Strategy is to conserve the peaceful rural landscape. It is also in an area of high landscape sensitivity as identified in the North Somerset Landscape Sensitivity Assessment 2018, where this type and level of development may lead to a detrimental impact upon the landscape. Recent development in Churchill has focussed around the more modern larger scale part of the settlement, notably along the east of the A38, where the sensitivity to development is medium rather than high.

The immediate context is a mix of countryside and settlement on foot slopes below the Mendip Hills although the site does adjoin the settlement to the east. The site lies outside the AONB but borders it at Skinners Lane. Whilst the site itself contains no Public Rights

of Way (PRoWs), there is a good local access network in the vicinity, with Skinners Lane being a well-used connection to local paths and seen as a gateway to the AONB.

Following the refusal of the previous application, this new outline application seeks to address the issues raised and reduces the scheme to 25 dwellings, with the area to be developed contained within the largest field of three bordering Dinghurst Road. Provided adequate space is maintained between existing properties and the new proposals as has been shown with the illustrative layout plan, previous concerns with regard to settlement coalescence have been eased. Furthermore, maintaining separation between existing residences and new development will help to retain some rural character. The revised scheme is smaller and has some perimeter buffers that assist this, but there will nevertheless be a much more urban appearance along Dinghurst Road in particular, as a consequence of the new junction into the site and the visibility of dwellings rather than open countryside.

With regard to the AONB, paragraph 176 of the NPPF notes "...The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas". The NPPF does not set a limit on the extent of residential development outside the AONB, although Policy CS32 gives an indication of the scale of development which may be acceptable on the edge of the village and this scheme is now compliant in terms of that amount, subject to there being no adverse landscape impact, amongst other things. It is considered that the visual impact, where seen from the AONB at The Batch, has been sufficiently modified to not significantly impact upon the outlook from the AONB and to maintain the quiet rural approach to it.

The submitted Landscape Visual Impact Assessment (LVIA) assesses the views from Windmill Hill towards the AONB as low to medium magnitude and of moderate adverse significance of effect. This impact should diminish over time as site landscaping planting becomes more established. Whilst the NSC Landscape Character Assessment and its strategy recommendations are material considerations which have been taken into account, the impact of the development is limited and contained within one field, with enhancement of the remainder of the site.

In terms of visual impact from Dinghurst Road, whilst a significant gap is created for the access and associated visibility splay, the majority of trees along the road are able to be retained and the perimeter strengthened. As well as the road access, the side and front of the first house may be prominent until the new tree and hedge planting in the perimeter belt establishes. The LVIA notes a medium magnitude of impact of moderate adverse significance. This can be mitigated in part by the detailed landscape proposals and scale and appearance of the dwellings that respects local character, which can be assessed at the reserved matters stage.

With the reduction in the quantum of development since the previous application, a substantial proportion of the site is now retained as open space offering a range of Green Infrastructure areas accessible to residents and the general public, including the orchard. A meadow area near Skinners Lane is now incorporated, where previously dwellings and a road access were proposed and would have adversely impacted upon the adjacent AONB. Public access is secured by a pedestrian path off Skinners Lane. Skinners Lane is also a key rural gateway into the AONB and protecting its rural character by limiting and setting back development is an important improvement in the revised scheme. Removing the

proposed vehicle access also helps retain the tall hedge along the lane, an important feature. The nearest proposed dwellings to Skinners Lane will also be height restricted to 1.5 storey to minimise any impact of the visible parts of dwellings here.

The illustrative masterplan shows a much more contained and cohesive layout, sitting in a landscape dominated setting. The proposals are secured by parameter plans that limit certain aspects such as roof heights and add more certainty that what is proposed will be delivered at the detailed stage.

Although there will be the loss of a green field, the development has been confined to one field on the lower slopes and does not lead to any substantial adverse visual impacts. This assists in retaining views to the AONB, whilst minimising any intrusion as confirmed by the LVIA. The impact on the AONB itself has been largely eliminated, although it is accepted that there is some localised harm to its setting, arising from a loss of open countryside. Visible lighting effects will be extended and therefore require careful control. Open space provision is beneficial to the scheme, with improved public access as well. Detailed design and appropriate palette of materials will be important to ensure the scheme fits with the local character.

With regard to trees, there is currently a Tree Preservation Order (TPO) protecting the trees on the site frontage with Dinghurst Road. The majority of the trees on the northern boundary with Dinghurst Road are to be retained except for where the new access and visibility splay is to be created. Where this small group is to be removed these will be expected to be replaced by additional planting in the final landscape and planting scheme. The existing hedgerows are to be retained on the boundary with Skinners Lane. Measures for the protection of trees during and after construction can be secured by a condition if permission is granted.

In the absence of any demonstrable, overriding harm to the character and appearance of the site other than the loss of its intrinsic rural appearance, it is considered that the proposed development is reasonably sensitive to its setting. The proposal therefore does not conflict with policies CS5 of the Core Strategy, and DM10 and DM11 of the Sites and Policies Plan.

Issue 4: Flood risk and drainage

Policies CS3 of the Core Strategy and DM1 of the Sites and Policies DPD seek to ensure that new development does not create problems in terms of flood risk. The site lies within Flood Zone 1.

The submitted drainage strategy demonstrates how surface water flows will be attenuated ensuring that the discharge rate does not exceed that of the calculated greenfield rate. Overland surface run off routes can be contained within the site with falls to ensure that the site generated surface water run-off is intercepted by the attenuation pond to be situated in the lowest part of the site towards the north-east corner. Further details will be required at the detailed design stage, and conditions can be attached to the outline planning permission to secure this. For the purposes of assessing the outline application the development is not considered to be at risk of flooding and with an appropriate drainage scheme will not increase the risk of flooding to neighbouring properties or the highway. It is therefore in accordance with policies CS3 and DM1.

