

SECTION 1 – ITEM 6

Application No: 22/P/1768/R3EIA

Proposal: Construction of a 3.3km single carriageway road from the A371 Summer Lane to A368 Towerhead Road, including a 3m shared use path to Sandford, one bridge, ten culverts, associated infrastructure, and landscaping. Construction of a 0.63km (including junction link to Banwell Bypass) single carriageway Southern Link Road, including associated infrastructure and landscaping. Mitigation and enhancement measures, which consist of environmental mitigation and enhancement measures in connection with the Banwell Bypass and the Southern Link including flood compensation areas, planting and habitat creation, attenuation basins, associated infrastructure and landscaping. Placemaking improvements within Banwell, comprising mitigation and enhancement measures to the public realm. Active travel routes including works to footpaths, cycleways and bridleways. Improvements to the wider local road network in Sandford, Churchill, Locking and Winscombe and creation of shared use paths between Sandford and Churchill and Langford and Churchill

Site address: Banwell Bypass, land to north and east of Banwell, including mitigation highway land In Sandford, Winscombe and Churchill

Applicant: North Somerset Council

Target date: 14.11.2022

Extended date:

Case officer: Emma Schofield

Parish/Ward: Banwell/Banwell and Winscombe

Ward Councillors: Councillor Karin Haverson and Councillor Ann Harley

COUNCIL APPLICATION

Background

The Banwell Bypass has been a long-standing aspiration of North Somerset Council with a general alignment safeguarded in successive local plans. In 2019, the Council secured £97.1 million of funding from Homes England's Housing Infrastructure Fund (HIF). The funding was awarded so that essential infrastructure projects could be delivered to support North Somerset's growing population, whilst also supporting the delivery of potential housing sites to help meet the need for new homes over the next 15 years.

The planning application states that the overall objectives for the scheme are to:

- a) Improve the local road network to deal with existing congestion issues.

- b) Improve and enhance Banwell's public spaces by reducing traffic severance and improving the public realm.
- c) Provide the opportunity to increase active and sustainable travel between local villages and Weston-Super-Mare.
- d) Deliver infrastructure that enables housing development (subject to the Local Plan)
- e) Ensure the development respects the local area and minimises visual impact upon the surrounding countryside and Mendip Hills Area of Outstanding Natural Beauty
- f) Innovative and efficient in reducing and offsetting carbon from the design and construction of the infrastructure.
- g) Ensure that development provides the opportunity to increase Biodiversity Net Gain by at least 10%
- h) Proactively engage with stakeholders in a way that is both clear and transparent.

Summary of recommendation

It is recommended that the application be **APPROVED** subject to the resolution of outstanding matters as set out in the recommendation and to conditions. The full recommendation is set out at the end of this report.

Abbreviations

A table of the main abbreviations used in this application and in some cases this report is attached as appendix 1.

The Site

The proposed bypass would be located to the north of the village of Banwell, largely through agricultural land. It would include a roundabout to connect it with Knightcott Road to the west of Banwell and at the eastern end it would include a junction to link back in with A368 to the east of Eastermead Lane. The southern link road would be located adjacent to the east of Banwell village and the residential properties in Dark Lane. The application site also includes a number of proposed mitigations and footpath improvements within the villages of Banwell, Sandford, Winscombe, Churchill and Langford.

The Application

This is a full application which seeks permission for:

- The construction of a new 3.3km single carriageway bypass to the north of Banwell and a separate 0.6km link road to the east of Banwell Village, connecting the A371 and the A368.
- The proposals include a roundabout where traffic would join the bypass to the western end of Banwell and an overbridge over Riverside and the River Banwell. A 3m wide shared footway/cycleway is proposed to run alongside the bypass.
- The proposals also include flood management and mitigation measures including embankments, attenuation basins, swales and compensation and green infrastructure to support biodiversity net gain.

- “Placemaking improvements” are proposed within Banwell village, including public realm enhancements and replacement football club land.
- Traffic mitigation works to the wider local road and cycle and pedestrian improvements works are proposed in the villages of Banwell, Sandford, Winscombe, Churchill and Langford.

Relevant Planning History

The majority of the site is undeveloped with no recent relevant planning consents.

Policy Framework

The proposed route of the bypass is affected by the following constraints:

- Outside of the settlement boundary of Banwell
- Part of the route lies within Flood zones 2 and 3.
- Parts of the route lie within the North Somerset and Mendip Bat’s SAC consultation zones B and C.
- The route crosses the River Banwell which is a local wildlife site.
- The southern link road lies within the Mendip Hills Area of Outstanding Natural Beauty (AONB) and is also adjacent to the Banwell Conservation Area.
- Part of the proposed development is within Banwell Conservation Area
- There are several nearby listed buildings including Grade I listed St Andrews Church, Grade II* listed Banwell Abbey and Grade II* listed Banwell Castle as well as scheduled monuments in Banwell Woods and a Romano-British villa.
- Part of the southern link would be within an EA groundwater source protection area.
- Part of the route of the bypass is a public Right of Way AX3/6/10. The proposal would also include upgrades to existing public Rights of Way between Sandford and Churchill Green and between Churchill and Langford.
- Part of the route lies within best and most versatile agricultural land.
- Part of the route lies adjacent to the Banwell Ochre Caves SSSI and North Somerset and Mendip Bats Special Area of Conservation
- Part of the route lies within 500m of the Banwell Bone Caves SSSI (part of the North Somerset and Mendip Bats SAC
- The proposed new shared use path between Banwell and Sandford would be partly within and adjacent to a Local Wildlife site – Towerhead Brook

The Development Plan

The Banwell bypass is identified in Core Strategy policy CS10 and policy DM20 of the North Somerset Sites and Policies Plan Part 1 Development Management Policies as a major transport scheme with land safeguarded from other inappropriate development for its route.

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

The following policies are particularly relevant to this proposal:

CS1 Addressing climate change and carbon reduction.

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| CS2 | Delivering sustainable design and construction. |
| CS3 | Environmental impacts and flood risk management |
| CS4 | Nature Conservation |
| CS5 | Landscape and the historic environment |
| CS7 | Planning for waste. |
| CS9 | Green infrastructure |
| CS10 | Transport and movement |
| CS12 | Achieving high quality design and place making. |
| CS26 | Supporting healthy living and the provision of health care facilities. |
| CS27 | Sport, recreation and community facilities |
| CS34 | Infrastructure delivery and Development Contributions |

West of England Joint Waste Core Strategy (adopted 25 March 2011)

The following policies are particularly relevant to this proposal:

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| Policy 1 | Waste Prevention |
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The Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016)

The following policies are particularly relevant to this proposal:

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| DM1 | Flooding and drainage. |
| DM3 | Conservation Areas |
| DM4 | Listed Buildings |
| DM6 | Archaeology |
| DM7 | Non-designated heritage assets |
| DM8 | Nature Conservation |
| DM9 | Trees |
| DM10 | Landscape |
| DM11 | Mendip Hills Area of Outstanding Natural Beauty |
| DM19 | Green infrastructure |
| DM20 | Major Transport Schemes |
| DM24 | Safety, traffic and provision of infrastructure etc associated with development |
| DM25 | Public rights of way, pedestrian and cycle access |
| DM26 | Travel plans |
| DM32 | High quality design and place making. |
| DM33 | Inclusive access into non-residential buildings and spaces |
| DM68 | Protection of sporting, cultural and community facilities |
| DM70 | Development infrastructure |
| DM71 | Development contributions, Community Infrastructure Levy and viability |

Sites and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018)

No relevant allocations

Other material policy guidance

National Planning Policy Framework (NPPF) (2021)

The following is particularly relevant to this proposal:

| Section No | Section heading |
|-------------------|--|
| 1 | Introduction |
| 2 | Achieving Sustainable Development |
| 3 | Plan-making |
| 4 | Decision-making |
| 8 | Promoting healthy and safe communities |
| 9 | Promoting sustainable transport |
| 11 | Making effective use of land |
| 12 | Achieving well designed places |
| 14 | Meeting the challenge of climate change, flooding and coastal change |
| 15 | Conserving and enhancing the natural environment |
| 16 | Conserving and enhancing the historic environment |

National Planning Practice Guidance (from March 2014)

The following is particularly relevant to this proposal:

Air quality
Climate Change
Design
Environmental Impact Assessment
Flood Risk and Coastal Change
Historic Environment
Natural Environment
Noise
Transport Assessments

Government Circulars

Circular 01/2022: Strategic Road network and the delivery of sustainable development

Supplementary Planning Documents (SPD)

- 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)
- Development contributions SPD (adopted January 2016)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)

Emerging Policy

The Council is preparing a new Local Plan that will provide a new spatial strategy for growth, allocations for development and strategic and non-strategic policies to guide decision making in North Somerset. A draft Preferred Options Local Plan was published for consultation on 14 March 2022 until 29 April 2022. This has limited weight at this time.

Draft Policy LP10 safeguards land for the Banwell Bypass. This identifies an amended route for the bypass (similar to the current proposal) and draft policy LP14 allocates a proposed new strategic mixed-use development area to the northwest of the bypass (Wolvershill – north of Banwell) for 2800 dwellings, 11ha of employment land and other uses.

West of England Joint Local Transport Plan 2020-2036 (not part of Development Plan)

Joint Local Transport Plan 4 (March 2020)

Other relevant local guidance (not adopted supplementary planning guidance)

North Somerset Active Travel Strategy 2020-2030

Banwell Conservation Area Appraisal and Management Plan 27/9/2021

Mendip Hills AONB Management Plan 2019-2024

North Somerset Highways Development Design Guide October 2020

North Somerset Climate Emergency Strategy 2019

North Somerset Green Infrastructure Strategy September 2021

Consultations

172 letters of objection and 133 letters of support were received on the plans as originally submitted. 25 others wrote to make general comments on the proposals.

The principal points made are summarised in appendix 2 to this report.

In response to consultation on amended plans from 8th February 2023, a further 58 responses objecting to the proposals, 30 supporting the proposals and 11 making general observations were received. The additional points raised are summarised in appendix 2 to this report.

Six Parish Councils were consulted on the application. The principal points made are summarised below with the full response, where appropriate, set out in appendix 2 to this report.

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

Banwell Parish Council:

“At their meeting on 15th August 2022, Banwell Parish Council resolved to support this application. The application for the Banwell Bypass is both very large and technical. The Parish Council has consistently supported the Bypass and continues to do so. We, like others, have been able to interrogate and comment on the plans as they developed. While we still have some concerns regarding traffic flows inside the village, after completion, we are also aware that those concerns are based on anecdote and intuition rather than hard evidence. Looking at the Banwell public comments on the North Somerset Council

website the majority are in support. It is clear that the objections mostly relate to Sandford and Churchill and presumably come from there, as such this is not of direct concern to this Parish Council or our Parishioners. There are a few objections in regard to the widening pavements near the centre of the village which may need further explanation. Overwhelmingly the Parish is in support of the Bypass as is the Parish Council.”

Comments on the amended plans:

Further to our earlier comments of support for this application, Banwell Parish Council are supportive of the amended plans and wider mitigation documents and welcome the provision of replacement football pitches for Banwell Football Club.

Churchill Parish Council: Objection – see Appendix 2 for full comments.

Comments on amended plans:

Churchill Parish Council objects to the planning application for the development of the Banwell bypass. CPC is very concerned by the predicted increase traffic volumes, ensuing congestion (as evidenced by the traffic modelling) and the lack of safety of those travelling on foot or cycle due to traffic speeds. CPC appreciates some measures have been included as “wider mitigation” to improved safety but these do not go far enough to mitigated the harmful impacts of traffic on the local community and some now do not appear to be implemented as part of the actual scheme but rather are ‘To be done by others’.

Locking Parish Council: No comment on the application.

Puxton Parish Council: See Appendix 2 for full comments.

Raise concerns about key traffic issues affecting the lanes that run between the A371 and the A370.

Winscombe and Sandford Parish Council: Objection – see Appendix 2 for full comments.

Comments on amended plans:

Having considered the proposed amendments to mitigation proposals submitted for further consultation, the parish council still object to this planning application. Whilst marginal improvements have been made to bat mitigation, the parish council was disappointed by the level of amendment to the proposed traffic mitigation measures. These measures do not go far enough. The parish council objects to raised platforms and tables considered these to be out of place in a rural location causing problems for tractors and trailers as well as noise issues for local residents from empty quarry lorries leaving the parish early morning. Emissions from all vehicles would increase.

Wrighton Parish Council: See Appendix 2 for full comments.

Not against the construction of a Banwell By-pass per se but we believe that there has been insufficient and inadequate consideration given to the consequences which such

construction will have upon already over-loaded and congested routes leading from the junction of the new by-pass where it is proposed to join the A368 west of Sandford.

Other Comments Received:

National Planning Casework Unit

No comments to make.

Environment Agency

Following a review of additional information and providing the Local Planning Authority is satisfied the requirements of the Sequential Test under the NPPF are met, the Environment Agency can withdraw its earlier objection, in principle, to the proposed development. This is subject to the inclusion of conditions requiring the development to be carried out in accordance with the flood risk assessment and mitigation measures, a scheme for the prevention of water pollution to be submitted and a remediation strategy to be submitted if contamination not previously identified is found to be present. They also recommend informatives. It supports the provision of the principles of Environmental Net Gain and of climate change resilient construction. It supports the comments of the Lead Local Flood Authority regarding long term maintenance of features intended to offset fluvial flood risk impacts of the proposed development and support the proposed conditions.

The Environment Agency has also made additional comments relating to the protection of groundwater. It advises that the proposed development presents a risk to groundwater which is particularly sensitive in this location because the proposed development site:

- Is partly located within a Source Protection Zone 1 for the Banwell Springs public water supply. The Banwell Spring public water supply is a groundwater asset of significantly high value and the potential pathways between the source and the construction site need to be well defined. Construction works which breach the confining layer or pressurise the uppermost soft sediments have the potential to alter the conditions in the underlying aquifer.
- Is located upon Secondary Aquifers

The EA is satisfied that the Environmental Statement submitted in support of this planning application provided the EA with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development. It does however require further information and recommend conditions regarding a scheme to investigate, risk assess and secure de-watering and to protect sources of water, scheme for managing boreholes for investigation of soils, groundwater or geotechnical purposes and a remediation strategy for contamination of water environment not yet identified.

Natural England

Following the submission of additional information, no objection subject to appropriate mitigation being secured. Without the appropriate mitigation the application would have an adverse effect on the integrity of the North Somerset and Mendip Bats Special Area of Conservation.

- NE welcomes the addition of 7.7 hectares of land (to be managed specifically for bat mitigation) and has some additional comments on the additional information:
- It welcomes that the bat survey length will be extended to 120mins and that static detectors will be deployed to record for Horseshoe bat activity after midnight, especially in the Knightcott area where streetlights are switched off at midnight.
- It welcomes that, excluding the 20m buffer either side of the carriageway, enough mitigation land is being provided to ensure no net loss for Horseshoe bats.
- Further work is needed on the conservation grazing review of feasibility to demonstrate that grazing on mitigation land adjacent to the scheme is deliverable e.g. investigating whether there are local graziers who are willing and have the right stock, developing a workable management plan and investing in the necessary infrastructure. They are concerned that some of the holdings identified are very small.
- It welcomes the changes to the environmental masterplans, the environmental statement update report and commitment to early planting along the scheme where possible and to retain wide grassy buffers in areas for site compounds and gapping up hedges in these fields to maintain habitat connectivity during construction.

Officer comment

These matters are addressed via the Habitats Regulation Assessment and the proposed conditions set out in the recommendation at the end of this report.

Historic England

Following receipt of the amended plans, Historic England continue to support the principle of the proposals and recognises the potential beneficial impacts to be had for Banwell village with a significant reduction in traffic. However, further information is needed to better understand the hydrological impact of the proposals on the scheduled archaeology at Banwell Roman Villa (a scheduled monument). A tiered assessment should be undertaken in line with Historic England's guidance by a qualified hydrogeologist in consultation with an archaeologist. Based on the data that has been provided so far they do not feel that they fully understand the impacts of any changes on the water environmental of the highly designated heritage asset of Banwell Roman Villa. The final geoarchaeological report is also awaited.

In terms of the impact upon the setting of various heritage assets, HE is content that the bypass will have a negligible impact upon the setting of Banwell Abbey or Banwell Castle. HE is however concerned that in constructing the new bypass on embankments north of the village, the connection between village and levels will be diminished, to the detriment of the setting of the conservation area and the church. The effect would be exacerbated by the limited crossing points proposed along the bypass and they regret the blocking up of Moor Road. HE encourages modification of the scheme to allow a pedestrian crossing of the bypass at Moor Road.

Where a slight or moderate adverse effect is concluded for the impact upon designated heritage assets, the Council will need to be convinced the harm has been mitigated as far as possible before proceeding the planning exercise of balancing benefits versus harm. If the justification for the harm is clear and convincing (NPPF para 200) it should be fully demonstrated that it is not possible to reduce the harm further or avoid harm altogether.

Additional comment received 22/2/2023.

The document explaining the rationale for severance of the Moor Road link is useful. The LPA will need to assess the information provided to judge whether the harm HE has identified through the severance of the road is clear and convincing as per NPPF paragraph 200.

National Highways

Following the submission of the application and the receipt of additional plans and information, National Highways (NH) originally recommended that the application not be granted for a period of three months (expiring on 22 February 2023) to provide time for the applicant to provide further information to enable National Highways to fully understand the impact of the development on the safe and efficient operation of the M5 motorway.

The applicant submitted further information on 29 September 2022. Whilst there has been positive engagement since then, NH required further details regarding the traffic impact of the development and the A371 M5 overbridge as well as other matters.

Following further consultation, clarification and information NH submitted a further response on 23rd February in which NH is satisfied with the further information submitted with regards to the traffic impact. NH however is currently still seeking clarification of the cycleway design across the M5 overbridge. It has therefore served another formal notice of a recommendation that “planning permission not be granted” for a further three months (ie: until 22nd May) to provide NH and the applicant more time to address this outstanding concern.

Officer comment

Should the Local Planning Authority propose to determine the application disregarding this recommendation it is required to first consult the Secretary of State for Transport, as set out in the Town and Country Planning (Development Affecting Trunk Roads) Direction 2018.

Sport England

Notes that part of the application site has land with an established use for football as identified in the Council’s adopted Playing Pitch Strategy and the football club has demonstrated the need for playing pitches to meeting its current and future needs. SE remain encouraged that the Council as developer are working with the football club to ensure their position remains the same post development. Sport England supports the increase in the land proposed for the replacement playing fields shown in the amended plans which would increase from 28,680sqm to 33,564sqm. It requires that the quality of the land provided must be of equivalent quality to the land that is lost. As such, it requires three planning conditions be applied to ensure that the proposals would meet exception 4 (E4) of Sport England’s Playing Field Policy. These conditions should cover the replacement playing field land being available for use by a specific time period, a detailed assessment of the ground conditions and scheme to address any issues identified for the replacement land and a scheme for temporary reprovision of playing facilities lost during construction to be submitted. Notes that part of the site used by the football club for playing pitches has no lawful planning use as playing field land. Despite that the football club has demonstrated the need for playing pitches to meet their current and future needs.

Officer comment

The conditions proposed by Sport England are included in the list set out in the recommendation at the end of this report.

North Somerset Levels Internal Drainage Board

Objected to the application as originally submitted due to insufficient information about the flood risk and surface water drainage. Following receipt of additional information, the IDB has removed its objection subject to conditions.

The IDB notes that the bypass is crossing the Towerhead Brook catchment which is subject to surface water runoff. The Towerhead Brook catchment has not been modelled. The IDB needs to be satisfied that drainage of this catchment will be maintained after the bypass is constructed. The IDB is concerned about Stonebridge Farm caravan park as the model shows increased flood risk to the land. Recommend that the land is used for water compatible use only or is categorised as flood zone 3b after construction of the bypass.

It has raised concerns about some of the easements and access routes to the rhynes and advise that land drainage consent will be required. The IDB also advise that floating pennywort (invasive species) exists in the East Moor and several smaller connecting ditches. It should not be allowed to spread as it will compromise the drainage performance and will impact upon the ability to achieve biodiversity net gain.

The IDB recommend three conditions regarding the need for a Towerhead catchment drainage scheme, a surface water drainage scheme and survey and a management plan for floating pennywort together with informatives.

Officer comment

These matters are addressed in the proposed conditions set out in the recommendation at the end of this report.

Mendip Hills AONB Unit

The Mendip Hills (AONB) Management Plan 2019-2024 is a material consideration. The Mendip Hills AONB Partnership support the objectives of the Banwell Bypass Scheme as set out in document ES vol 3 appendix 7. The Mendip Hills AONB Partnership support ES Appendix 7B Landscape Strategy and the necessity for a minimum 25 year Maintenance Environmental Management Plan in addition to the 5 year Establishment Plan. It will be important that the materials and landscaping are responsive to the context of the special and nationally protected landscape of the Mendip Hills AONB and that any development makes a positive contribution that reinforces that character of the AONB. As part of the 25 year LEMP the Unit would welcome the planned review of the LEMP to ensure appropriate timeliness of operations. It would also welcome the inclusion of protected species fencing and consideration of the removal of any fencing within the LEMP as appropriate. The Unit requests that the retaining wall be of appropriate materials responsive to the location of the AONB, preferably dry-stone wall of appropriate local stone.

The Mendip Hills AONB is intrinsically dark landscape with special qualities including dark skies and a sense of tranquillity and views from the surrounding Mendip Hills AONB. The AONB Unit is concerned that any road and junction improvement along the wider transport network should not include increased intensity or additional street lighting along the wider transport network and should not include increased intensity, or additional street lighting

along the A368 corridor, being the northern boundary of the AONB, and with views from a range of viewpoints within the Mendip Hills AONB towards the A368. The Unit advises that any additional street lighting is likely to impact on the dark skies and intrinsically dark landscape, with the erosion of the special qualities of the nationally protected landscape impacting on the remoteness and naturalness of the area.

Officer comment:

The applicant has confirmed that the noise barrier on the plans was incorrectly labelled retaining wall. The impact of proposed lighting is addressed in the report below.

Bristol Water

Bristol Water has raised concerns about the impact of the proposal upon Banwell Springs public water supply and the impact upon groundwater yield and water quality. They require a hydrological impact assessment to be submitted to be able to gain a full understanding of the impact the Bypass will have on the Banwell Springs.

Wessex Water

The proposed bypass crosses Wessex Water assets. Protection arrangements will need to be agreed. Wessex Water would like to discuss possible synergies with the applicant with the work that Wessex Water may need to undertake in the vicinity of Banwell Village Hall, possible removal of a surface water connection from the foul water sewer to highway drainage infrastructure at the junction of School Close and West Street, and the removal of a possible highway drainage connection to the public foul sewer north of St Andrews Church.

Western Power Distribution

Does not object in principle to the development at this time. However, WPD reserves the right to raise objections to the scheme once it has received sufficient information from the applicant to determine the full impact of the scheme on WPD's assets.

Police Design Liaison Officer

No objection subject to comments regarding future landscaping, boundary treatments, open space and design of active travel routes.

Principal Planning Issues

The principal planning issues in this case are (1) the principle of the development (2) impact on the Mendip Hills AONB (3) impact on the character and appearance of the surrounding area (4) impact on open space and recreational land (5) impact on heritage assets and conservation area (6) archaeology (7) impact on local highway network (8) impact on living conditions (9) health impacts (10) biodiversity and trees (11) flooding and drainage (12) climate change (13) impact on public rights of way (14) impact on

agriculture, geology and soils (15) waste management (16) cumulative impacts and (17) impact upon crime and disorder.

Issue 1 The principle of the bypass on this alignment and in this location

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 National Planning Policy Framework (NPPF) in para 104 advises that transport issues should be considered from the earliest stage of plan-making and development.

Paragraphs 110 and 112 reinforce these messages and refer to the need to prioritise active travel movements, facilitate of access to high quality public transport, ensure those with disabilities or reduced mobility are addressed and the need to provide for service and emergency services and to create attractive places are all considered. The scheme has been developed in accordance with these objectives.

In terms of the development plan, policy CS10 of the North Somerset Core Strategy 2017 lists Banwell Bypass as a proposed major transport scheme. It states that “development proposals that encourage an improved and integrated transport network and allow for a wide choice of modes of transport as a means of access to jobs, homes and facilities will be encouraged and supported.” Policy CS10 also states that “Transport schemes should:

- enhance the facilities for pedestrians, including those with reduced mobility, and other users such as cyclists;
- deliver better local bus, rail and rapid transit services in partnership with operators;
- develop innovative and adaptable approaches to public transport in the rural areas of the district;
- improve road and personal safety and environmental conditions;
- reduce the adverse environmental impacts of transport and contribute towards carbon reduction;
- mitigate against increased traffic congestion;
- improve connectivity within and between major towns both within and beyond North Somerset;
- support the movement of freight by rail.”

The details of how the application addresses the individual criteria by which such proposals should be judged are set out among the various detailed planning issues below.

Policy DM20 (Major Transport Schemes) of the Sites and Policies Plan Part 1 states that land shown on the Policies Map is safeguarded for the Banwell Bypass. Development within the safeguarded alignment will only be permitted if it would not prejudice the implementation of these schemes. Whilst the proposed route deviates in parts from the safeguarded alignment in the Sites and Policies Plan, the principle of a bypass to the north of Banwell and the southern link road, is in broad accordance with the alignment in the plan. The end points and connecting junctions are similar to those shown in the Sites and Policies Plan and do not conflict with the principle of the bypass identified in the Core Strategy.

The submitted application documents explain that the route has been finalised following extensive public consultation and careful consideration of the planning and site constraints. Principally this means that the route of the bypass is located further from the

Summer Lane park homes site, the houses at Riverside and avoids the playing pitches used by Banwell Football Club. It is concluded that the application is in conformity with the Development Plan in principle, subject to meeting the criteria set out in Policy CS10.

The HIF funding which would deliver the Banwell bypass is explicitly linked to the delivery of housing. The new strategic development at Wolverhill (north of Banwell) is a proposed allocation in the emerging North Somerset local plan. The Preferred Options policy LP1 proposes a new mixed-use development to accommodate up to around 2,800 dwellings, including 980 affordable houses, 11ha of employment land, a local centre and primary schools. A masterplan and design codes would be prepared to guide a co-ordinated and comprehensive development to ensure the creation of a sustainable community. A number of development principles are identified in the draft plan including the need for the new development to integrate effectively with the design and delivery of the bypass, the need to ensure integration between the new community and Banwell village and the creation of easily accessible, safe and direct walking and cycling routes between the two, and public transport connections, and ecology, drainage and heritage requirements.

While the emerging local plan is at an early stage and carries little weight, the proposed strategic development is a key element of the proposed overall spatial strategy and its delivery would be dependent on the construction of the bypass. It is therefore important to ensure that the bypass is future proofed so that should the Wolverhill development be confirmed, the two projects can be delivered in a co-ordinated manner. This will include ensuring that proposed junctions to serve the Wolverhill development are deliverable, there are safe and attractive active travel routes across the bypass and that the mitigations for ecology, drainage and heritage are complementary and/or co-ordinated. This work is ongoing and to date there has been good coordination between the two projects and the bypass application has been designed to ensure that the delivery of the Wolverhill development can be accommodated. This includes the potential to provide for access from the bypass to serve the new development.

The Joint Local Transport Plan 4 (2020-2036) does not form part of the development plan but is a material consideration. It also identifies the Banwell Bypass as a major transport scheme.

Overall, therefore, it is considered that the principle of development is accepted as the proposal accords with Policy DM20 of the North Somerset Sites and Policies Plan 2016 which identifies the bypass as a major transport scheme.

Issue 2: Impact upon the Mendip Hills AONB

The proposed bypass would largely pass through low lying open land, which would be visible from the Mendip Hills Area of Outstanding Natural Beauty (AONB) to the south. The proposed southern link road would lie within the Mendip Hills AONB.

Policy DM11 states that any development will need to conserve and, where possible, enhance the landscape and scenic beauty of the AONB. It states that *“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.”* It also states that outdoor lighting schemes will not be permitted in the AONB unless it has been demonstrated that there will be no adverse impact from obtrusive light

and that “*wherever possible new roads and major infrastructure proposals should be kept away from the AONB and, where they would be likely to affect it, proposals should demonstrate the need for development and the siting and design would do as little damage to the environment as practicable.*”

Policy DM20 (Major Transport Schemes) which safeguards the route for the bypass also safeguards the route of the southern link road. The principle of this part of the development within the AONB is therefore considered to be acceptable. Nevertheless, an assessment has been carried out in terms of the tests for major development in the AONB as set out in the NPPF below.

Paragraph 176 of the National Planning Policy Framework states that: “*Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks and the Broads. 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*”.

Paragraph 177 goes on to states that: “*When considering applications for development within Areas of Outstanding Natural Beauty, permission should be refused for major development other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:*

- (a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- (b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and*
- (c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*”

In respect of (a), the need for the proposed bypass has long been recognised and is set out in Chapter 3 of the Environmental Statement (ES). 42 years have elapsed since the bypass was first proposed in a statutory development plan. It has been recognised that the environment and living conditions in Banwell have suffered significantly due to its position astride two A roads, which meet in the centre, and which has resulted in the village being a notorious point of traffic congestion. In terms of the impact upon the local economy, section 4.3 of the applicant’s Planning Statement sets out the economic case for the scheme. This states that there is a strong economic need for the development with the benefits of the scheme outweighing the costs by a ratio of 2.83:1, meaning that for every £1 in cost, £2.83 is returned in benefit. The planning statement states that the adjusted benefits costs ratio, taking into account the benefits/disbenefits of Land Value Uplift, Transport External Cost and Wider Economic Impacts could be up to 4.94:1.

Various alternatives and traffic management measures have been considered over a long period to ameliorate the position and mitigate conditions for residents and those trying to reach key destinations such as shops, schools and other facilities. However, none have fundamentally altered the flows of traffic or occasional very lengthy queues that form along the A371 and A368. This is set out in Chapter 3 of the ES. Two consultation exercises were carried out in 2021 and a series of alternatives were examined and consulted on and

are set out in Table 3-2 of chapter 3. This sets out the reasons why of eight alternatives, the scheme put forward in this application was selected and provides an explanation of the reasons why it is considered that part (b) of Paragraph 177 of the NPPF has been addressed. This explanation is considered to provide an acceptable level of justification.

Part (c) of NPPF paragraph 177 is more fully addressed within later sections of this report. The applicant's planning statement states that effects on the environment when considering the landscape, including the characteristics of the AONB and the extent to which they can be moderated are set out in Chapter 7 of the ES. This states that proposed southern link would sit within landscape screening providing a good degree of integration with the adjacent woodland. The scheme is considered to have slight adverse potential to affect the special qualities of the AONB in the early years of the scheme, but, importantly, these would reduce as mitigation planting matures. Table 7.9.1 of the ES Chapter 7 concludes that the magnitude of harm following completion is considered to be minor at the local scale ranging to negligible at the AONB regional scale.

In respect of recreational opportunities, it is not considered that the proposal would have any detrimental impact upon these. There is currently no public access to the land on which the southern link road would sit.

A number of third party objections are based on the perceived adverse impact on the AONB. These impacts have been examined in various ways: direct impacts, views from the AONB and views of the AONB from outside. There are direct impacts on the AONB arising from the proposed southern link road which provides a link for traffic to and from Winscombe. This is considered by the applicant to be essential if Banwell village is to secure the full benefit of relief from traffic flows from the bypass. The route of the southern link road is located on a prominent grassed slope on the northern edge of the AONB, close to Ancient Woodland, and which forms part of what was an historic deer park, adjacent to Banwell Woods and the Grade 2* listed Castle at the top of Castle Hill. This will necessitate cut and fill engineering works, loss of existing hedgerows and excavation for two attenuation basins at the bottom of the slope adjacent to East Street in Banwell, that will be very prominent.