Issue 5: Ecology

Policy CS4 of the Core Strategy and DM8 of the Sites and Policies Plan Part 1 seek to protect priority habitats and the policy requires that development that could directly or indirectly harm protected species will not be permitted unless the harm can be avoided or mitigated. The NPPF puts in place the framework for assessing development proposals. This includes reference to minimising impact to biodiversity and ensuring that Local Planning Authorities place appropriate weight to statutory and non-statutory conservation designations, protected species, and biodiversity.

Following the refused application for 48 dwellings, the applicant has undertaken further surveys of the site and surroundings to assess the ecological significance, constraints and opportunities of the site in order to provide a robust mitigation strategy in respect of protected species and nature conservation and enhancement. The site has been subject to an extended phase 1 ecological survey together with further protected species surveys that identified the presence of bat species utilising the site.

This site is of potential relevance to the North Somerset and Mendip Bats Special Area of Conservation (SAC) due to its importance for lesser and greater horseshoe bats. The site lies within Consultation Band C of the SAC. Although the survey information provided did not meet the full requirements as set out in the SAC guidance, it is however sufficient to demonstrate the importance of the site for greater and lesser horseshoe bats.

In conjunction with the ecological recommendations a lighting strategy has been prepared, demonstrating how light spill is to be minimised and bat commuting, and foraging features are to be protected from undue illumination. This will be secured by condition.

A shadow Habitats Regulation Assessment (HRA) has been undertaken in respect of the development's potential impacts on the North Somerset and Mendips Bats SAC. This shows that individually or cumulatively with other developments in the area, the development is unlikely to have significant effects on the Bats SAC. At the time of writing the formal HRA in relation to the SAC required for this proposal has not been completed however the principles within the shadow HRA are broadly agreed. Appropriately worded conditions are required to secure the mitigation as set out in the plans and reports accompanying the application. A monitoring programme must include triggers and mechanisms for action, both in relation to lighting and in relation to habitat condition. Outline information on how the long-term monitoring and management of greenspace on site will be achieved should be provided in advance of determination, including financial and management mechanisms and responsibilities for implementation.

Accordingly, the adoption of the HRA and appropriate conditions to secure the mitigation as set out in the plans and reports accompanying the application are stipulated in the recommendation at the end of this report and members will be updated accordingly.

Issue 6: Impact on living conditions of neighbouring residential occupiers

Policy DM32 of the Sites and Policies plan seeks to ensure high quality design and buildings and ensure that the design and layout of development should not prejudice the living conditions of adjoining occupiers.

The site is of an irregular triangular shape and bordered by properties along Skinners Lane, New Road (A38), and the North-East Corner of Dinghurst Road. It is noted that the previous refusal included positioning of units 2, 12 and 20-26 creating unacceptable relationships in terms of overlooking and overbearing urban form creating inadequate amenity for existing and future residents.

The proposals, whilst in outline form, are now fundamentally different, with the quantum of development reduced by nearly half allowing for the more relaxed layout as shown on the indicative plans. Whilst this would be assessed further at reserved matters stage, it is considered that there is sufficient space relative to the site shape and proportions to ensure the quantum of development now sought is capable of being set in such a manner that it does not prejudice the living conditions of future residents or existing neighbours having regard to the residential design guide SPD. Matters of detail and individual relationship between existing and proposed dwellings can be assessed at the reserved matters stage.

It is considered therefore that an appropriate layout can be achieved that would be in accordance with the guidelines of the Residential Design Guide SPD and the aims of policy DM32.

Issue 7: Other Matters

Archaeological evaluations in respect of the site have been undertaken which update on the geophysical surveys and trial trenching undertaken in respect of the previous full planning application. The evaluation of these works sets out that there were no archaeological features or deposits of any significance. Based on the results of the evaluation there are no further requirements for archaeological investigation.

The site is to the east of the Churchill Conservation Area and separated by existing built form along Front Street. These intervening buildings ensure there is no significant impact to the setting of the Conservation Area.

Issue 8: Development contributions

Policy CS34 of the Core Strategy and Policy DM71 of the emerging Sites and Policies Plan Part 1 set out the requirement and mechanism to seek developer contributions to mitigate the impacts of a development proposal. Further guidance is provided in the Development Contributions SPD.

Community Infrastructure Levy

The Council's Community Infrastructure Levy (CIL) Charging Schedule took effect on 18 January 2018. This means that in the event that planning permission is granted, the development will be liable to pay the CIL. The Charging Schedule and supporting information can be viewed at n-somerset.gov.uk/cil. As part of adopting the CIL, a formal list (known as the "Regulation 123 List") has been published setting out which infrastructure will be funded through the CIL and which will remain the subject of S106 planning obligations. The Council is not permitted to enter into S106 agreements requiring infrastructure that is to be funded through the CIL.

In this case items to be provided through S106 planning obligations are affordable housing, on-site green infrastructure, measures to promote the use of sustainable transport by residents of the site (travel packs) and a contribution for upgrades to the local bus stops, which would include a bus shelter and contributions towards real time bus information at stops. Any other requirements will be mitigated through the payment of CIL.

Affordable Housing

Policy CS16 of the Core Strategy follows Government Policy and sets out the Council's policy on Affordable Housing and says the trigger for on-site provision are schemes of 10 or more dwellings. There is no upper limit on affordable housing provision, but 30% of the total housing number provided as 'affordable housing' is the normal requirement. Policy CS30 of the Core Strategy reaffirms a target of 30%. The applicants have agreed that they would deliver 30% of the homes as 'affordable housing' units which, based on a total of 25 units coming forward equates to an affordable housing requirement of 8 of the units. This will require a tenure split of 82% social rent and 12% shared ownership.