However, the general arrangement plans and "Placemaking provisions" plans show substantial areas of "essential mitigation planting" to be provided, though these are not detailed and will require further, more detailed planting, landscaping and engineering drawings to be provided via conditions, to be certain of the quality of this. However, the extent of these areas reflects the need for significant planting to soften the impact of the proposed link road. It is considered that this will take some time to soften the landscape impacts but that this mitigation subject to further details and appropriate maintenance would reduce the majority of substantial visual impacts over time. Because of the importance attributed to this it will be necessary to pay particular attention to the scope and level of control through planning conditions. The Mendip Hills AONB Partnership reinforces this view, supporting the ES Appendix 7B Landscape Strategy and the necessity for a minimum 25 year Maintenance Environmental Management Plan in addition to the 5 year Establishment Plan. It stresses that *"it will be important that the materials and landscaping are responsive to the context of the special and nationally protected landscape of the Mendip Hills AONB and that any development makes a positive contribution that reinforces that character of the AONB"*. A condition is recommended requiring details of the materials to be submitted and approved.

The impact on the landscape of the AONB is not confined to direct effects on the landform and vegetation. Other aspects of the special character of the AONB are its tranquillity and its night-time appearance. As noted by the AONB Partnership, the AONB is an intrinsically dark landscape with dark skies. The Partnership is concerned about the prospect of increased lighting or intensity of lighting along the A368 corridor as this is the northern boundary of the AONB. The impact of lighting is addressed below.

Overall, it is considered that the principle of the southern link road within the AONB is accepted under policy DM20 of the Sites and Policies Plan. It is also considered that the proposal would meet the tests set out in paragraph 177 of the National Planning Policy Framework for major development in the AONB as it is considered that there are exceptional circumstances, and that the development is in the public interest. It is not possible to locate the southern link road outside of the AONB as it is an integral part of the overall proposal. The proposal, subject to the proposed mitigation and conditions, is considered to be acceptable in terms of Policy DM11 of the North Somerset Sites and Policies Plan Part 1 and CS5 of the North Somerset Core Strategy.

Issue 3: Impact upon the character and appearance of the surrounding area

Policy CS5 of the North Somerset requires that the character, distinctiveness, diversity and quality of North Somerset's landscape and townscape be protected and enhanced by the careful, sensitive management and design of development. It states that close regard will be paid to the character of the National Character Areas and the landscape character areas identified in the North Somerset Landscape Character Assessment.

Policy DM32 of the North Somerset Sites and Policies Plan states that the design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places and the design and planning of development should demonstrate a sensitivity to the local character and the setting and enhance the area taking into consideration the existing context. Proposals should enhance local distinctiveness and contribute to the creation of a sense of place and identity. Proposals that reflect community aspirations and values will be encouraged and proposals which cause unacceptable harm to the character and appearance of the area will not be permitted.

The majority of the bypass would lie within predominantly open and rural land falling within local landscape character areas J2: River Yeo Rolling Valley Farmland and A4: Locking and Banwell Moors as set out in the North Somerset Landscape Character Assessment SPD (2018). The proposed southern link road would lie within local landscape character area E1: Mendip Ridges and Combes and also within the AONB.

The key characteristics of Locking and Banwell Moors are that it is low lying land, founded on beach and tidal flat deposits, is generally flat, has rural and predominantly pastoral landscape with regular geometric field patterns bounded by hedgerows and reed filled drainage ditches/rhynes. The River Yeo Rolling Valley Farmland is a transitional area at 5m to 60m AOD with gentle rolling landform, which forms a valley and lies largely on Mercia Mudstone. It is a rural pastoral landscape and has irregular medium sized fields with full hedgerows and hedgerow trees, small farm orchards, scattered farmsteads and a network of a roads, minor roads and winding rural lanes. The Mendip Ridges and Combes is an extensive series of limestone ridges. It is characterised by steep scarp slopes covered in broadleaved and mixed woodland and forms a distinctive backdrop to the

surrounding low lying areas. It has a rich heritage of historic landscape features particularly on the tops of the ridges, notably the Bronze Age hillfort on Banwell Hill.

A Landscape and Visual Impact Assessment (LVIA) has been submitted with the application which concludes that the development would have significant impacts upon these landscape character areas due to the introduction of engineered forms into a rural landscape and the associated changes in landform. The bypass would sit on a raised embankment, which would in parts be some 5m above existing ground level, which would be visible both within the immediate low lying moors and levels landscape and also within the wider landscape, in particular the higher ground to the south. The proposal would also introduce a raised bridge structure at Riverside which would sit some 6.5m above the existing ground level (with a 1m barrier on top of this) and would be clearly visible within both the immediate and wider surrounds.

The LVIA states that the scheme would result in adverse effects on both the landscape and visual amenity, although the scale and significance of these changes would be reduced through the proposed mitigation measures, which would enhance the integration of the scheme into the landscape through manipulation of the landform and the provision of extensive planting. The mitigation and adoption of adjacent severed land parcels on both sides of the scheme would enable the development of an extended and well considered design approach for both landscape and biodiversity mitigation.

The proposal has been the subject of a Design Review by the Design West Review Panel and to comprehensive consultation. An extensive range of measures have been incorporated to minimise the impact upon the local landscape character and the AONB, despite some difficult terrain in places (notably Castle Hill) and the need to include a significant bridge within the proposals. They feature local landscape characteristics, such as native hedges, trees and apple orchards and the retention of watercourses distinctive to the area, as well as the creation of new ponds and floodable areas for the retention and control of water. Meadow areas also feature in the scheme. Whilst there are some inevitable adverse impacts arising for both the landscape (changes in landform and introduction of structures) and views, the scheme mitigation will reduce the majority of substantial visual impacts over time. Table 7-19 Visual Effects Schedule Summary in the ES indicates 50 substantial adverse visual impacts, diminishing to 22 at year 1 (opening) and 3 at Year 15 (as planting matures). This reflects the comprehensive nature of the mitigation proposed and the careful choice of route option. However, it is noted that mitigation is expected to be less effective where visible structures would be provided, such as at Riverside bridge, the west junction roundabout and other junctions to be introduced. This is related to the scale of construction and, in the case of junctions and the roundabout, the need for more openness to retain visibility for vehicles using them.

The proposal would also require lighting for highway safety in certain locations, which is also likely to have an impact upon the landscape and the rural character of the area. A lighting strategy has been submitted with the application which explains that the majority of the bypass would be unlit to protect the ecological value of the surrounding area, conserve dark skies and minimise the carbon impact of the scheme. Lighting would be limited to the Banwell west junction, Wolverhill Road junction, Eastermead Lane tie-in and Castle Hill tie-in. The remaining junctions are to be unlit. Lighting around the proposed southern link road has been avoided to protect the horseshoe bat maternity roost and AONB. Only the very top of the southern link road would be lit, where it would tie-in with Castle Hill, which is currently already lit. The Wolverhill Road junction which would be signalised

necessitating street lighting to comply with highway standards. However, this would be low level and employ full cut off lanterns to avoid excessive light spill. Lighting is also proposed along the proposed upgraded shared use path between Sandford and Churchill Green, to encourage the use of this path as an active travel route between Sandford and Churchill School. No lighting is proposed along the upgraded path between Churchill and Langford due to its very rural context. Overall, it is considered that the proposed lighting has therefore been carefully designed and minimised as much as possible to protect the rural character of the area.

The proposed Southern link road, tie into East Street and proposed drainage attenuation ponds would introduce urban features into what is currently an open field, within the AONB. Given its location on a slope, it would be visible within the wider landscape but would be softened by extensive woodland planting either side. This planting would tie in with Banwell Woods to the south and east but would also change the currently open nature of this land, which was historically part of a deer park. A 3m high noise attenuation barrier is also proposed alongside the length of the southern link which is designed to protect the existing residential properties in Dark Lane from any unacceptable effects. This would consist of vertical posts set into the ground carrying solid panels up to the required height of 3m. It would taper down to a height of 1m at the southern end. Given the height and length of this barrier, which would be 343m long, it is considered that this would also have an impact upon the character of the area. The detailed design and careful choice of colour, together with the proposed planting, would help to reduce this impact. A planning condition is recommended requiring details of this fencing to be submitted and approved.

The proposed 3m wide shared use path at Towerhead would connect the path running to the north of the bypass with the western edge of Sandford (to the east of the National Grid Haul Road) through the existing solar farm, where there is partly an existing track. Part of this track will lie adjacent to the Towerhead Brook Local Wildlife Site. Hedgerow planting is proposed on part of this route to strengthen field boundaries and no lighting is proposed along this route. As such, it is not considered that it would have any significantly harmful effects upon the rural character of the area and would improve active travel routes, providing an alternative route to cycling/walking along the main road. Local residents however have raised concerns that the shared use path will create a security risk to the solar park and farm and health and safety risk to public as close to high voltage equipment. The applicant has commented that the details and treatments and appropriate security restrictions along the length of the shared use path will be further considered in detailed design. A condition will be applied to ensure that detailed plans of the shared use paths are submitted for approval.

The proposal would also involve upgrading two existing public rights of way to a 3m wide shared use path, located between Sandford and Churchill Green and between Churchill and Langford. Concerns have been raised by third parties about the impact of the Sandford to Churchill Green shared path and the impact upon the rural character of the surrounding area, in particular as this path would be lit.

The path between Church Lane in Churchill and Langford would be 3m wide and would follow the route of the existing right of way. The existing path is quite rural in character and runs through an area of woodland. Local residents have raised concerns that the plans lack detail, in particular about gates and security concerns. The plans state that the exact location of fencing and gates will be agreed at detailed design stage and with the

landowners. A condition is recommended to ensure that full details of this path and gates/boundary treatment are submitted.

The proposed shared use path between Sandford and Churchill Green, would also be 3m wide and would be lit to improve active travel routes to Churchill school. Due to the very rural nature of the existing footpath, it is considered that a condition should be applied to control any lighting to ensure that it is low level where possible and in-keeping with the rural character of the area.

Whilst there would be impacts on the landscape and the rural character of the area, the proposal would also result in significant improvements to the character and appearance of the centre of Banwell itself. By removing the traffic through the centre of the village, the character and ambience of the village would be significantly improved. In this respect, the proposal also includes a number of “placemaking” proposals within Banwell aimed at improving the appearance and character of the village. These include:

- alteration to the road and footways including resurfacing, widening and narrowing,
- active travel measures, including cycle parking at the bus stop on Knightcott Road,
- soft landscaping and ecological improvements and
- street signing improvements.

The detailed design of these would be subject to a condition. Further consideration of the impacts of the proposal upon the character and appearance of Banwell conservation area, is set out in the heritage impacts section later in this report.

Overall, it is considered that whilst the proposals would have an impact upon the character and appearance of the surrounding area, the scheme has been designed to mitigate this as much as possible. The design has been the subject of extensive pre-application discussion, subject to a design review and extensive mitigation planting and landscaping is proposed, the benefit of which would significantly increase over time. The proposal would also include significant enhancements to the character and appearance of the centre of Banwell, most notably through the removal of traffic through the historic village centre. Subject to conditions requiring landscaping details, details of materials and a landscape management plan to ensure the long-term management of the proposed landscaping and lighting details, it is considered that the proposal would be acceptable in terms of Policy CS5 of the North Somerset Core Strategy and Policy DM32 of the Sites and Policies Plan Part 1.

Issue 4: Impact on open space and recreational land

The proposed route would cut across land currently used by Banwell Football Club for informal playing pitches to the north of the club albeit that not all of the land has the benefit of planning permission for that use. Policy DM68 of the North Somerset Sites and Policies Plan protects land in existing use, last used for or proposed for a sporting facility unless the land is allocated for another purpose in another planning document. It states that development of such sites for other uses will only be permitted if certain criteria apply. In this case, to comply with the policy, the proposal must ensure that *“acceptable alternative provision of at least equivalent community benefit is made available in the same vicinity and capable of serving the same catchment area. In such cases, all of the following criteria must be met:*

- a) the new site is at least as accessible to pedestrians, cyclists and motor vehicles;*
- and*

- b) the replacement facility is at least equivalent in terms of size, usefulness, attractiveness and quality to the facility it replaces; and*
- c) in the case of a replacement for an existing facility, the replacement will be available for use before use of the existing facility is lost.”*

Policy DM69 is also relevant as this states that:

“Proposals for sporting, cultural or community facilities within settlement boundaries will be permitted provided:

- the site is well related to the community it is intended to serve; and*
- the site is in a sustainable location, genuinely accessible by a choice of transport modes and to disabled people; and*
- the layout and design include features to facilitate combining other community needs within the same site unless this is agreed to be inappropriate; and*
- the proposal would not prejudice the living conditions of neighbouring properties.*

Facilities will only be permitted outside settlement boundaries where it is demonstrated that the scale, character or potential impact of the facility would be appropriate taking into account the above principles.”

The application therefore proposes to provide 33,564sqm of replacement football club land to the east of the existing football club building. Amended plans have been submitted which have increased the proposed replacement land to allow for an easement strip for the existing landowner along the southern boundary of the replacement land to ensure no adverse impact upon their agricultural business. As the easements impact on the replacement land, the amended plans include additional land to ensure that the football club receives an area equivalent to what is being taken by the scheme and to accommodate an equivalent number of playing fields. The applicant has been in discussions with the football club to ensure that this is the case.

An Open Space assessment has been submitted with the application which looked at different options for locating the replacement football club land, near to the existing club. It concluded that option 1, the land to the east of the clubhouse which has been identified in the planning application is the best location for the replacement land. This is because it is considered to have the least impact on ecology, has previously been granted planning permission for use as football club land (application 01/P/2060/F), would provide the required quality for use as replacement football pitches and would have the least impact upon the landscape. The Open Space assessment concludes that the replacement land satisfies the policy tests in DM68 as the land would be greater in area than the land to be acquired by the scheme, it would be at least as accessible to pedestrians, cyclists and motor vehicles, and that it is at least equivalent in terms of usefulness, attractiveness and quality to the facility it replaces. Regarding the timescales for the provision of the replacement land, the applicant has advised that the likely phasing and nature of construction in this area would mean that the football club would experience a loss of the land required before re-provision for a period of approximately 12 months. It is intended that the applicant would work with the football club to find a solution to help the club ensure it can continue to enjoy similar or better arrangements during construction and operation of the scheme at no cost to the football club. In this respect, the applicant advises that are alternative pitches nearby (of better quality) which have been used by Banwell Football Club before and which would provide suitable temporary arrangements until the permanent solution is delivered.

Sport England (SE) has been consulted on the proposals and originally objected on the grounds that it was not satisfied that the development met one of the five exceptions in its playing field policy or paragraph 99 of the NPPF in terms of its equivalence to the land to be lost. Following receipt of amended plans, which have increased the area of land to be provided, SE is now satisfied that the proposal does meet its requirements subject to some additional information being secured by condition on the quality of the replacement land, management and timeframes for the replacement to be provided. As such a condition is recommended to ensure that details of the replacement land be submitted and approved. A condition is also recommended to ensure that details of the temporary replacement land to be provided during construction are submitted and approved.

In terms of Policy DM69, part of the proposed replacement football club land has previously been granted planning permission (application 01/P/2060/F) although this was never implemented. It is outside of the settlement boundary but is considered to comply with policy DM69 as the site is well related to the existing club, is within walking distance of the village, local services and facilities and of public transport routes. It will benefit from its existing club facilities and car park. It is not considered that the living conditions of nearby properties would be adversely affected by the use for football as there are no nearby properties immediately adjoining the replacement land. Nor is it considered that the replacement club land would have any harmful impact upon the character or appearance of the area.

Local residents have raised concerns about the impact upon Eastermead Lane if a new access is created, the impact of the pylons on this land and the impact upon the landscape and ecological value of the site. Natural England has been consulted on the application and has raised no objection in this respect. To address these concerns, a condition is recommended, as set out above, requiring the details the replacement land to be submitted and approved. This condition would also require details of the landscaping, access and lighting to be submitted and approved.

Subject to conditions, the proposal is therefore considered to comply with Policies DM68 and DM69.

Issue 5: Impact on heritage assets and Conservation Area

Section 66 of the Planning (Listed Building and Conservation Areas) Act 1990 states that “In considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” Subsection 2 includes the planning acts. Paragraphs 199, 200, 202 and 203 of the National Planning Policy Framework are relevant.

NPPF paragraph 199 states that ‘When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the

asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss less than substantial harm to its significance.

Paragraph 200 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

Paragraph 202 states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use." Paragraph 203 states "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Policy CS5 of the North Somerset Core Strategy states that the council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as Conservation Areas and listed buildings.

Policy DM3 (Conservation Areas) of the Sites and Policies Plan Part 1 requires that proposals preserve and enhance the character and appearance of a Conservation Area and ensure that new development affecting the setting of a conservation area preserves those elements of the setting that make a positive contribution and where possible, better reveal the significance of the conservation areas. Policy DM4 (Listed Buildings) of the Sites and Policies Plan (Part 1) states that "development will be expected to preserve and where appropriate enhance the character, appearance and special interest of the listed building and its setting". Policy DM7 of the Sites and Policies Plan states that "when considering proposals involving non designated heritage assets the council will take into account their local significance and whether they warrant protection where possible from removal or inappropriate change including harm to their setting".

There are a large number of heritage assets which would be impacted by the proposed development including Scheduled Monuments (see Archaeology section below), Listed Buildings, non-designated heritage assets and Banwell Conservation Area. The Listed Buildings and non-designated heritage assets are indirectly affected mainly through a change to their setting whereas the Conservation Area would be directly and indirectly impacted by the change to its setting from the main bypass and by the southern link road being built partly within the Conservation Area where it joins Castle Hill and again within the setting of the Conservation Area.

Due to the lower level of the land to the north of Banwell, large sections of the new road need to be raised up on an embankment. As a result, the road would become more visually dominant in the landscape and within the setting of a number of heritage assets such as Grade II listed Stonebridge, Grade I listed St Andrew's Church and Grade II* listed Banwell Abbey. The bypass would also be very visible from areas of higher land within the Conservation Area and from Grade II listed Banwell Monument and the Unregistered Park and Garden at Banwell Bone Caves. Their wider setting would be affected due to the change to the open landscape character and views across the lower lying levels which forms the setting to these heritage assets to a large, embanked road

cutting directly through this landscape which severs the more open view lines to the enclosed moors.

As part of the proposed scheme, there is also a new bridge being built over Riverside which is large and would be likely to be visible in the wider setting of St Andrew's Church and sections of the Conservation Area. Although the views are more distant, the design and finishing of the bridge need to be considered to mitigate the effect this will have in the longer viewpoints. A condition is recommended requiring the detailed design, materials and screening for the bridge.

There has been effort made to try and mitigate the impact of the scheme through screening the road from both the heritage assets and wider harm to the landscape, but it will take a number of years for the screening to fully develop which will result in a higher level of harm to the assets during the construction of the road and the years in which this will take to fully grow in. It is essential the planting is maintained after the road is complete to ensure the screening will be robust and in place for future years. A condition is recommended to require details of the landscaping maintenance.

As part of the works for the bypass, the southern link road is being built between East Street and Castle Hill which partly runs through Banwell Conservation Area, its setting and within the wider setting of the listed buildings in this location such as Grade II* Banwell Castle. Aside from the road itself, the southern link road also has a large acoustic fence proposed running along the side which could cause visual harm to the area. Again, screening and timber panels are proposed for the acoustic fencing to mitigate the visual impact of this, but it will take time for the vegetation to grow in to limit this. Planting of more mature trees and shrubs in place ahead of new specimens growing in will help to mitigate its impact more quickly on the Conservation Area and its setting.

Whilst the screening of the main road and the southern link road will help to mitigate the impact on the setting and character of the heritage assets, it will not fully remove the harm caused as a result of the new road scheme. Added issues of clutter such as new lighting, signage and junctions, as well as increased noise and traffic levels in an area which previously had none, will also cause harm to the heritage assets especially around the southern link road near Banwell castle so this needs to be carefully considered. A condition is recommended to require details of lighting and signage so that this can be controlled. Mitigation of the harm caused to the heritage assets has been considered within the Cultural Heritage chapter of the Environmental Statement, but this will not fully remove the harm caused to the assets; it only aims to lessen the effect.

There is also direct impact on the Conservation Area from the southern link road through the loss of a section of the rubble stone historic walling which forms the boundary of the Conservation Area and used to be the boundary wall of the Medieval deer park which is a non-designated heritage asset. The removal of this wall will result in total loss of this section of this asset from its original location. As a form of mitigation, the material from the wall will be re-used in part of the placemaking scheme for the bypass. A condition will be needed to ensure the stone material from the wall is used correctly in to placemaking scheme and to ensure its re-use within the scheme.

However, there would also be heritage benefits to Banwell Conservation Area arising from the proposal by removing the large volume of traffic which currently runs through the core of the Conservation Area and the narrow part of the village. The removal of the traffic from the historic core of the village will allow for better placemaking opportunities and also ease the recurring physical harm to the historic and listed buildings along this road which have repeatedly been damaged by large lorries and passing traffic. Less traffic will also allow owners of these properties to make repairs and maintain their buildings which sit close to or on the edge of the road currently. This would allow for significant enhancement opportunities to this part of the Conservation Area.

The other Banwell placemaking enhancements which form part of this scheme will need to take into account any nearby heritage assets and ensure they enhance heritage assets through avoiding putting signs or traffic lights directly in front of them that would block any key views. They will also need to be designed in a way that complements the setting for any asset or the character and appearance Conservation Area itself. Details of these and the materials to be used in new or widened pavements and traffic calming methods such as build outs are not currently confirmed and a condition is recommended to ensure that the final details are agreed.

Overall, the proposed bypass scheme would cause harm to the setting of nearby listed buildings, non-designated heritage assets and Banwell Conservation Area, and is therefore in conflict with policies DM3, DM4 and DM7 of the Sites and Policies Plan. The application, in accordance with the test set out in the NPPF, results in moderate less than substantial harm to the listed buildings, but this will move to the lower end once the screening has fully grown in. The scheme would cause less than substantial harm at a moderate scale to the Conservation Area but again once screening has matured this will move to the moderate to low level of harm providing other aspects of the scheme such as lighting and placemaking schemes are carried out in a manner that protect of enhance the Conservation Area. As a result, Part I section 66 and section 72 of The Planning (Listed Buildings and Conservation Areas) and paragraphs 202 and 203 of the NPPF and have been applied to the recommendation below.

Issue 6: Impact on archaeology

Policy CS5 of the Core Strategy states that the council will conserve the historic environment of North Somerset, having regard to the significance of heritage assets such as Scheduled Monuments and other archaeological sites.

Policy DM6 of the Sites and Policies Plan states that archaeological interests will be fully taken into account when determining planning applications and sets out criteria for evaluation, preservation and protection. Policy DM7 of the Sites and Policies Plan states that when considering proposals involving non designated heritage assets the council will take into account their local significance and whether they warrant protection where possible from removal or inappropriate change including harm to their setting. National policy guidance in the National Planning Policy Framework is consistent with the above and states that great weight should be given to conservation.

The landscape within which the bypass is proposed is of moderate archaeological potential, particularly where the higher (and drier) ground slopes down and meets the low-lying North Somerset Levels. The North Somerset Levels have produced vast

evidence of past human activity and settlement, particularly in recent years relating to the later prehistoric and Romano-British periods. The Levels (or Northmarsh as the area is also known) have high potential for important palaeoenvironmental information to be recovered, particularly within the peat deposits that form the Middle Wentlooge layer.

A programme of preliminary archaeological investigation was therefore undertaken to inform this proposal as set out in the Environmental Statement, Chapter 6 (and its appendices). Geoarchaeological monitoring of ground investigation works, geophysical survey and a targeted trench evaluation were completed and reports produced and submitted.

The results show that of the 77 trenches excavated, 14 contained archaeological features and deposits of moderate significance, 23 trenches contained features of low significance and 40 trenches contained no discernible archaeology within the depth which could be safely excavated.

Archaeological remains are present in two localised areas and features include ditches, pits and postholes. Although many of these features produced no artefacts, those that did could be dated to the Iron Age and Romano-British period. There were also a number of later post-medieval drainage features as well as numerous land drains.

A geoarchaeological/palaeoenvironmental assessment was undertaken in tandem with the targeted trench evaluation, after an earlier geoarchaeological assessment was carried out as part of the initial geotechnical investigations. This assessment confirmed the presence of peat deposits and estuarine alluvial deposits. A further programme of investigation was therefore carried out to further examine these deposits for palaeoenvironmental assessment.

This second phase of investigation included a borehole survey, updated deposit modelling and palaeoenvironmental assessment. It provided a useful understanding of landscape evolution and the changing vegetation responding to shifts in water levels and brackishness. It did not suggest further assessment was recommended other than obtaining a radiocarbon date of the upper peat deposit. However, Historic England has nevertheless requested that additional assessment is undertaken to investigate whether other samples (already acquired) could be analysed for palaeoenvironmental information and/or for clearer justification to be provided regarding why this might not be possible. This can be incorporated into an Archaeological Mitigation Strategy to be secured via planning condition. The proposed scheme would result in the total loss of archaeological remains where the carriageway requires cutting into the existing topography, and so a programme of archaeological mitigation will be required to fully examine and record these remains. Total loss of archaeological remains or important palaeoenvironmental data would also occur at locations such as the bridge over Riverside as this feature would be piled to an approximate depth of 7.5 metres. In addition, large sections of the carriageway require building up the existing ground level with imported material, which has the potential to compact and distort below ground archaeological remains. The wider ecological and hydrological mitigation areas also have the potential to impact archaeological remains.

A geophysical survey has been undertaken along the proposed link road between Moor Road and Riverside, and the proposed construction compounds. The results show there is little in the way of archaeological remains that would warrant investigation prior to the

granting of planning permission but pre-construction mitigation would need to be implemented which can be secured as part of a pre-commencement condition.

At the replacement Banwell football club site it is proposed that the existing overhead power lines at this location be removed and laid underground. The geophysical survey included this parcel of land and identified possible geological or pedological features but this area was not included in the targeted trench evaluation. It is proposed that a programme of archaeological monitoring and recording (ie a watching brief) would be implemented during the excavation of the cable trenches. This is to be included in a proposed condition.

Impact on designated archaeological sites (Scheduled Monuments)

The ES chapter on Cultural Heritage not only assesses the direct impact of the proposed bypass scheme (including wider mitigation such as ecology) on archaeological remains (both known and unknown), but also considers the impact on designated heritage assets, including the four Scheduled Monuments in the vicinity.

The assessment considers both direct and indirect impacts on the wider setting of the Roman villa at Riverside, the Roman camp and cruciform earthwork in Banwell Woods (to the south of the southern link), Banwell Camp Iron Age hillfort and a deserted medieval farmstead south of Gout House Farm. The assessment concludes there would be adverse impact on all four scheduled monuments, and this ranges from moderate adverse to negligible.

The greatest impact is from the dissection of the open, rural character of the existing landscape by the bypass itself. Screening is proposed in some cases, but there is also the potential to negatively impact the hydrology close to the villa site, which may affect the preservation of archaeological evidence through de-watering of deposits. This would be the only potential direct impact by the scheme and it is proposed that further assessment is carried out in accordance via a planning condition. Most of the proposed mitigation is through planting and screening which would reduce intervisibility (by softening the visual impact of the road) and aural impacts with the road, particularly on the southern link section.

Historic England has raised concerns over the stopping up of Moor Road by the embankment immediately to the north of the Rowtech Engineering building. This would result in the connection between the village and the levels to the north being diminished, to the detriment of the setting of the Conservation Area, listed church and scheduled monument. Historic England proposed four alternatives, all of which were investigated, and a response was provided by the applicant which concluded that each of the proposed alternatives has significant engineering challenges associated with them and the impacts, when considered against the limited additional benefits compared with the current proposals, do not justify the additional connectivity. This conclusion has been considered and accepted by the LPA.

In accordance with the NPPF, there needs to be great weight given to the harm caused to the setting of these Scheduled Monuments against which the public benefit derived from this proposed scheme must be balanced. This is addressed in the planning balance below.

Mitigation

The ES chapter contains a section for proposed mitigation regarding archaeological sites as part of this scheme, which includes the majority of investigations already undertaken as a phased approach.

It must be noted that it is not just the construction of the road (embankments and cuttings) that can directly impact archaeological remains, but also the mitigation measures which are being proposed in terms of tree/hedging planting and drainage and so the entire scheme has been subject to archaeological investigation.

The significance of archaeological features is low to moderate (of local or regional significance) and a programme of archaeological mitigation will be required to preserve these archaeological remains by record. The areas of moderate significance would be subject to full excavation in the pre-construction phase of the scheme and the rest of the scheme would be subject to a watching brief. The proposed condition requiring an Archaeological Mitigation Strategy would secure this in accordance with policy DM6 of the Sites and Policies Plan and relevant paragraphs of the NPPF.

There is a clear opportunity to enhance elements of the historic environment or to further investigate them, depending on the proposals. Banwell itself has a rich history and there is an opportunity to showcase this through information boards in and around the village and this could be a collaborative effort with the Parish Council, Banwell Society of Archaeology and the village primary school. This is also the case for the other villages included in the scheme.

Given the level of interest within the local community regarding archaeology in this particular landscape, opportunities should be afforded for engagement, where appropriate. This may include site open days during the excavations or showcasing the finds/discoveries once the fieldwork is complete. This can be addressed in the Archaeological Mitigation Strategy.

Issue 7: Impact on local highway network

Policy CS10 of the North Somerset Core Strategy states that development proposals that encourage an improved and integrated transport network and allow for a wide choice of modes of transport as a means of access to jobs, homes, services and facilities will be encouraged and supported. It states that transport schemes should amongst other things enhance facilities for pedestrians, those with reduced mobility and cyclists, improve road and personal safety and environmental conditions, reduce the adverse environmental impacts of transport and contribute towards carbon reduction, mitigate against increased traffic congestion and improve connectivity within and between major towns both within and beyond North Somerset. Policy CS10 lists Banwell Bypass as a major transport scheme. Policy DM20 of the Sites and Policies Plan (see above) safeguards the route of the Banwell Bypass and states that development will only be permitted if it would not prejudice the implementation of the scheme. Policy DM24 of the Sites and Policies Plan seeks to ensure that new development will not prejudice highway safety or the operation of the highway network and that the impacts of new development are adequately mitigated.

The principle of a bypass around Banwell complies with the Core Strategy and Sites and Policies Plan as set out in the principle of development section of the report as set out above. The key issues are therefore whether it complies with the criteria in CS10 and its impact upon highway safety and the operation of the highway network.

In terms of the criteria in Policy CS10, the proposals include a shared use path along the length of the bypass as well as a connection through to Sandford, allowing for a continuous traffic free route between Weston-super-Mare and Sandford, and improvements to two public rights of way to make them shared use paths between Sandford and Churchill and Churchill and Langford. It is intended that there would be some lighting along these paths as part of making them safe routes to school but this would need to be carefully designed to prevent an impact on the countryside and in particular bats. The proposals would therefore significantly improve the active travel network as well as making the centre of Banwell a much more attractive place for walking and cycling by removing the through traffic. The submitted Walking, Cycling and Horse-riding assessment report has been used to inform opportunities for enhancing the network and states that the centre of Banwell will be significantly benefitted as a result of the scheme. The proposals would also improve connectivity within the district by taking main traffic flows away from the bottleneck that currently occurs in the centre of Banwell, thereby assisting to reduce traffic congestion. The wider mitigations to the highway network are addressed below. The impact upon the environment and carbon emissions are addressed under separate sections of this report.