Green Infrastructure

The requirements are:

Provision of 342 sqm of Neighbourhood Open Space. This should be provided on site as a minimum area of neighbourhood open space. It does not include equipped play space or formal sports provision, which is separately calculated.

The provision of 570 m² of woodland. There is an under-supply and no nearby accessible public provision. The development is to provide accessible on-site woodland blocks in association with the open spaces and where possible utilise to provide suitable site screening in views from AONB.

The provision of a 684 m² Conservation Site. The development should provide on-site dark ecological foraging and commuting corridors for bats, retaining hedges wherever possible.

Green Corridors, the provision and location of which is to be primarily guided by wildlife requirements, but also to maximise use for residents. Any on-site provision will require 15-year commuted maintenance sums to be paid prior to adoption, where the land is to be transferred to and maintained by North Somerset Council

Play Provision – A small, equipped play area for toddlers and young children is recommended for this site. The usual requirement would be a 400m² enclosed area and appropriate buffers to any neighbouring dwellings

On-site provision will require 15 year commuted maintenance sums to be paid prior to adoption

Highways

The proposed development is currently within 175m of a bus stop and the Highway Authority would seek a contribution towards sustainable travel measures including bus 'taster tickets' (normally £120) for each dwelling to encourage travel by sustainable modes and reduce the reliance on private vehicles.

Prior to commencement, a Stage 1 Road Safety Audit would be required and, if concluding favourably, a pedestrian link to Dinghurst Road should be provided in accordance with scheme to be agreed with local highway authority prior to first occupation. If the Audit concludes unfavourably, a contribution of £10,000 to local highway authority will be required enable it to undertake highway works within five years of commencement.

Natural Environment and Rural Communities (NERC) Act 2006

The proposed development will not have a material detrimental impact upon biodiversity.

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017

The proposed development does not fall within Schedule 1 or 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. A formal EIA screening opinion is not, therefore, required.

The Crime and Disorder Act 1998

The proposed development will not have a material detrimental impact upon crime and disorder.

Local Financial Considerations

The Localism Act 2011 amended section 70 of the Town and Country Planning Act 1990 so that local financial considerations are now a material consideration in the determination of planning applications. This development is expected to generate Homes Bonus contributions for the authority. However, it is considered that the development plan and other material considerations, as set out elsewhere in this report, continue to be the matters that carry greatest weight in the determination of this application.

Conclusion

Churchill is a Service Village and has a reasonable range of services, facilities and transport links. There are not considered to be unacceptable adverse impacts on either the highway network or other local infrastructure arising from the proposed development. The location of the site in relation to these services and facilities does not preclude active travel modes and provides for adequate pedestrian routes to facilities within the settlement within reasonable walking distance.

The erection of up to 25 dwellings would not unacceptably harm the landscape quality, character of the area or the living conditions of neighbours and subject to the detail of the reserved matters will provide a satisfactory standard of accommodation in accordance with Core Strategy Policies CS12 and CS32 and Sites and Policies Plan DPD policies DM10, DM11 and DM32. Details relating to layout, scale, design, appearance and landscaping

can be controlled by condition and will be subject to the submission of a further reserved matters application.

The site is adjacent to the settlement boundary and complies with policy CS32 which allows for about 25 dwellings adjoining the settlement boundary. Granting permission for residential development in sustainable locations will contribute to meeting the housing supply, which is currently the subject of challenge through various appeals. The proposed development would result in the loss of green space and have some impact to ecology and biodiversity, however, subject to the imposition of appropriate conditions to mitigate against the impact, this is considered not to be of such significance to render the development unacceptable.

RECOMMENDATION: Subject to

- (a) completion of a legal agreement securing the following, where not funded through CIL:
 - (i) the provision of on-site affordable housing
 - (ii) green infrastructure,
 - (iii) financial contributions towards the provision of travel packs and bus stop upgrades
 - (iv) provision for the adoption and maintenance of any flood, drainage, and green infrastructure and highways infrastructure, and
- (b) the adoption of the Habitats Regulation Assessment and inclusion of any appropriately worded conditions,

the application be **APPROVED** (for the reasons stated in the report above) subject to the following conditions and any other additional or amended conditions as may be required in consultation with the Chairman and Vice Chairman and local member:

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiry of 3 years from the date of this permission.

Reason: In accordance with the provisions of section 92 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be begun either before the expiry of three years from the date of this permission, or before the expiry of two years from the date of approval of the last of the reserved matters to approved, whichever is the later.

Reason: In accordance with the provisions of section 92 of the Town and Country Planning Act 1990.

3. Approval of the details of the design and external appearance of the building(s), the landscaping of the site, and the layout, (hereinafter called the reserved matters shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The application was submitted as an outline application in accordance with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).

4. The development hereby permitted shall be carried out in accordance with plans ref.. P21-0266 FIGURE 4.1 Rev B (Proposed Site Access Layout).21397/3200/C (Illustrative Masterplan) and P21-0638_11 (Illustrative Landscape Masterplan), unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 5 The Reserved Matters to be submitted pursuant to Condition 1 of this permission shall be accompanied by a scheme of building lighting sufficient to achieve the levels of illuminance detailed on plan ref. 4133-ID-DR-4001 P01 (Levels of Illuminance Combined Impact from Internal and External Building Mounted Lighting). No external lighting shall be installed on site other than in accordance with the approved scheme.

Reason: To reduce the potential for light pollution in accordance with Policy CS12 of the Core Strategy, Policy DM8 and DM11 of the Sites and Policies Plan Part 1 and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) and Wildlife and Countryside Act 1981 (as amended).

6. No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The content of the LEMP shall include, but not necessarily be limited to, the following:
- i) Description and evaluation of features to be managed;
 - ii) Landscape and ecological trends and constraints on site that might influence management;
 - iii) Aims and objectives of management;
 - iv) Appropriate management options for achieving aims and objectives;
 - v) Prescriptions for management actions;
 - vi) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5 year period;
 - vii) Details of the body or organisation responsible for implementation of the plan;
 - viii) Ongoing monitoring and remedial measures;
 - ix) Details of how the aims and objectives of the LEMP will be communicated to future occupiers of the development.
 - x) Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body/ies responsible for its delivery.
 - xi) Where the results from monitoring show that the conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed, and implemented.
 - xii) Timescales for implementation, delivery, monitoring and any contingencies and/or remedial measures.

The LEMP shall be implemented in full in accordance with the timescales set out in the approved details.

Reason: To ensure the development contributes to the protection and enhancement of the site's ecology in accordance with policy CS4 of the Core Strategy and Site and policy DM8 of the Sites and Policies Plan Part 1.

7. No development shall commence (including any works of demolition), until a Construction Method Statement (CMS), has been submitted to, and approved in writing by, the local planning authority. The CMS shall include the following:

- i) the parking of vehicles of site operatives and visitors;
- ii) loading and unloading of plant and materials;
- iii) storage of plant and materials used in constructing the development;
- iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- v) wheel washing facilities;
- vi) measures to control the emission of dust and dirt during construction;
- vii) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- viii) hours of construction, including deliveries

Reason: In the interests of highway safety and in accordance with policy DM24 of the Sites and Policies Plan Part 1.

8. No work above ground shall commence until surface water drainage works have been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Surface water will be disposed of via a sustainable drainage system in accordance with the principles set out in the National Planning Policy Framework, associated Planning Practice Guidance and the non-statutory technical standards for sustainable drainage systems. The system shall be designed such that there is no surcharging for a 1 in 30-year event and no internal property flooding for a 1 in 100 year event + 40% allowance for climate change.

The submitted details shall:

- a) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharge rate and volume from the site 7.8 l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- b) taking into account long-term storage, and urban creep; and
- c) provide a plan indicating flood exceedance routes, both on and off site in the event of a blockage or rainfall event that exceeds the designed capacity of the system.

Reason: To reduce the risk of flooding, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan (Part 1- Development Management Policies). These drainage works should be completed prior to any other development commencing because it is necessary to understand whether the discharge rates and volumes are appropriate prior to any initial construction works which may prejudice the surface water drainage strategy.

9. No work above ground shall take place until details of the implementation, maintenance and management of the approved sustainable drainage scheme have been submitted to and approved, in writing, by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details.

The details to be submitted shall include:

- a) a timetable for its implementation and maintenance during construction and handover; and

b) a management and maintenance plan for the lifetime of the development which shall include details of land ownership; maintenance responsibilities/arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable urban drainage scheme throughout its lifetime; together with a description of the system, the identification of individual assets, services and access requirements and details of routine and periodic maintenance activities.

Reason: To reduce the risk of flooding and to ensure that maintenance of the SUDs system is secured for the lifetime of the development, and in accordance with the National Planning Policy Framework (notably paragraphs 17, 103 and sections 10 and 11), policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan (Part 1- Development Management Policies). The information is required before works start on site because it is necessary to understand how the system will be maintained during construction works and before the hand over to a management company to prevent flooding downstream of the system.

10. No development shall commence until the foul water point of connection to the existing public sewer has been submitted to and approved in writing by the local planning authority. The approved details shall be fully implemented in accordance with the approved plans prior to occupation of any dwellings.

Reason: To ensure the development is served by appropriate infrastructure and in accordance with Policy CS3 of the North Somerset Core Strategy policy and policy DM1 of the North Somerset Sites and Policies Plan Part 1.

11. No part of the development shall be occupied until play facilities have been installed on site, in accordance with a specification that shall be first submitted to and approved in writing by the local planning authority.

Reason: In the interests of residential amenity and in accordance with policy CS12 of the Core Strategy and policy DM32 of the Sites and Policies Plan Part 1.

12. Prior to commencement, a detailed Arboricultural Impact Assessment and Tree Protection Method Statement shall be submitted to and approved in writing by the local planning authority. The arboricultural works shall be carried out in accordance with the approved details and may only be fully discharged on the subject to satisfactory written evidence of contemporaneous supervision and monitoring of tree protection throughout construction by the appointed arboriculturist.

Reason: To ensure the protection of trees during the development process in the interests of the character and biodiversity of the area and in accordance with policies CS4 and CS5 of the North Somerset Core Strategy and Policy DM9 of the Sites and Policies Plan Part 1.

13. No development shall commence until a tree and hedgerow retention plan identifying all existing trees and hedgerows to be retained has been submitted to and approved in writing by the Local Planning Authority. No trees or hedgerow identified for retention shall be felled or grubbed out and the development shall thereafter be carried out in accordance with the approved tree and hedgerow retention plan.

Reason: To ensure that features of ecological and landscape importance are maintained and in accordance with Policy DM9 of the Sites and Policies Plan Part 1.

14. The reserved matters application for landscaping shall be accompanied by a detailed Landscape Masterplan and Strategy to demonstrate that the landscaping proposals have taken account of and been informed by the existing landscape characteristics of the site and by any loss of existing vegetation on the site.

Reason: To ensure that a satisfactory landscaping scheme is implemented and in accordance with Policies DM9, DM10 and DM32 of the Sites and Policies Plan Part 1.