Transport Assessment

A Transport Assessment (TA) has been submitted with the application, which assesses the impact of the proposal on the highway network and highway safety including the nearby villages of Winscombe, Sandford, and Churchill.. The Council, as highway authority, has employed a separate highways consultant to assess the data submitted by the applicant. The TA states that the SATURN modelling of the opening year 2024 indicated that the scheme is forecast to significantly reduce congestion through Banwell. Traffic modelling demonstrates that in the opening year (2024), there would be a total reduction of vehicles driving through Banwell from 13,800 down to 3,000 which is a 78% reduction. The TA also states that the scheme could improve journey times by up to 4 minutes and will improve the reliability of journey times, which is currently very variable. The TA states that junction capacity assessments have been undertaken at 28 locations and that three junctions are forecast to operate over capacity as a direct result of the scheme. These are A368/A38 Churchill Gate, A371 Knightcott Road/Summer Lane/Well Lane and A371/Banwell Road. Mitigations are therefore proposed at these junctions which include traffic signals at the Knightcott Road/Summer Lane/Well Lane junction and the A371/Banwell Road junction and the widening of the western arm at the Churchill Gate junction and reassignment of the lanes to provide some capacity improvements. The proposed mitigations are considered to be acceptable.

Following comments received, an amended Junction Modelling Report has been submitted which further explains the methodology used for the modelling, includes some additional junction models and provides additional information to show that the bypass specific impacts have been mitigated. Two additional assessment scenarios have been considered including a scenario without the Wolverhill strategic development and a sensitivity test which includes all mitigation associated with the scheme. This also addresses some of the third-party comments that have queried the modelling scenarios. The modelling has been interrogated and it is considered that no additional mitigation is required above that already presented in the TA. It is noted that there are several junctions where the impact of the bypass is considered to be significant, but ultimately that this is not 'severe' in accordance with the requirements of the NPPF which states at paragraph 111 that "*Development*

should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

Impact upon Strategic Road Network

A traffic impact assessment has been undertaken to understand the impacts of the scheme on Junction 21 of the M5. The TA states that the scheme is predicted to reduce traffic flows at Junction 21. National Highways originally queried the modelling that was used and required a report that forecast actual and demand flow on each arm of Junction 21. The applicant has submitted a M5 Junction 21 Strategic Traffic Model Flows file note and National Highways is now satisfied with this and the additional Junction Modelling Report that has been submitted. National Highways has raised concerns about the impact of the proposal on the M5 overbridge. The plans do not propose any changes to the existing arrangement on the bridge and the applicant has provided a risk assessment to National Highways. However, National Highways is concerned that risk would increase given the placement of cyclists immediately adjacent to the vehicle restraint system. Cyclists are currently on the carriageway but the proposals would result in a shared use path either side of the bridge therefore resulting in more cyclists on the path over the bridge and the potential for collisions with pedestrians. The applicant has submitted a revised risk assessment for the A371/M5 overbridge which NH has reviewed but requires further clarification of the cycleway design across the overbridge. In the meantime NH has issued the holding recommendation referred to above.

Wider mitigation measures

The Wider Mitigation Measures Summary Report explains that the construction and operation of the Banwell bypass would result in additional traffic travelling through areas surrounding Banwell, in particular the villages of Churchill, Sandford and Winscombe. This has been the subject of significant levels of objection as summarised in appendix 2 to this report. These concerns have been fully considered and wider mitigation measures are proposed to the surrounding highway network including speed reductions, 20mph zones, traffic calming, active travel improvements, highway capacity improvements and other measures to address the resulting impacts of the re-routed traffic on road safety, increased severance, the environment and traffic congestion in these villages. The Highway Authority raised concerns about the extent of the originally proposed 20mph zones, in particular with regards to enforceability, without physical measures to slow speeds down, the likelihood of achieving compliance and given the A368's designation as a primary route. As a result, amended plans were submitted following additional speed surveys, which have reduced the extent of some of these zones to confine it to appropriate areas within the villages and introduced more physical measures to slow traffic down. The amended plans have also sought to address some of the other comments made by parish councils and third parties and are considered acceptable.

Amendments have also been made to improve sustainable transport proposals including removing the existing gate, guardrail and steps onto the A368 Greenhill Road allowing easier access onto the shared use path and the removal of the gate and steps at the other end of this path. A ghost footway is also proposed along Churchill Green, to improve walking conditions to Churchill School and improvements are proposed to provide a dropped kerb to assist crossing to the westbound bus stop opposite Hillier's Lane. A condition is recommended to ensure that a safe crossing point is agreed.

Churchill Parish Council has commented on the reduced extents of the proposed 20mph zones since the application was first submitted and request that this be extended from Sandford up to Churchill Gate traffic lights. This has been reviewed and the revised speed limits are considered to be appropriate for the safety of all road users and for the strategic function of the A368. Concerns have also been raised about the 40mph section between the upgraded footway/cycleway route on Greenhill Road to Churchill Green and the safety of pedestrians and cyclists. This will be subject to a road safety audit process to address any safety issues and further scrutinised at detailed design stage. A condition is recommended to ensure that road safety audits are carried out for each phase. Other third party comments about road safety and the safety of existing accesses have been considered and will be further scrutinised at the detailed design/technical approval stage and throughout the Road Safety Audit Process. With regards to Banwell Woods, the applicant has explained that the alignment of the existing carriageway in the vicinity of Banwell Woods will not be directly affected and that the speed limit along the length of the A368, in the vicinity of Banwell Woods will be lowered to 40mph, which should help improve safety at this access and that additional signage will be considered as part of the detailed design and road safety audit process. With regards to the impact on 24 Castle Hill Road, the applicant states that the visibility to the north has been improved and visibility to the south is unchanged by the scheme proposals. The applicant has confirmed that the tree and existing boundary treatment at The Old Police House would not be affected by the proposals and that the existing hedgerow to the east of The Old Police House will be realigned further to the north to provide an adequate vehicular visibility splay at this property.

Several third parties have referred to the recent cuts to bus services through the villages, in particular the 126 service from Weston-super-Mare to Wells and suggested that the scheme could reinstate these. The Wider Mitigation Measures Summary Report explains that revenue support for providing new bus services is not within the scope of the scheme. Instead, the proposals have focused on improving existing bus stops affected by the scheme, connectivity to those stops and maintaining existing routes and supporting potential new routes. The TA states that the scheme will also substantially improve east/west journey times, which will benefit local bus services that route through Banwell.

Construction

A Construction Management Plan has been submitted which presents the estimated number of construction vehicle movements that will be generated by the scheme. The estimated construction period is two years. The construction of the scheme is estimated to generate an average of 7 (two-way HGV) movements per hour. This increase in traffic flow is expected to have a limited impact on the wider transport network. Staff movements will also impact upon traffic flows. Four construction compounds are proposed, with the main compound located at the western end of the scheme, access off the A371. A haul road is intended to be constructed from this site compound along the line of the bypass. The other compounds are proposed at Wolvershill Road just to the south of the bypass route, at River Bridge between Riverside and Moor Road and an eastern compound to the east of Banwell, accessed from the A368. Traffic impacts from these will be mitigated through various measures including restricting deliveries to certain times of the day and certain days, requiring construction vehicles to adhere to agreed routes, allocated site parking

within the compounds and signage. A condition is recommended requiring a detailed construction management plan to be submitted and approved.

Alternatives considered.

ES chapter 3 covers the alternatives considered. Table 3-2 summarise the list of options considered which include do nothing, reduce the need to travel, public transport improvements and sustainable travel choices, road improvements through Banwell, including the widening of existing roads and junctions, a bypass of Banwell, Churchill and Sandford, a southern bypass, northern bypass and use of the National Grid haul route. This explains the reasons for the other options being discounted and the northern bypass being taken forward for further assessment. In terms of the northern bypass, three route options were then considered and a further route option raised during public consultation. This chapter explains the reasoning for proceeding with the proposed route and changes to the alignment from the safeguarded route in the Sites and Policies Plan. It explains that the proposed route (Northern Route 2) was assessed as the most appropriate route when balancing social, cultural, economic and environmental criteria as well as the scheme objectives. It also explores different options for junctions at Summer Lane/Well Lane, Banwell West junction, Wolvershill Road junction, Moor Road, Riverside East and the Banwell east junction. In terms of the Wolvershill Road junction, it explains why restricted movement on the southern arm was chosen as the favoured option, allowing public transport, active travel and limited agricultural movements only. This chapter also explores options considered for the shared use path along the bypass, improvements to the wider road network and explains the reasons for discounting various routes considered. The conclusions of this chapter of the ES are accepted.

Third parties have raised concern that the option of traffic lights in Banwell as an alternative to the bypass has not been considered. The applicant has explained that this option has been considered but it was concluded that any system of traffic lights at the junction would need to allow traffic from each of the five roads to move one at a time and in sequence. An assessment of the traffic light sequencing suggested that traffic queues on each of the five roads would build due to the delay in waiting for the traffic lights to turn green. The impacts from the traffic queuing at each of the five arms would potentially be worse than the existing situation and as such would not meet the project aims of reducing congestion. The cumulative impacts of the development have been fully considered and are addressed in a separate section of this report below.

Overall, it is considered that the proposals would comply with the criteria in Policy CS10 of the North Somerset Core Strategy as it would improve connectivity, provide enhanced active travel connections, improve road safety and environmental conditions in Banwell, reduce congestion in Banwell and would acceptably mitigate against traffic congestion elsewhere including the nearby villages. The proposal would also comply with the aim of Policy DM20 and with the criteria in Policy DM24 as it is considered acceptable in terms of highway safety, would improve access for emergency vehicles, public transport and waste collection and would not have a severe residual cumulative impact upon traffic congestion or on the surrounding area subject to the mitigation proposed.

Issue 8: Impact on living conditions

Policy CS3 of the North Somerset Core Strategy states that development that on its own or cumulatively would result in harm to amenity will only be permitted if the potential

adverse effects would be mitigated to an acceptable level by other control regimes, or by measures included in the proposals, by the imposition of planning conditions or through a planning obligation. Policy DM32 requires that the design and layout of new development should not prejudice the living conditions of adjoining occupiers through loss of privacy, overlooking, overshadowing or overbearing impact and that lighting should not have a harmful impact on the living conditions of neighbours.

As with any large-scale infrastructure scheme, there will be both positive and negative environmental and community impacts. In identifying the proposed route, the applicant has sought to minimise the negative impacts, while considering these alongside other important factors, such as construction methods and the deliverability of the scheme as a whole.

Although the bypass would be raised up on an embankment in parts, given the distance of the main bypass route from the nearest residential dwelling of approximately 60m, it is not considered that any harmful loss of privacy or overlooking, overshadowing or overbearing impact would occur. In relation to the southern link road, the nearest dwelling at 25 Castle Hill Road would be approximately 40m from any new section of road although the proposal would involve land in the north west corner of this property and the demolition of part of the boundary wall (which is in the Conservation Area and has been addressed in the assessment of heritage impacts). The residents at this property have raised concerns about the impact upon the safety of their access, impact upon services (including a cesspit at the property) and right of access to the woodland. The impact upon the safety of existing accesses is set out in the highways section of the report above and the detailed design will be subject to a condition and road safety audits. The impact on services and rights of access are largely civil matters which carry little weight as planning considerations. Woodland planting and a native hedgerow is proposed along the southern side of the southern link road. This would largely screen the southern link road from this property. Given the presence of the existing Castle Hill Road and the distance of the southern link road from this property, it is not considered that any harmful overlooking or unacceptable loss of privacy would result. Street lighting however is proposed where the southern link road would tie in with the existing Castle Hill Road, but it is not considered that the small section of extra lighting, which would be separated from the property by woodland screening would result in significant harm to living conditions that would warrant a reason for refusal. Lighting impacts of the bypass are considered further below.

The residents at 24 Castle Hill Road, opposite to where the southern link road would tie in with the existing Castle Hill, have raised concerns about the safety of their access and light and sound pollution to their property. The impact on the safety of existing accesses is set out in the highways section of the report above whilst the impact of noise is addressed in more detail below. In terms of light pollution, given the presence of the existing road and street lighting in this location, it is not considered that the existing street lighting or vehicle headlights from the curvature of the road would result in any detrimental impact upon living conditions so as to warrant a reason for refusal.

The Old Police House, 3 Towerhead Road would be approximately 120m away from the main bypass to the north-east but the connection to the southern link road would run immediately in front of this property, along the line of the existing road. The new part of the road, linking the bypass with the existing Towerhead Road to connect up to the southern link road, would be approximately 30m away at its closest point before following the route of the existing main road in front of this property. Objections have been received about the

impact on access to the property (addressed in the highways section of the report), the impact on a protected TPO tree at the front of the property (which has been addressed), and loss of privacy and overlooking given the height of the garden above the land on which the road is proposed. Concern has also been expressed that headlights from cars on the highway would be intrusive given the ground levels and curvature of the road, and that the construction process and associated construction compound (which would be located immediately to the north and west of the property) would cause noise and disruption to the property and business which is run from home. These impacts have all been considered and taken into account in the consideration of the application. Given the presence of the existing main road in front of this property and the distance from the proposed development, it is not considered that any harmful loss of privacy or overlooking would result. Woodland screening and mature tree planting is proposed to the east of the property, which in time would largely screen it from the bypass. It is not considered that the potential impact from vehicle headlights would warrant a reason for refusal, given the presence of the existing main road and the distance from the proposed development. The impact of noise and vibration on the Old Police House has been considered and this is addressed in the noise and vibration section below. In terms of the construction impacts, the applicant states that the construction management plan would control works taking place at the construction compound immediate to the north and west of this property. A condition is recommended to ensure that the details of the construction management plan are submitted to and approved in writing.

Local residents in Knightcott have raised concerns about the impact on their properties, particularly in terms of traffic congestion, exhaust smells and outlook. The nearest property along Knightcott Road would be approximately 40m away from the nearest section of new road. Given the presence of the existing main road in front of these properties and the distance to the proposed bypass, it is not considered that any significant harm to living conditions would occur so as to warrant a reason for refusal. The impact upon air quality is addressed in a separate section below. Figure 11.5 of the Noise and Vibration Report shows that there would be no significantly affected receptors from operational noise along Knightcott Road.

Noise and vibration

In terms of noise and vibration, an assessment has been carried out in accordance with the design manual for roads and bridges (DMRB), which is an established process for assessing the impact of road projects.

ES Chapter 11 sets out the assessment of likely changes in noise as a result of the bypass and assesses the impact of both construction noise and operational noise. In terms of operational noise, noise levels within Banwell are predicted to reduce, with the removal of large volumes of traffic through Banwell and onto the bypass. The reduction in traffic through Banwell is predicted to result in a beneficial impact at around 333 dwellings. These receptors are mostly situated in East Street, Castle Hill, West Street and Knightcott Road, together with a small number of properties closest to Wolvershill Road. Non-residential receptors would also benefit from reduced noise levels including Banwell Primary School, Banwell Village Hall, Banwell Methodist Church and Banwell Bowls Club.

There are a further 134 residential receptors together with Banwell Methodist Church which are assessed as being subject to likely beneficial effects above SOAEL (Significant

Observed Adverse Effect Level) where there is at least a 1dB(A) impact as a result of the proposed scheme. These receptors are mostly situated in East Street, Castle Hill, West Street and Knightcott Road, together with a small number of properties closest to Wolverhill Road. The ES therefore finds that there would be significant beneficial effects for residents in this location. There are also 199 dwellings which would be subject to beneficial effects between the LOAEL (Lowest observed adverse effect level) and the SOAEL. Overall therefore over 300 dwellings will experience beneficial effects in terms of noise as a result of the new bypass.

There are however also a number of receptors that are likely to experience significant adverse effects in terms of noise. This includes approximately 50 residential dwellings adjacent to new roads forming part of the scheme. This includes properties on the eastern and western edges of Summer Lane Park Homes, properties to the north-east of Wolverhill Road and on Cooks Lane, one property on Whitecross lane, properties on Moor Road, properties to the north of the Scheme on Riverside, properties in Eastermead Lane, Towerhead Road and Castle Hill (including 24 and 25 Castle Hill referred to above), where the southern link road would tie-in to the existing road. A noise contour map is included in the ES showing the difference in noise between the “do minimum” and “do something” scenarios (with or without the bypass) in the opening years and future years and the significantly affected receptors identified from operational noise. Approximately 16 dwellings are predicted to experience likely significant adverse effects above the SOAEL, which planning practice guidance states should be avoided. For 12 of these properties on Summer Lane, this would be as a result of traffic increases in the future year scenario on Summer Lane due to the predicted traffic impact from the future development at Wolverhill proposed in the draft local plan, when and if it comes forward rather than from the use of the bypass in isolation. Modelling indicates that noise insulation will be available for a small number of properties where it is predicted that they will experience noise levels above the SOAEL and where noise may exceed the conditions specified within the Noise Insulation Regulations 1975. However, overall significantly more dwellings would benefit from reduced noise as a result of the proposed bypass than would significantly be affected by increased noise.

The applicant states that the horizontal alignment of the bypass section has been designed to avoid built-up areas including noise sensitive receptors as far as possible. It has sought to reduce the noise impact upon the Summer Lane Park homes by moving the western junction further away from these properties than the safeguarded route. Additionally, noise mitigation, in the form of a noise fence barrier, has been designed to reduce noise levels at noise sensitive receptors where it is effective and sustainable to do so. The provision has been subject to various tests, in line with the methodology employed in the government’s Transport Analysis Guidance (TAG) as follows:

- Effectiveness at reducing noise impacts and significant effects;
- Consideration of the monetary noise health benefits compared to cost of the mitigation (value for money);
- Other environmental effects potentially caused by the mitigation (e.g., landscape or visual effects).

It is argued that it would be difficult to erect a noise barrier along the main bypass route as the road largely sits on top of an embankment levels and therefore any barrier would be prominent in the landscape. Even with planting (which would take a significant period to develop), it would be likely that the noise barrier would still be a visible element out of character with its surroundings.

The applicant therefore evaluated the effectiveness of three separate barriers along the route, which include a western barrier, a northern barrier and a southern barrier. Noise fence barriers in locations other than the one proposed for the Southern Link were found to not meet the requirements of the tests in ES Volume 1 Chapter 11 paragraph 11.9.7.

The applicant also acknowledges the potential for there to be possible benefits in using low-noise surfacing materials and this will be explored at detailed design stage.

There are no non-residential sensitive receptors identified as being adversely affected. The Workshop at Moor Road is described as light industrial and is therefore not considered as a sensitive receptor in the scope of the assessment. Traffic levels in Winscombe, Sandford and Churchill have also been assessed in terms of noise and modelling showed that the changes in noise levels through these villages is not considered to be significant.

In terms of construction noise, the ES chapter states that adverse noise effects are predicted at 125 noise sensitive receptors adjacent to the bypass. Of these, there are predicted to be major impacts at 44 residential receptors and moderate impacts at 81 residential receptors. These are assessed as temporary likely significant effects. No adverse noise effects are predicted at non-residential receptors. Within Banwell and the neighbouring villages, likely significant adverse effects have been predicted at 39 noise sensitive receptors (including residential and non-residential receptors) during the daytime only. Of these, 38 are predicted to be major adverse impacts and one moderate adverse impact. These are assessed as temporary likely significant adverse effects.

The applicant states that construction noise would be mitigated by using Best Practicable Means, for example the selection of quieter equipment and the provision of acoustic enclosures. Construction noise would be further managed through the Construction Environmental Management Plan (CEMP), details of which would be required by a planning condition.

In terms of vibration, the ES states that it is likely that construction vibration levels generated by road surfacing activities, short-duration impact piling at receptor locations close to the scheme and wider mitigation and placemaking measures would result in adverse impacts. However, the duration of these is estimated to be less than ten days and therefore these effects are assessed as being not significant based on relevant assessment criteria. Details of construction vibration mitigation measures are to be set out in the CEMP, which would be controlled via a condition. The ES chapter also states that building damage thresholds are not predicted to be exceeded by any receptors.

The noise assessment at the Old Police House has predicted a significant operational noise effect for this property based on the DMRB LA 111 methodology. The property does not benefit from the proposed noise barrier but predictions are based on worst-case noise levels which do not take into account any beneficial effects that may be derived from road alignment and low-noise surfacing. A major construction noise and vibration impact has been identified for The Old Police House as part of the Environmental Statement, which has been reported as a significant temporary adverse noise and vibration effect. This will be managed through the CEMP to manage the effects as much as possible.

During detailed design considerations, Best Practicable Means (BPM) of construction, including for example the selection of quieter equipment, sensitive location of equipment on site, switching off engines when not in use, the provision of acoustic enclosures etc. is considered as mitigation as part of the scheme during construction to help control or reduce potential noise effects. That is not taken into account in the noise predictions in the ES, so BPM will reduce the worst-case noise levels presented in the ES undertaken at preliminary design.

For construction vibration, measures are also considered including using low vibratory construction methods where practicable, e.g. more passes with compaction plant operating in 'static' mode or use of lower vibration equipment. In this case, there is a trade-off between the vibration experienced and the time taken to complete the works (i.e. potentially lower vibration impacts for a longer duration).

The construction works programme and associated detail around methods of construction and activities will be better known during the detailed design stage, should the Scheme proceed. Those details will be secured through appropriate planning conditions.

The proposal would therefore not comply with Policy CS3 in terms of noise as there are a number of properties set out above, where the noise impact can't be mitigated. However, this must be weighed against the benefits of the scheme, which is considered to be beneficial in terms of noise overall.

Air Quality

Potential impacts on air quality have been assessed in Chapter 5 of the ES. Potential impacts have been separated into those that may occur at the construction phase and those that may occur once the bypass is open to traffic. Of particular importance are pollutants Nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}), which are the main pollutants attributed to road transport emissions. The annual mean concentration of each of these pollutants has been assessed as well as the annual nitrogen deposition rate on designated habitats. The air quality assessment also sought to establish potential effects of the scheme on ammonia in relation to total nitrogen deposition to take into account the full impact of the scheme at designated habitat sites.

The Air Quality assessment submitted with the application concludes that the scheme would improve air quality overall by removing vehicles from the centre of Banwell. In terms of construction, it concludes that with appropriate construction management practices in place there would be no significant air quality impacts from construction dust or construction vehicles on identified sensitive receptors.

The assessment identified 79 human receptor locations. Modelling indicates that air quality impacts from the scheme on human receptor locations would be negligible or beneficial. The exception to this is two identified human receptor locations on Summer Lane, where modelling for the year 2039 indicates a potential minor – moderate adverse impact however, this is attributed to increased traffic associated with a potential residential development at Wolvershill in the draft local plan allocation and not the scheme directly. In any case, no exceedances of the relevant air quality objectives are indicated at any receptor locations following development of the Scheme.

The scheme improves air quality through Banwell village and does not exceed the relevant air quality objectives at sensitive receptor locations, including the nearby villages of Sandford, Churchill and Winscombe where air quality impacts were predicted to be negligible despite increases in traffic movements.

The conclusions of the report have been fully considered and are considered to be reasonable. As detailed in the Cumulative Effects chapter of the ES, the traffic modelling used to determine air quality has accounted for additional traffic associated with identified future developments located in proximity to the Scheme. Thus, the conclusions drawn from the air quality model are considered comprehensive.

It is considered that potential impacts from dust during the construction stage can be managed via a thorough construction management plan condition. This condition has been applied.

Lighting

The submitted Lighting Strategy states that lighting is proposed in discrete locations at the west junction, Wolvershill Road, Eastermead Lane tie-in and Castle Hill tie-in, with the remainder of the road being unlit so as to preserve the ecological value of the area, maintain dark skies and to minimise the carbon impact of the scheme. The submitted Health Impact Assessment states that lighting would be implemented at the western end of the route where it joins the A371. It is also proposed at the top of the Southern Link which ties into the A371. The scheme is located on the northern edge of the Mendip Hills AONB, which has a particular designation for dark skies, which could be impacted by road/street lighting. However, the lighting scheme would replicate the existing situation and therefore it is not anticipated that this would create additional impacts for most receptors. Low level lighting is also likely to be provided for the active travel routes at junctions or in the vicinity of Moor Road/Wolvershill Hill Road junctions. The exact lighting details are to be determined at the detailed design stage and would be controlled by a planning condition. Existing streetlighting along Towerhead near to Eastermead Lane is to be removed, at the bottom of the proposed southern link road. There are several properties that would be close to the lighting proposed at the western junction and the Castle Hill tie-in, however given the existence of existing street lighting in these locations, it is not considered that the proposal would have any significant adverse effect.

Lighting is also proposed along the shared use path between Sandford and Churchill Green to make this a more attractive route to commute between Sandford and Churchill Academy. Given the distance of this path from the nearest neighbouring property of approximately 17m and the existence of boundary vegetation, it is not considered that lighting would result in an unacceptable loss of amenity.

Overall therefore it is considered that the proposal is acceptable in terms of Policy DM32 of the Sites and Policies Plan Part as there would be no unacceptable effects on the living conditions of properties in terms of privacy, overlooking overshadowing or overbearing impact or lighting. With regards to policy CS3, the proposal is considered to be acceptable in terms of the impact on air quality and will likely improve air quality in the centre of Banwell. In terms of noise, there will be some conflict due to a relatively small number of properties that would be significantly adversely affected by noise but this should be balanced against the much larger number of homes that would benefit from reduced noise as a result of the proposals.

Issue 9: Health impacts

Policy CS26 of the North Somerset Core Strategy seeks to support healthy living and reduce health inequalities. It requires Health Impact Assessments on all large-scale developments in the district to assess how the development would contribute to improving the health and wellbeing of the local population.

The submitted ES includes a chapter on population and human health which considers the potential impacts of the proposal including potential impacts/effects on physical, mental and social wellbeing during construction and operation of the bypass and the wider mitigation measures in the surrounding villages. Health impacts have also been taken into account in the assessment of the impact on living conditions addressed in the preceding section of this report. The ES chapter concludes that overall the proposal would have both positive and negative effects on the local population with the negative effects being more likely to occur during construction. The majority of these effects would be as a result of changes in access and the potential disruption of travel routes during construction. Stonebridge Farm Caravan Park would see the largest effect as this is within the footprint of the scheme. In terms of the operational phase, the chapter concludes that the proposal would bring largely positive effects to population and human health. The most beneficial effects would derive from the reduced traffic flows through the centre of Banwell and the improvements to active travel routes in the village and surrounding villages. It explains that some individual receptors such as Court Farm Country Park would experience significant beneficial effects due to the improvements in access that the scheme would provide.

A Health Impact Assessment (HIA) has also been submitted with the application which considers the impacts on health that may arise both during the construction and operation phases. The construction period would be approximately 28 months. This concludes that there would be some impacts on health during construction and during operation of the bypass but that these would not be significant. During operation of the bypass, the only significant impacts upon health would be beneficial relating to access to open space and to accessibility and active travel. The report recommends a number of measures during construction including maintaining access during construction where possible, community engagement, measures to control dust, noise and vibration during construction and signing up to the Considerate Contractors Scheme and their Code of Considerate Practice. This can be controlled via a condition requiring the submission of a Construction Environmental Management Plan (CEMP).

Third parties have raised concerns that a Health Impact Assessment has not been carried out for the surrounding villages. The HIA states that the study area for the HIA includes the wards and communities directly and indirectly affected by the scheme and is comprised of the following areas located within 500m of it:

- a) Banwell and Winscombe Ward
- b) Hutton and Locking Ward
- c) Sandford village and
- d) Churchill village

The HIA states that traffic levels in Winscombe, Sandford and Churchill have been assessed in terms of noise and modelling and shows that these villages are not expected to experience any significant noise effects or health effects.

A health benefit of the bypass would arise from improved access for emergency service vehicles, as they will not need to go through the centre of Banwell. Overall, the conclusions of the Health Impact Assessment are accepted and that development is in accordance with Policy CS26.

Issue 10: Impact on biodiversity and trees

Chapter 8 of the ES analyses the impacts of the bypass proposals on biodiversity and cross-references to other matters such as lighting, construction strategy, landscape, drainage and hydrological impacts, and environmental management. It has taken into account the need for mitigation measures, such as culverts for mammals to traverse the new road safely, attenuation basins, fencing, low level lighting, tree and hedge retention and management strategies such as the Construction Environment Management (CEMP) and Landscape Ecological Management Plans (LEMP). European Protected Species licences where appropriate are referred to but these are granted through separate procedures by Natural England.

There are several designated sites or areas that lie within or adjacent to the Scheme: North Somerset and Mendips Bat Special Areas of Conservation (SAC), Banwell Ochre Caves Site of Special Scientific Interest (SSSI) to the southeast and Banwell Caves SSSI to the west/southwest.

The proposed bypass route also passes through a variety of habitats, including coastal and floodplain grazing marsh (Habitats of Principal Importance), improved and poor semi-improved grassland and is close to an Ancient Woodland (Banwell Woods). There are also traditional orchards, wood pasture and parkland within 2 km of the application site. There are no high-quality veteran trees recorded along the proposed development, but there is a group Tree Protection Order (TPO) covering Banwell Wood and there are hybrid (not the rarest form) black poplars on Riverside.

The River Banwell is crossed by the bypass and there are numerous rhynes and ponds. One pond near to the river is directly impacted by the proposed road. The most notable rhynes are central to the site (The Old Yeo rhyne) and East Mead rhyne network adjacent to Eastermead Lane. These offer opportunities for aquatic invertebrates, riparian mammals, fish, amphibians in aquatic breeding phase, waterfowl and other birds, and commuting species such as reptiles and terrestrial phase amphibians. The impacts of the development on protected species such as bats, dormice, great crested newts, otters, water voles, badgers, barn owls, and other species such as hedgehogs, brown hare, terrestrial invertebrates, and invasive non-native species have all been assessed. Habitat sites particularly the North Somerset and Mendip Bats Special Area of Conservation have also been fully considered in consultation with Natural England.

The proposed road is adjacent to the Banwell Ochre Caves SSSI (part of the North Somerset and Mendip Bats SAC) where it re-joins the A368 at its eastern end and at its western end is within 500m of the Banwell Bone Caves SSSI (also part of the North Somerset and Mendip Bats SAC). The area is of International/European importance for bats. The landscape crossed by the proposed route is described as, "improved grassland ... managed for grazing (particularly cattle) and silage production." Cattle-grazed pasture is described by the North Somerset and Mendip Bats Special Area of Conservation Guidance on Development SPD (referred to here as the "Bat SPD") as the most important

factor for supporting foraging Greater Horseshoe bat populations. It is a landscape that enables bats, particularly the protected species, to navigate freely in a way that supports the population.

Very high levels of bat activity occur to the north of the site on Moor Road and to the north-east of the site along Eastmead Lane. Most horseshoe bat activity is concentrated over an area 3.7km wide (east/west) by 4.5km north/south with most activity occurring approximately in a 1.5 sq.km area south of the village. This underlines the importance of understanding the potential impacts on this habitat, and where unavoidable, that a precautionary approach is taken, with adequate mitigation provided to ensure no unfavourable impacts arise.

Not only have direct physical threats been considered but also the potential for impacts arising from Nitrogen Oxide and Ammonia levels (covered in Air Quality, ES Volume 1 Chapter 5) and light intrusion from vehicle headlamps. The road itself is proposed to be unlit, apart from junctions at the western end of the bypass and at the Wolverhill Road junction, which is an avoidance measure that was designed into the scheme from an early date. Natural England (NE) has concluded that with mitigations to minimise light intrusion into Banwell Woods these matters do not pose a significant threat to the protected bat species.

NE considers that bat habitat creation with a strategic focus is required to maintain the landscape where bats can commute and forage north-south and east-west, close to Banwell and north, beyond the scheme's boundaries. The road would potentially sever some of these routes, result in the loss of grassland habitat for foraging and introduce lighting that may disrupt foraging activity. Initial plans showing hedgerow enhancement on north-south (or road intersecting) linear features was considered inadequate and focused too much on the road corridor where noise impacts from traffic would discourage bat activity. This was reviewed and improved in subsequent revisions as summarised below.

For developments falling within certain bat consultation zones, identified in the Bat SPD the quantity of habitat required as mitigation to replace any lost to greater and lesser horseshoe bat activity, is identified following a Habitat Evaluation Procedure (HEP). This has been undertaken and the 17.3ha of land for mitigation measures outside the buffer areas next to the road, now meets and exceeds the minimum figure of 13.3 ha that was required.

Revised plans were submitted in December. A key component of the design has been to include entire fields through which the proposed route passes, as opposed to a linear, narrow corridor directly adjacent to the footprint only, and this has allowed more effective mitigation to be developed on a landscape scale.