15. Trees, hedges and plants shown in the landscaping masterplan and strategy to be submitted with the reserved matters application for landscaping, that are to be retained or planted which, during the development works for a period of ten years following full implementation of the landscaping scheme, are removed without prior written consent from the Local Planning Authority or die, become seriously diseased or are damaged, shall be replaced in the first available planting season with others of such species and size as the Authority may specify in accordance with DM9 and DM10 of the Sites and Policies Plan Part 1 Publication Version 2015.

Reason: To ensure as far as possible that the landscaping scheme is fully effective and in accordance with Policy DM9 and DM10 of the Sites and Policies Plan Part 1.

16. All landscaping works should be carried out during the months of October to March inclusive following occupation of the dwellings or completion of the development, whichever is the sooner.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accordance with policy CS9 of the North Somerset Core Strategy and policy DM9 of the North Somerset Sites and Policies Plan Part 1.

17. No part of the development shall be occupied until the visibility splays shown on the approved plans P21-0266 FIGURE 4.1 Rev B (Proposed Site Access Layout) have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be retained and maintained free of obstruction in perpetuity.

Reason: in the interests of highway safety and in accordance with policy DM24 of the Sites and Policies Plan Part 1.

18. Prior to the occupation of each dwelling, the relevant number of parking spaces for that dwelling shall be provided and be available for use in accordance with the North Somerset Parking Standards SPD. Thereafter the approved parking spaces shall be permanently retained unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that each dwelling has the necessary on-site parking provision and in accordance with the North Somerset Parking Standards SPD.

19. No development shall take place until an assessment of the nature and extent of contamination on site has been submitted to and approved in writing by the Local Planning Authority. This assessment must be undertaken by a competent person, and shall assess any contamination on the site, whether or not it originates on the site. Moreover, it must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems, and
 - archaeological sites and ancient monuments

Reason: In the interests of residential amenity and in accordance with policy CS12 of the Core Strategy and policy DM32 of the Sites and Policies Plan Part 1.

20. Unless the Local Planning Authority confirms in writing that a remediation scheme is not required, no development shall take place until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, an appraisal of remedial options, and proposal of the preferred option(s), and a timetable of works and site management procedures.

Reason: In the interests of residential amenity and in accordance with policy CS12 of the Core Strategy and policy DM32 of the Sites and Policies Plan Part 1

21. The Reserved Matter of layout to be submitted pursuant to Condition 1 of this permission shall include details to demonstrate the ability in principle to accommodate a safe pedestrian route between the proposed on-site footway(s) and the North East corner of the site at Dinghurst Road, as shown on the Illustrative Masterplan. The said route shall be identified on the submitted layout details and shall be safeguarded for that purpose for the first ten years following first occupation of the development.

Reason: in the interests of highway safety and in accordance with policy DM24 of the Sites and Policies Plan Part 1.

22. Before commencement of development, a Construction Environment Management Plan (CEMP) shall be submitted to, and approved in writing, by the Local Planning Authority. This shall include mitigation measures required to protect legally protected species and their retained habitats from injury or damage and include information for construction workforce; timings of site clearance; details of appropriate fencing for buffer areas to protect retained on site habitats; overnight ramps placed within open trenches and daily checks of excavations for trapped wildlife; pre-commencement surveys for species that are dynamic in distribution (e.g. badger); a walk over check by ecologist immediately prior to vegetation and other site clearance activities. The

approved plan shall be implemented and adhered to during the vegetation clearance and construction phases.

Reason: To ensure the retained habitats and species are not adversely impacted by the proposed works in accordance with the Wildlife and Countryside Act 1981 (as amended); Wild Mammals Protection Act (1996) and policy CS4 of the Core Strategy policy CS4 and policy DM8 of the Site and Policies Plan Part 1.

23. No construction above DPC level shall be carried out until samples of the materials to be used in the development have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in the approved materials unless otherwise agreed in writing.

Reason: To ensure that the materials are acceptable in the interests of the appearance of the area and in accordance with section 12 and paragraph 127 of the National Planning Policy Framework.

- 24 The dwellings shall not be occupied until details of a scheme for providing space and facilities for the storage and collection of waste have been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented. Thereafter the approved space and facilities for the storage and collection of waste shall be permanently retained unless otherwise agreed in writing with the local planning authority.

Reason: The local planning authority wishes to encourage sustainable waste collection initiatives in the interests of local amenity and sustainable waste shall be permanently retained unless otherwise agreed in writing with the Local Planning Authority.

25. The dwellings hereby approved shall, unless otherwise first agreed in writing by the Local Planning Authority, not be occupied until measures to generate 15% of the on-going energy requirements of the use (unless a different standard is agreed) through micro renewable or low-carbon technologies have been installed and are fully operational in accordance with the approved details that have been first submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved technologies shall be permanently retained unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To proactively support the wider transition towards a low carbon future through the use of renewable and low carbon energy in accordance with policy CS1 of the North Somerset Core Strategy and policy DM2 of the North Somerset Site and policies Plan Part 1.

26. The dwellings hereby approved shall be built in accordance with the Nationally Described Space Standards, and a minimum of 17% of the dwellings shall constructed to comply with the requirements of The Building Regulations 2010 Volume 1 M4(2) Category Two: Accessible and adaptable dwellings.

Reason: The NDDS is the appropriate space development standard for new and market housing and to ensure that sufficient accessible housing is provided in accordance with Policy DM42 of the North Somerset Sites and Policies Plan Part 1

Development Management Policies, and the North Somerset Accessible Housing Needs Supplementary Planning Document April 2018.