Wider area mitigations away from the immediate bypass route includes:

- a) acquisition of currently grazed fields and a traditional orchard that are important for foraging, which will remain in NSC ownership and/or stewardship, managed to protect vital routes and foraging for bats. An additional 7.7 ha of land is now proposed to be acquired to assist with mitigation. This is in an area of potential development pressure and will preserve connectivity into the wider landscape rather than funnelling bat activity along the route corridor, where collision risks between bats and vehicles will be higher. Land management to improve the range of invertebrates available as a feeding resource is proposed, from the point the

- Compulsory Purchase Order (CPO) is granted.
- b) retained and reinforced hedgerows with additional planting along the outer boundaries, up to 180m away from the carriageway, to allow continued bat movement for foraging close to and beyond the application site. This land is in 2 parts. The first is north of the A368 to the east of the proposed bypass (near Catworthy Lane) where a mix of trees and hedgerow to reinforce connectivity and provide links to the wider landscape for bats can be planted and the second is a field at Eastermead Farm where grazing would continue as currently and hedgerows would be enhanced with additional tree and shrub species.
 - c) connectivity between culverts under the road and additional planting will be used to direct bat movement. Temporary fencing will also be used during construction to provide connectivity while new hedgerows are established. The design minimises the road cross section width and retains hedgerows, where possible
 - d) a condition will secure a Landscape Ecological Management Plan (LEMP) to secure graziers and a grazing regime to manage the land in a way that bats require to survive.
 - e) more localised measures e.g., to create hop-overs to assist bats to navigate breaches in the historic routes following hedges and trees.

The applicant also recognises that due to the number of linear features to be severed during construction works, specific bat surveys are required to provide further context, and to allow more detailed tailoring of mitigation. Monitoring of bat activity during the construction phase and for five years after the route is open to traffic will be secured as part of the LEMP. Grazing regimes are considered fundamental to the success of the mitigation land and would be secured via the LEMP. This would also cover the long term post establishment 25 year period for the mitigation planting, habitat creation, grazing regime and enhancement and the grazing regime needs to cover as a minimum the areas identified as essential mitigation for bats in the approved plans and supporting documents. Whilst NE considers the grazing management plan would be best secured before planning permission is granted, this would entail significant delays to the application and the construction programme to which the applicant cannot agree. It will therefore be secured by the conditions referred to.

Where a development proposal has the potential to have an impact on any of the qualifying features of an SAC it is required to carry out an assessment to identify the risk of a significant effect on the site (Habitat Regulations Assessment or HRA). Such a proposal is required to be assessed both alone and in combination with other plans and projects. It is a requirement of the Habitats Regulations that the plan or project being considered must be assessed for significant effects either alone or in combination with other plans and projects.

Natural England previously advised that whilst cumulative impacts from future housing development in the area such as the proposed strategic development area at Wolverhill had been regarded as out of scope of the HRA by the applicant it felt there was sufficient certainty about this to draw some conclusions and that the applicant should be mindful of this and demonstrate that mitigation accounts for the combined effects in the form of strategic wildlife corridors. The applicant has responded explaining that as significant effects arising from the bypass are identified then an Appropriate Assessment became necessary without the need to examine in-combination effects.

Nevertheless, this matter has been considered as part of the application. Chapter 15 of the ES sets out an assessment of cumulative effects with other projects including on biodiversity and this includes the proposed strategic Wolvershill development area. Given the timing of the emerging Local Plan in comparison to the proposed timetable for constructing the bypass, it is the applicant's view that it is for the Local Plan HRA to take the bypass application into account as a cumulative impact. They also say that the strategic allocation identified at Wolvershill is currently at an early stage and should be accorded very limited weight. A cumulative impact might arise should the allocation for development be finally adopted but there is currently no certainty on its boundaries, scale of development or most details including any mitigation proposals associated with that. The applicant considers that all mitigation implemented as part of the bypass scheme should be retained and considered as part of HRA for the proposed housing development planning applications. In essence, other developers of major sites would need to show that their developments would not result in the loss of mitigation associated with the bypass scheme and that their development would not give rise to adverse impacts on protected bats in combination with an approved bypass.

A pre-application process is taking place with potential developers in the Wolvershill area on a without prejudice basis. Most of the major landholdings are known and so there is a broad understanding of where applications might be submitted irrespective of whether these may be supported. If this is to be developed, this would result in the loss of undeveloped land that may be frequented by protected bat species, in which case there could be likely adverse impacts if the area is valuable to these bat species.

Critically it is noted that the mitigations as enhanced by the addition of 7.7ha of land and the commitment to a grazing strategy, has made provision to ensure that bats would have the opportunity to fly and forage in continuous flight paths that are favourable in character to their needs and would be able to access the wider countryside by following landscape features. It is a matter for when the strategic development comes forward, to ensure appropriate mitigation (including the continuation of access to historic feeding grounds, supplemented if required by new areas of equivalent value to the bats) is secured as a result of the impact of those developments.

Natural England has withdrawn its objections to the proposals subject to appropriate mitigation being secured. Therefore, based on the proposed mitigations, it is concluded that the proposals in respect of bats are sufficient to meet the requirements of Policies CS4 and DM8 and the NS and Mendips Bats SAC SPD.

Nevertheless, it will be necessary for an Appropriate Assessment to be undertaken and a Habitats Regulation Assessment (HRA) to be adopted by the council and be agreed with Natural England. A shadow HRA submitted with the application has been updated to reflect the inclusion of the enhanced mitigations package and will be adopted by the council as LPA and presented to NE. It is hoped that a decision on this will be available by the time of the committee meeting but if not then a final decision to grant planning permission will be subject to receiving this as set out in the recommendation below. The HRA will reflect a suite of planning conditions that will deliver the protection of wildlife habitats and species during the construction stages and beyond, mitigation measures and enhancements.

The proposed ecological measures will deliver 40% biodiversity net gain (BNG), based on the DEFRA Metric 3.0 which is a positive aspect of the proposal and exceeds the gain

being delivered on most applications currently. The BNG land and HEP land are both dispersed across the scheme and integrated with each other, and the wider landscape. The design of the mitigation for BNG is also suited to the needs of horseshoe and other bat species and by integrating the BNG and HEP land allow for movement and foraging of all bat species and a range of other species across the landscape.

These measures will create a varied mosaic of environments to benefit not just bats but a wide range of wildlife. There are, for example, woodland block and woodland edge areas of planting, scrub planting, species rich meadow seeding, including areas of wetlands, orchard planting (including reinforcement of the traditional example on Riverside) and the drainage and flood compensation measures are designed to benefit landscape and wildlife as well as manage water. An important feature of the strategy is to reinforce hedgerows and create new ones that reflect the pattern of the existing landscape and are situated to create essential connectivity for ground based wildlife to access the wider landscape for food. The ability to replicate the existing pattern as closely as possible has been helped by the approach taken to acquisition of whole fields.

Additional positive measures taken along the length of the route include creation of habitats and hibernacula for reptiles, nesting and roosting opportunities, kingfisher perches, and mitigatory planting to support dormouse populations and a series of mammal pipes with ledges along the route of culverts under the road (e.g. Wolverhill Road) and the proposed new full span bridge leading from Moor Road to Riverside to facilitate safe movement across the landscape and transport corridors by various species. These proposals are also considered to address the requirements of Policy CS4, DM8 and the Biodiversity SPD.

Protection of wildlife during the construction period will be vital and in appropriate locations, and measures are proposed to secure this. It is also proposed to protect the proposed new wetland habitat areas from a highly invasive weed, floating pennywort identified as present in the East Moor and several smaller connecting ditches. It is potentially damaging if allowed to spread to the wetland habitats to be created and could compromise the drainage and biodiversity performance of these systems if not dealt with. Accordingly, a suitable condition requiring this to be addressed and managed is proposed.

The Construction Environment Management Plan (CEMP) proposed to be secured by condition will require details to be provided. Significant features will include protected species fencing to divert animals away from risk of contact with earth movement, equipment, and excavations. Where necessary tree barriers will be specified by condition. It is also proposed that temporary devices placed in the landscape at key areas will be used to assist bats to navigate in the immediate aftermath of hedgerow removal where this is unavoidable.

An important part of the natural environment are the trees that feature in existing rural situations and in some cases closer to the built up areas. The proposals inevitably result in the loss of field trees as it is unavoidable to undertake the road construction that cuts across numerous fields which are oriented at angles to the road direction. None are covered by TPOs. Trees to be retained that may be vulnerable to construction activity would be subject to a condition requiring an Arboricultural Method Statement and Tree Protection Plan. Trees will also be addressed through a Landscape Ecological Management Plan (LEMP) that would also create a management regime (e.g. for hedge trimming) to maximise the inherent value of trees to biodiversity.

Particular care has been taken to ensure the visual appreciation of Banwell Woods, which is Ancient Woodland covered by a woodland TPO and valuable to bats, is not compromised. Notwithstanding the losses along the route, the mitigation proposals provide for the planting of a significant quantity of suitable tree species that are characteristic of the area and these will be used to reinforce the character of the landscape and existing field patterns with hedgerow and hedgerow trees and serve as valuable biodiversity assets. Additional tree planting is varied in nature and will provide significant support to biodiversity. These include enhancement of a traditional orchard on Riverside, woodland block and woodland edge planting, fruiting trees and scrub layer planting which are all consistent with the council's Climate Emergency and Nature Emergency strategies. Single trees are also to be planted in a variety of locations including fields which, in due course may provide shelter for livestock and wildlife as well as having space to grow into mature specimens in the landscape. It is also proposed to propagate new black poplars from a small number of relatively rare hybrid specimens in the area.

As part of the place-making proposals additional opportunities are identified e.g., in Banwell for tree planting that will enhance the environment and Conservation Area and potentially offer welcome shade that may be greatly valued in a time of climate change.

In this way the proposals will be in accordance with Policies CS4 and CS9 of the North Somerset Core Strategy, Policies DM8, DM9, DM10 and DM19 of the North Somerset Sites and Policies Plan Part 1 and the North Somerset Biodiversity and Trees SPD.

Issue 11: Impact on flooding and drainage

Policy CS3 of the Core Strategy states that development that would result in water pollution will only be permitted if the potential adverse effects would be mitigated to an acceptable level by other control regimes or by the imposition of planning conditions. It also states that development in zones 2 and 3 of the Environment Agency flood map will only be permitted where it can be demonstrated that the proposal will comply with the sequential test set out in the NPPF and associated guidance and where applicable the exceptions test.

Policy DM1 of the Sites and Policies Plan requires that all development must consider its vulnerability to flooding, taking account of all sources of flood risk and the impacts of climate change up to 60 years ahead on non-residential schemes. This has now been amended to 75 years in National Planning Policy Guidance. Policy DM1 also states that all development that would increase the rate of discharge of surface water from the site, must consider its implications for the wider area and that sustainable drainage schemes are expected for all major developments. It states that open areas, including highways, must be designed to optimise drainage and reduce run-off, while protecting groundwater and surface water resources and quality.

The NPPF states at para 162 that "the aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding." At paragraph 163 it states: "If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test

may have to be applied.” At paragraph 164 it states “To pass the exception test it should be demonstrated that:

(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

(b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.”

Part of the route of the bypass lies within flood zones 2 and 3. The proposed bypass would cross the River Banwell as well as two tributaries of the River Banwell, the Old Yeo Rhyne which flows south to north, and the Wallymead Rhyne, which flows west to east, along with other minor rhyne and ditches. A flood risk assessment and surface water drainage strategy have been submitted with the application.

Government policy set out in the NPPF and related guidance, requires that a sequential test and exception test are passed before planning permission is granted. In respect of the sequential test, the submitted flood risk assessment states that the route alignment is considered to satisfy the requirements of the sequential test approach as the route is protected for planning purposes within the Local Plan, the alignment has been subject to a route Options Assessment, and it will be elevated above the design flood level. The FRA states that route 2, the middle alignment for the bypass, was taken forward as the preferred route as it minimises the footprint within the floodplain, has the least impact upon land take and severance and has the greatest opportunity for providing a balance of impacts and habitat enhancements. The council as Lead Local Flood Authority, is satisfied that the sequential test has been met as the bypass can't be located elsewhere. The Environment Agency has advised that it does not object to the principle of development.

With regards the exceptions test, the Environment Agency has advised that as application contains land within flood zone 3a, development classified as 'essential infrastructure' is only appropriate in these areas if the exception test is passed. It advises that the NPPF makes it clear that both elements of the exception test must be passed for development to be permitted. Part 1 of the test requires that the development would provide wider sustainability benefits to the community that outweigh the flood risk. It is considered that a bypass to the village of Banwell would bring sustainability benefits to the community by reducing traffic congestion and its associated environmental effects in the centre of the village, would improve transport connectivity as well as delivering active travel improvements both within Banwell and the wider surrounding area. This is considered to outweigh the flood risk.

Part 2 of the test requires the applicant to demonstrate, via a site-specific Flood Risk Assessment, that the development will be safe, without increasing flood risk elsewhere. Where possible, the development should reduce flood risk overall.

The bypass would largely sit on an embankment with a small area of cutting where it pass over a small hill to the north-west. The FRA states that the modelling has shown benefits as well as detriments to flood risk in two areas, namely at the caravan site at Stonebridge Farm. It also identifies that without mitigation, there would be a detriment in and around the Old Yeo Rhyne. The scheme proposes compensatory storage and culverts to make up for the loss of floodplain storage caused by the presence of the bypass. Three flood

compensation areas are proposed along the route. Flood compensation area 3 has a storage volume of 8315.74 cubic metres and provides additional storage purely to provide a flood risk betterment. A flood risk evacuation plan has also been submitted with the application which identifies that the bypass itself is not at risk of flooding as it sits on an embankment and that only small parts of the shared use path (which would be below the level of the road) would be susceptible to flooding. The evacuation plan recommends that in the event of a 100 year or 1000year flood event, parts of the shared use path be closed.

The applicant has provided additional information to address the Environment Agency's original objections, which raised concern about the impact of the development on flood risk on third party land. The applicant has sought to address these comments and advises that areas where the predicted increases in flood depth are greater than 10mm will be the subject of a compulsory purchase order including the right to flood. The EA also raised other concerns about the impacts on flood risk during construction and the consideration of the Moor Road-Riverside link road and bridge crossing within the FRA and further justification why the standard freeboard requirement could not be provided at the soffit of the proposed bridge crossing the River Banwell. The applicant advises that with regards construction impacts on the flood plain, the construction of the Riverside Bridge will require the installation of a crane platform (approximately 10m by 10m by 1m). They advise that given the small size, temporary nature and timing of the works after the excavation of the flood compensation area, this would not lead to any significant increase in flood risk. They advise that other temporary works required for construction will be determined through the detailed design process, which would be subject to the approval of the local planning authority and relevant consultees.

With regards the Moor Road link road they advise that this has been considered within the FRA and has also provided a technical note which explains the connectivity issues and proposals for Moor Road. The Environment Agency has advised that it is satisfied with the additional information and that it withdraws its earlier objection, in principle, to the proposed development. It states that this is subject to the inclusion of conditions requiring the development to be carried out in accordance with the submitted Flood Risk Assessment, that a scheme for the prevention of water pollution be submitted and a remediation strategy, if contamination not previously identified is found, to be submitted. These conditions have been applied. It is therefore considered that the development would meet both parts of the exceptions test.

In respect of drainage, the council as Lead Local Flood Authority is content that the surface water proposals will provide the necessary flow attenuation and water quality benefits provided they are designed, detailed and constructed in accordance with the indicative design proposals submitted with the application. It recommends conditions requiring detailed design, maintenance of surface water drainage features and maintenance of flood mitigation measures to be submitted. These conditions have been applied.