27. All residential units hereby approved shall be constructed to comply with, as a minimum, the equivalent of the requirements of Code Level 4 of the Code for Sustainable Homes. This equates to a 19% improvement on Part L of the Building Regulations. Unless otherwise first agreed in writing by the Local Planning Authority, and prior to the commencement of the development of any dwelling hereby approved, a copy of a Design Stage SAP Assessment for each dwelling, issued by a suitably qualified and accredited energy expert (SAP Assessor), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, each dwelling shall be constructed in accordance with the approved Design Stage SAP Assessment unless a revised Assessment has first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of promoting good design and sustainable construction and in accordance with policies CS1 and CS2 of the North Somerset Core Strategy and the council's 'Creating sustainable buildings and places' Supplementary Planning Document

APPENDIX 1

Comments of Churchill Parish Council

Churchill Parish Council (CPC) objected to the previous application 19/P/2713/FUL for 48 houses on this site. The current application for outline planning consent does not alter its original reasons for objection.

Churchill Parish Council **objects to this planning application in the strongest possible terms and fully supports North Somerset Council's previous refusal of application 19/P/2713/FUL on this site.**

CPC objects for the following reasons:

1. This application is not Plan Led.

- 1.1. The site sits outside the settlement boundary and does not respect the scale and character of the village and the site's location.
- 1.2. It does not fall within any overarching national or local plan or planning policy
- 1.3. It does not form part of the North Somerset Local Plan 2026
- 1.4. It is not on the North Somerset Council (NSC) Site Allocations Plan (SAP).

2. This greenfield land, currently grazed pasture, is adjacent to the Mendip Hills AONB and is in its immediate setting.

3. The site lies adjacent to the **Churchill Conservation Area**.

3.1. This planning application contravenes the National Planning Policy Framework (NPPF) 2019 and The Countryside and Rights of Way Act (CRoW2000).

3.2. The further assertions offered by the applicants, concerning the inconspicuousness of the site within the landscape, simply fail to be supported by fact.

4. CPC feels that this application contravenes paragraph 185 of the NPPF regarding the appropriateness of new development stating "... *it should:*

- a) *mitigate and reduce to a minimum potential adverse impacts resulting from noise from new developments – and avoid noise giving rise to significant adverse impacts on health and the quality of life;*
- b) *identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and*

c) *limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*".

5. The DEFRA 25 Year Environment Plan sets out under paragraph 2.2.1 that *'Some of England's most beautiful landscapes and geodiversity are protected via a range of designations including National Parks and Areas of Outstanding Natural Beauty... **Over the next 25 years we want to make sure they are not only conserved but enhanced.**'*

This application contravenes this Environment Plan.

6. **North Somerset's Landscape Character Assessment- FINAL 041018 p198 'Landscape Guidelines': Strategy for Areas J2 (Churchill and surrounding villages) and E2 (Mendip Ridges and Combes).** The site borders these two areas. This application contravenes the provisions of both.

7. A recent **Landscape Sensitivity Assessment by MHP chartered Landscape Architects** referring to this site and its surroundings concludes:

"The land unit is rated as high sensitivity due to it containing nationally protected landscapes and heritage assets, it contains community valued recreational facilities and distinctive natural landform with numerous footpath networks. It is also instrumental in providing separation and separate identities between the settlement areas of Churchill, Churchill Gate, Old Churchill and Langford."

8. North Somerset Council REP-001 Landscape Sensitivity Assessment FINAL 130318 refers to *Area 3 Churchill, centred around Front Street and Dinghurst Road.*

"Land to the north of Area 3 slopes up from the settlement edge to Windmill Hill. Although dense vegetation on field boundaries encloses the fields in this area, the rising topography increases the visual prominence of this land and there is intervisibility with the AONB. In addition, development on this land would affect the settlement form. Owing to the above, this land is of high sensitivity"

9. The documentation provided by the applicant fails to demonstrate that the development would be in the public interest and would be in **contravention of NSC's Policy DM11**: *"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."*

10. **NS Core Strategy CS9 – Living within Environmental Limits** states, *"The 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 change objectives.*

Priority will be given to:

*** the promotion of the north slopes of the Mendip Hills AONB as sub-regional corridors for biodiversity, recreation and landscape retention.**

11. **NS Core Strategy CS32: Service Villages.** It should be noted that Churchill Parish is designated as a Service Village. It is in fact two villages – Churchill and Langford, with distinct separate identities. It has already accepted or is accepting over 300 new houses on a village of some 857 previously. This policy defines Service Villages, “*Service Villages are places where a small amount of development (particularly economic, or which extends the range of services available) may be appropriate. New residential development will generally be acceptable in principle within settlement boundaries, provided it respects the scale and character of the village and the site’s location.*”
12. CS32 further sets out the criteria for service villages regarding land adjacent to settlement boundaries particularly regarding otherwise unmet need. There is no demonstrable need in this parish which has no local employment, minimal public transport, full schools and narrow lanes. New developments are being advertised in Manchester and London.
13. **CS32 further states:** *Affordable housing will only be permitted either within settlement boundaries or in the form of rural exception sites, and then only adjacent to settlement boundaries.*” With the recent new developments Churchill has gained a proportionate level of affordable housing.
14. Policy CS32: Service Villages outlines new development within the service villages, including Churchill, will be supported where;
 - 14.1. *it does **not** result in significant adverse cumulative impacts (such as highways impacts) likely to arise from existing and proposed development within the wider area;*
This application will have a significant adverse cumulative impact. Churchill has already had planning approvals for over 300 houses.
There is no need for a development on this greenfield pasture in this location.
 - 14.2. *the location of development maximises opportunities to reduce the need to travel and encourages active travel modes and public transport;*
There is very little public transport. See #22 below
 - 14.3. *it demonstrates safe and attractive pedestrian routes to facilities within the settlement.* See #15.1 below.
 - 14.4. This application is inconsistent in with all of the above.
15. **NSC Core Strategy CS1:** Addressing climate change and carbon reduction:
 - 15.1. “*Developments of 10 or more dwellings should demonstrate a commitment to maximising the use of sustainable transport solutions, particularly at Weston-super Mare. 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*”. This site will reduce

walking and cycling. The congested road access will be extremely dangerous – no pavement on the southern side making pedestrian access totally unsuitable. The pavements opposite are substandard in width and are used by many school children accessing Churchill Academy.

- 15.2. The management of site-access, from A368 Dinghurst Road, remains entirely unacceptable. The large traffic flow will increase as a consequence of the Banwell Bypass. There remains no right turning third lane to enable eastbound traffic safely to enter the site.
- 15.3. Highways England is responsible only for Motorways and a few major A-roads. They are not responsible for the A368. Their report indicates that that they have not visited the site or taken into consideration the greater volume of additional traffic as a result of the Banwell Bypass and the 3000 houses that it is to facilitate. CPC fundamentally disagrees with their conclusion.
 - 15.3.1. We note the Highways Officer's concerns as related to Planning Application 21/P/2049/OUT regarding land on Church Lane and Front Street, Churchill: *"The A38 Bristol Road/A368 Dinghurst Road signalised is an area of concern in terms of congestion for North Somerset Council"*. The officers have requested, *"An assessment to understand the interaction of the site with the signalised junction and to ensure there is no impact on highway safety"*.
 - 15.3.2. This is inconsistent with Highways England's response to this application.
 - 15.3.3. As with our response to 21/P/2049/OUT, CPC further requests that the modelling for the effect of the forthcoming Banwell Bypass is included in this assessment and must also include the impact of the 3000+ houses that are conditional to the Banwell Bypass being constructed.
 - 15.3.4. HGV traffic on the A38 headed north and turning west onto A368 Dinghurst Road have to utilise the lanes in both directions. This causes a conflict.
 - 15.3.5. The Queen Victoria Diamond Jubilee oak tree and Grade 2 listed railings are within sight of the proposed access.
16. NS Core Strategy CS 3 Environmental impacts and Flood Assessments CS4 Nature Conservation
 - 16.1. These two policies imply a profound concern to sustain and improve the local natural environment. This application fails to do this.
17. **The National Planning Policy Framework 2019 (NPPF)** states that planning applications for *'...development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists'*.
 - 17.1. The proposed new bat "dark" corridor as a suitable compensation strategy is risible (see expert opinion). Bats, partially blinded by house lighting, will fail to take such a corridor - even when, years later, it has grown up sufficiently to afford some protection. Light spill from dwellings will destroy insect-hunting stratagems. The bats will by then be long dead.
18. **The Applicant cites NPPF 2019 Para. 8, "Achieving sustainable development means that the planning system has three overarching**

objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
- c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."*

18.1. Taking each objective in turn:

18.1.1. a) **An economic objective:** refers to sufficient land of the right type is available in the right places to support growth. Churchill is not the right place. It is far from viable public transport; 4.5 miles from the nearest railway station without a bus link.

It is remote from the employment centres of Bristol and Weston-S-Mare meaning a lot more traffic on the already congested local roads. (See #26 below) The JSP Inspectors had major reservations about building in strategic locations, Churchill was one of them. Churchill has already accepted a large amount of additional housing.

The local schools are already full.

It is difficult to get a GP appointment – 3 weeks for even a telephone appointment. This site is neither the right type or in the right place to 'support growth'. Improved productivity? No.

18.1.2. b) **A social objective:** The recent addition of over 300 new houses has ensured that Churchill already has a sufficient number and range of homes. It must be remembered that villages have a specific character and culture which must be respected. This application in addition to the houses already built or in the pipeline will turn this village into a dormitory town where car usage is paramount not only for access to the surrounding villages and towns but for personal safety.

18.1.3. c) **An environmental objective:** CPC is incredulous that the applicant can claim that this development will contribute to protecting and enhancing our natural, built and historic environment. The land that is already grazed and well looked-after by a local farmer.

19. **CS 25 Ensuring safe and healthy communities.** Any [CIL] contributions will be influenced by the North Somerset School Organisational Plan (2007–2012). This

*strategic document includes an assessment of future demand for school places and how these may be accommodated. The main conclusions arising from the document which are relevant to the Core Strategy are: **To ensure that there is a surplus of around 5 – 7% of places in all schools to enable parental preferences to be realised as much as possible.***

- 19.1. CPC cannot comprehend how this policy can be met as both Churchill Primary and Academy are full. Children are already leaving the village to travel to other remote schools in Backwell and Bristol. Families who recently moved to the new developments on the assurance of availability of local school places have been unable to access Churchill Academy or Primary and have been offered places as remote as Worle meaning further traffic on our crowded roads.
20. CS26: Supporting healthy living and the provision of health care facilities.
 - 20.1. This application will put further pressure on our existing GP Surgery, Mendip Vale Medical Practice. It has become extremely difficult to get a GP appointment now.
21. NS Core Strategy CS27: Sport, recreation and community facilities.
 - 21.1. The applicant asserts that Churchill Sports Centre is a current amenity. Churchill Sports Centre has been closed since March 2020 and is set to remain so for some considerable time.
22. Public Transport and Travel:
 - 22.1. Churchill is 4.5 miles from the nearest railway station and does not have a bus link to the station.
 - 22.2. The applicant further maintains: *“The village, together with its near neighbour Langford, is linked via the A38 and A368 to higher order services, facilities and employment at Bristol and Weston-Super-Mare respectively, with regular bus services to both from stops close to the site via the Falcon, no.51 and no.62 routes.*
 - 22.2.1. The bus to Bristol via Bristol Airport on the main A38 only runs every hour. This bus is run by the Stagecoach company, originates in Plymouth and is subject to unexpected delays due to stoppages along the M5. Hold-ups are frequent on the M5 part of its route especially during the during holiday season. This bus service also suffers from cancellations when the driver exceeds his legal, scheduled, daily driving time limit - due to these motorway stoppage - and has to be relieved of his shift during the journey to and from Plymouth. The X1 service to Bristol from Congresbury is approx. 5km (3 miles).
 - 22.2.2. There is an hourly bus service from Langford to Bristol operated by Bristol University. However, to get to the bus stop in Langford is 1km. The last bus on the return journey leaves Bristol at 6pm.
 - 22.2.3. There is a very limited bus service to Weston-S-Mare which takes a long time, and runs infrequently and is subject to frequent delays.
 - 22.2.4. The applicant further claims that, *“The site is therefore considered to be accessible to shops, services and facilities by sustainable modes of transport.”* This is not accurate.
 - 22.2.5. The small, 24-hour supermarket is 2.4km (1.5 miles) from the site. The applicant infers that there is a Post Office, local store and tea room. This is a

single shop with a combination of functions in Front Street. It provides a basic range of supplies.

23. CPC draws attention to **Avon Fire & Rescue Service report**. *"Central Government does not provide any funding to Avon Fire & Rescue Service for the capital cost of growth-related infrastructure"*
- 23.1. *"Therefore, Avon Fire & Rescue Service may need to become reliant on **local support funding** through either developer contributions, Section 106 of the Town and Country Planning Act 1990, through the Community Infrastructure Levy (CIL)"*
- 23.2. *"These developments will contribute to a significant increase in demand for Avon Fire & Rescue Service. As the population increases, so does the demand. This has an added impact upon the current resources therefore stretching our assets to meet this demand."*
- 23.3. **"It is accepted that Avon Fire & Rescue Service will not be increasing the number of resources or assets to manage with this growth."**
24. Employment:
 - 24.1. The lack of local employment opportunities is a major concern. We note the lack of specific reference to this. Local major employers have been cited as: **Thatchers**. However their new factory is fully automated. There are currently looking to fill 13 vacancies. These will doubtless be taken up by other developments particularly in Sandford.
Langford Vets There are currently 4 vacancies: 3 requiring high-level qualification plus 1 part- time receptionist.
 - 24.2. Employment opportunities are unavailable locally. This will lead to more local car use in contravention of NS Council's Climate Change and Nature Emergency commitment.
25. **The NPPF (paras 102 and 103) 2019** states that planning should, *"actively manage patterns of growth in support of the opportunities to promote walking, cycling and public transport use. In assessing applications for development paragraph 108 notes assessments should ensure:*
 - 25.1. *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
 - 25.2. *safe and suitable access to the site can be achieved for all users; and*
 - 25.3. *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."*
 - 25.4. CPC notes that this site cannot ensure any of the above. See #15 above.
 - 25.5. The NPPF states specifically at paragraph 109 that
 - 25.5.1. *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 of development are severe."*
 - 25.5.2. CPC notes that there would be an unacceptable impact on highway safety and the residual cumulative impacts of this development will be severe.

26. Drainage:

- 26.1. The subsoil conditions and depths on this site are remarkably variable – very different half-drain times observed at different locations on site.
- 26.2. The drainage plus the sub-soil profiles information strongly reinforces our conclusion that this site has very heterogenous superficial stratigraphy and geology. It is part of the outwash fan delivered from Dolberrow valley in post-glacial floods (a view endorsed by site visits from the Oxford geomorphology group and Prof Andrew Goudie). Consequently, sub-surface channels filled with rocky debris and coarse sand permeate through a complex poorly sorted mosaic of silts and clays of very low water permeability.
- 26.3. The author of the drainage and flood assessment fails to recognise the various problems and proposes to rely upon on-site infiltration. The procedure he adopts ignores the unusual character of this site which is a major subterranean through-flow from the Mendips above. Furthermore, the infiltration data itself would lead an impartial expert to assert that infiltration is not appropriate here. Indeed, partly acknowledging this, the author has attempted (and failed) to find stormwater runoff routes offsite. See also the Pitt Review (2008) in response to the 2007 floods – need for local information.
- 26.4. It is pertinent to observe that - despite the reduction in house numbers - the length of access road is not substantially reduced. Consequently the area of impermeable surface introduced by development, though now somewhat smaller, is not reduced in proportion to the house numbers
- 26.5. The proposed attenuation ponds are located adjacent to the point on the A368 where flood water already accumulates. Directing more site-derived stormwater into this region will make matters worse. Related problems of dramatic flooding are apparent at the Newlands site on the A38.
- 26.6. The proposals remain inadequate.

27. Summary:

- 27.1. Outlined above are just a few of the reasons why this proposal is totally inappropriate. It contravenes too many of the policies contained within North Somerset's Core Strategy and the NPPF 2019.
- 27.2. This is a speculative application that is not based on need.
- 27.3. Churchill has accepted a large number of houses for a Service Village, which by NSC's own estimation is the 2nd least sustainable location of the 9 'Service Villages'. The housing and population increases in Churchill are unsustainable in respect of traffic, school places, road infrastructure, parking, shopping facilities, and medical facilities and public transport. Any further development will have disproportionately adverse consequences in terms of infrastructure, health, wellbeing and will change the character of the village and its culture life for ever.
- 27.4. This is unacceptable development allowing urban sprawl to leapfrog over the Green Belt destroying village communities and the culture of village community life.
- 27.5. CPC fully supports North Somerset's refusal letter to Coln Residential regarding Land At Dinghurst Road, Churchill (19/P/2713/FUL). The same issues apply to this application.

- 27.6. The reduction in the numbers of houses makes no difference to the fundamental reasons for North Somerset Council's previous refusal.
28. For all of the above reasons given in this response, Churchill Parish Council urges North Somerset Council to refuse this application.