The North Somerset Levels Internal Drainage Board (IDB) originally objected to the proposals due to insufficient information about the flood risk and surface water drainage. They required the applicant to submit more information regarding the model report, flood risk assessment, surface water and environmental assessment, and viewed rhynes and ordinary watercourse access. The applicant has provided additional information to address these comments and advises that the loss of floodplain storage due to the bypass of 5,276m³ is more than compensated for by the provision of flood compensation areas with

a total volume of 13,909m³, thereby increasing the floodplain storage volume by 8,633m³. They advise that the locations of the surface water attenuation pond have been agreed with the Lead Local Flood Authority and that eleven culverts are proposed for the scheme to provide connectivity along rhynes and water courses. Methods of monitoring floating pennywort together with other non-native invasive species are to be included in a method statement and management plan as part of the Construction Environmental Management Plan (CEMP). The IDB has reviewed the additional information and has removed its original objection subject to the inclusion of conditions requiring a scheme for the drainage of the Towerhead catchment, a surface water drainage scheme and a survey to identify where floating pennywort (an invasive species) to be submitted and approved. These conditions have been applied.

In respect of the impact upon groundwater, the EA has advised that the proposed development without mitigation presents a contamination risk to groundwater which is particularly sensitive in this location because the proposed development site is partly located within the Source Protection Zone 1 for the Banwell Springs public water supply and it is also located upon secondary aquifers. The EA advise that the Banwell Springs public water supply is a groundwater asset of significantly high value and the potential pathways between the source and the construction site need to be well defined. It also advises that construction works which breach the confining layer or pressurize the uppermost soft sediments have the potential to alter the conditions in the underlying aquifer. Bristol Water have also raised concerns about the impact upon Banwell Spring drinking water supply and the impact upon groundwater yield and quality.

A hydrogeological impact assessment has been submitted with the application, which assesses how the scheme is likely to impact the groundwater regime with respect to levels, flow and quality. This recommends further assessments. The applicant has also submitted an update on the artesian ground water monitoring from nine boreholes that have been installed. The EA advises that the Environmental Statement provides it with the confidence that it will be possible to suitably manage the risks posed to groundwater resources. It does however recommend conditions requiring investigations and risk assessments to protect ground water to be carried out, the decommissioning of investigative boreholes and no further development. if contamination not previously identified is found to be present until a remediation scheme is agreed. These conditions have been applied.

Overall, it is considered that the proposal would meet both the sequential and the exceptions tests set out in the NPPF and that subject to conditions, the proposal is considered to be acceptable in terms flood risk, drainage and groundwater and to comply with Policy CS3 of the North Somerset Core Strategy, Policy DM1 of the Sites and Policies Plan Part 1 and the National Planning Policy Framework.

Issue 12: Impact upon climate change

Policy CS1 of the North Somerset Core Strategy requires that (amongst other things) development should demonstrate a commitment to reducing carbon emissions, including reducing energy demand through good design and utilizing renewable energy where feasible and by focusing development in accordance with the settlement strategy as set out in the area policies. It also states that opportunities for walking, cycling and use of public transport should be maximised through new development emphasising the aim to

provide opportunities that encourage and facilitate a modal shift towards more sustainable transport modes. This policy also requires a network of multifunctional green infrastructure, protection and enhancement of biodiversity, reduction of waste, re-use of previously developed land in preference to the loss of green field sites and for development to be resilient to climate change. Policy CS2 requires (amongst other things) that sustainable drainage systems should be used to reduce the impact of additional surface water run-off from new development. Policy CS10 requires that transport schemes (amongst other things) should reduce the adverse environmental impacts of transport and contribute towards carbon reduction.

Paragraph 154 of the NPPF states that new development should be planned for in ways that avoid increased vulnerability to the range of impacts arising from climate change and can help to reduce greenhouse gas emissions, such as through its location, orientation and design.

The council's Creations Sustainable Buildings and Places SPD provides further guidance as to how to apply Policies CS1 and CS2 of the Core Strategy and the details required for sustainable urban drainage.

Chapter 14 of the submitted Environmental Statement reports the potential effects from the construction and operation of the proposed scheme on climate and the vulnerability of the scheme to climate change. Volume 3 of the Environmental Statement includes a greenhouse gas assessment, climate change assessment, carbon management plan, route options carbon assessment report and a carbon assessment report.

This chapter explains how opportunities for sustainable travel have been pursued throughout the design of the scheme. To give the local population the opportunity to travel sustainably the current design includes a fully separated traffic free shared path alongside the bypass. Regular crossings are proposed to maintain existing walking, cycling and horse riding routes and a range of active travel improvements are proposed, including upgrades to two existing footpaths between Sandford and Churchill and Langford and Churchill.

This chapter identifies that construction of the scheme has been designed to minimize carbon emissions and offset carbon from the design and would be carried out in accordance with the submitted carbon management plan. In terms of the operation of the development, this chapter identifies that the greenhouse emissions (GHG) caused by the scheme have been assessed against the ability of the UK Government to meet its carbon targets and the effect is not considered to be significant. In terms of North Somerset Council's local aspirations to be carbon neutral by 2030, the report concludes that the scheme is unlikely to materially affect this. The climate change assessment identified medium climate change risks to the scheme. These would be mitigated further where possible through detailed design.

An independent climate change consultant has assessed the submitted greenhouse gas information in the Environmental Statement for the LPA and has identified that for construction emissions, the methodology used to identify the significance of the impact is in line with good practice, relative legislation and policy and the conclusions are appropriate based on the information presented in the ES. The consultant also concludes that the assessment presented is suitable for the proposed development and the conclusions are robust. The applicant has followed the methodology set out in the Design

Manual for Roads and Bridges (DMRB) LA 114 Climate. They advise that measures to mitigate the impact of GHG emissions during construction are reasonably complete and measures to mitigate the impact of GHG emissions during construction are also at the level expected emissions are at the level expected given the stage of scheme design. The consultant agrees with the overall conclusion that no significant GHG effects will arise during the construction phase.

With regards to operational road user carbon emissions, the LPA's consultant advises that the assessment concludes that the effect of the scheme would be between 0.0026-0.0046% of the 4th-6th carbon budgets and that this magnitude of change would not have a material impact on the ability of the Government to meet its carbon budget and therefore is not considered to give rise to a significant effect in line with section 15.8 of the National Networks National Planning Policy Statement and that this is an appropriate evaluation of significance. It is not considered that there would be any significant effect on local and regional carbon budgets.

No specific additional mitigation measures are proposed for road user carbon emissions as no significant effects have been predicted and thus is considered to be appropriate by the consultant. In addition, as required by DMRB LA114 total emissions from the construction of the scheme have been compared against other highways projects on a per kilometre basis. This comparison highlighted that the Scheme is generally lower in terms of GHG impacts on a per kilometre basis to other highways Schemes for both construction emissions and for operation and maintenance.

Chapter 14 of the Environmental Statement also assesses the vulnerability of the scheme to climate change and the resilience of the scheme to climate change including how the scheme design has been adapted to take account of the projected impacts of climate change. Mitigation measures identified to date and the significant assessment are set out in the Climate Change assessment report. The ES chapter states that the scheme has been designed to improve its resilience to climate change through a range of design and material specification measures including where practicable the use of construction materials with superior properties (such as increased tolerance to fluctuating temperatures), incorporation of current road design standards and future climate change allowances. The ES chapter also considered the potential impacts of future climate conditions on the environment combined with the impacts of the scheme. This is set out in the carbon assessment report. The ES chapter concludes that it is considered that at this stage, there remains medium climate change risks to the scheme. It proposes that these risks will be considered at the detailed design stage to reduce their risk rating to below medium. For example, erosion management and earthwork stability will need to be considered at the detailed design stage.

Subject to conditions requiring the submission of detailed design and materials and implementation in accordance with the submitted carbon management plan, the proposal is considered to be in accordance with Policies CS1, CS2 and CS10 of the North Somerset Core Strategy.

Issue 13: Impact on public rights of way

Policy DM25 of the Sites and Policies Plan seeks to protect and enhance the public rights of way network and to ensure the provision of new and improved multi-use routes.

There are 26 public rights of way within 500m of the proposed bypass. Only one public right of way would be directly affected by the proposed bypass route where Public Footpath AX3/6/10 is crossed by the bypass. The footpath would be diverted to connect with the proposed shared use path to the north side of the proposed bypass, via an at-grade uncontrolled crossing, which would tie-in to the north section of the severed AX3/6/10 footpath.

Rights of Way AX 3/25/10, AX 3/25/20, AX 3/3/10 and AX 3/5/10 are unaffected directly by the bypass works, from Knightcott to Whitecross Lane and Stonebridge and Cooks Lane. Their context and environment are, however, likely to be changed from the largely peaceful, pastoral landscapes due to the proximity and elevated position of the bypass, traffic noise and sight of traffic movement. The proposals, however, provide for varied and substantial screen planting which in the long run will help to mitigate these effects. AX3/11/10 adjacent to Summer Lane at the western end of the route will be subject to temporary closure during the period of construction works.

The proposals would also include new active travel routes, including the shared path along the north of the bypass and a shared use path between the bypass and Sandford, thus improving access to the Strawberry Line. It would also include the upgrading of two existing footpaths between Sandford and Churchill and Churchill and Langford to shared use paths/active travel routes. Design of lighting on these routes to assist in providing safe routes to school will need to be sensitively designed to minimise the impact on the countryside and in particular bats.

The proposals are considered acceptable and comply with Policy DM25.

Issue 14: Impact on agriculture, geology and soils

Impact upon agriculture

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by “b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;”

An agricultural land classification report has been submitted with the application. The updated Environmental Statement states that the total area of agricultural land that would be permanently affected by the construction of the scheme has been estimated to be approximately 53.7ha (permanent land take). This would be an adverse effect of the development consisting of 5.5ha of Grade 3a (best and most versatile), 19.6ha of Grade 3b and 28.7ha of Grade 4. The scheme would also require a temporary land take of approximately 8.3ha. This impact has been taken into account against the benefits of the scheme and is not considered to be overriding.

Third parties have also raised concerns about the impact upon agriculture, particularly in terms of severance. The owners of the property at Muddle End have also raised concerns about overshadowing of the bypass to this smallholding and potentially diminished agricultural productivity. ES chapter 12 Population and Human Health addresses this issue and the scheme seeks to reduce this disruption and, where appropriate and reasonably

practicable, incorporate inaccessible severed land as part of environmental mitigation works.

The ES chapter 12 considers the effects of the scheme on individual agricultural and related interests. It does not identify any essential mitigation for agricultural land holdings during the operation phase. During construction it concludes that overall 23 holdings would be affected during construction, of which 13 would experience a moderate adverse effect, which is significant for each holding. It goes on to state that for the majority of the holdings that are significantly affected, the agricultural use is not relied upon for viability and in these instances the existing low-key use is likely to persist following the construction process across a reduced area of land. Five of the affected holdings are commercial holdings. It explains that Stonebridge Farm (holding 6) agricultural holding is likely to cease after the likely closure of the caravan site resulting from the construction of the bypass. Holding 12 would be bisected by the Moor Road link. The ES explains that a set of field gateways will be provided on either side of the road, but this will still leave management of the field considerably disadvantaged.

Ten holdings would also be affected by the construction of the shared use paths. It is not proposed that the works will require any removal of the topsoil rather a geotextile membrane would be laid over the existing surface and therefore would be reversible. The ES proposes that there is no practical mitigation available for the loss of agricultural land other than financial compensation and this will be assessed in line with the prevailing statutory requirements. Access to land severed by the scheme has been considered and alternative means of access have been provided, where practicable. These include: a) an agricultural access track along the northern side of the bypass from Banwell West Junction (for Holding 5) b) field gates and cattle handling facilities north of Wolvershill Road (for Holding 6); c) field gates and cattle handling facilities south of Wolvershill Road (for Holding 7); d) field gates across Moor Road Link (for Holding 12); e) replacement field gateways (for Holdings 3, 4, 5 from the A371 and for Holdings 22 and 23 from the proposed new Southern Link). The conclusions of the ES chapter and the update to the ES are accepted.

In terms of the impact upon Muddle End, the nearest part of the scheme would be approximately 18m from the boundary with this property, which would be path rising up to go over the road. The road would measure 3.2m above the ground level at Muddle End. Mitigation land of at least 10m wide is proposed between this path and the boundary of the property. Given the distances involved and the existing of existing boundary vegetation along the southern boundary of this property, it is not considered that the proposal would result in any unacceptable overshadowing or diminished agricultural productivity or equestrian use of the land.

Overall, whilst there would be a significant loss of agricultural land, including 5.5ha of best and most versatile land, it is considered that the scheme has mitigated the impact upon agriculture as far as it can and the wider benefits of the scheme outweigh these impacts.

Geology and soils and land contamination

Policy CS3 of the Core Strategy requires that development that would result in water or other environmental pollution or harm to amenity, health or safety will only be permitted if potential adverse effects would be mitigated to an acceptable level by other control regimes, or by measures in the proposals or by the imposition of planning conditions.

The NPPF gives further guidance at paragraphs 174 and 183. Part of the proposal is within a historical landfill area which is located where the proposed approach embankment is proposed to the Riverside bridge. This will require a piled foundation and then transitions into an embankment. It is proposed that the piled embankment stretches across the extent of the deposited waste to avoid the installation of band drains in the area of deposited waste and avoid potential contamination.

ES chapter 9 Geology and Soils concludes that subject to the application of mitigation measures, the scheme is unlikely to result in and significant effects on geology or land contamination. The proposed mitigation in the ES chapter 9 is acceptable but further information is required in respect of ground gas monitoring or groundwater sampling within the former landfill site due to flooded wells and artesian groundwater conditions. The applicant has submitted an update on the artesian ground water monitoring, this is covered in the Flooding and Drainage section of the report above. A soil management plan is proposed by the applicant, which will present a verification plan for materials uses within the construction and will set out the acceptance criteria for use of materials sourced from the scheme and imported materials. This would be required in the CEMP condition. The proposal is therefore considered to be acceptable, subject to conditions, in terms of policy CS3 of the North Somerset Core Strategy.

With regards to soils, ES chapter 9 concludes that the permanent loss of soil resources leads to significant effects which cannot be mitigated due to the nature of the scheme. The proposal would therefore be contrary to chapter 15 of the NPPF as the loss of soils, including best and most versatile agricultural land, cannot be fully mitigated. However, this is considered to be outweighed by the public benefits of the proposal. The proposal is considered to be in accordance with Policy DM20 of the North Somerset Sites and Policies Plan, which safeguards the route.

Issue 15: Waste management

In terms of waste management, the ES the assessment focuses on

- a) the consumption of materials and products (from primary, recycled, or secondary, and renewable sources), the use of materials offering sustainability benefits, and the use of excavated and other arisings that fall within the scope of waste exemption criteria and
- b) the production and disposal of waste, within the construction phase and first year of operational activities (opening year).

It sets out the statutory position and national planning policy position on waste. At sub-regional level, the Joint Waste Core Strategy sets out the vision and objectives for sustainable waste management and a planning framework up to 2026, reflecting the waste hierarchy. Core Strategy Policy CS7 supports the prevention and minimisation of waste and the sustainable management of waste, whilst CS8 is relevant in respect of use of aggregates likely to be involved in the road construction. Policies CS1, CS2 and CS3 also underline the importance of sustainable construction and the waste hierarchy.

The ES draws attention to the waste hierarchy, which in order of most to least favourable, is as follows:

Prevention – manage waste to produce less in the first place through auditing waste and implementing better processes.

Re-use- explore options to reuse materials, by checking, cleaning, repairing and refurbishing products/materials.

Recycling- turn waste into new substances/products.

Other recovery- extracted value from waste even if not recycled e.g. energy recovery from incineration though this does release harmful gases.

Disposal -once the above options have been explored, disposal by landfill or incineration is the final waste management method. Both with negative environmental impacts.

The assessment of environmental effects associated with the consumption of material assets used in construction has considered (a) types/quantities of materials required for the development, (b) information on materials containing secondary or recycled content, (c) information on any known sustainability credentials (e.g. Forestry Stewardship (FSC) of materials to be used, (d) type/volume of materials to be recovered from off-site sources for use in road construction, (e) balance of cut and fill works and (f) on-site storage/stockpiling arrangements.

The ES concludes that there is potential for effects from material resources and waste arising to occur during construction of the scheme through on-site generated materials (e.g. soils) and the capacity of landfill to accommodate the material generated and from the use of primary (non-recycled) materials used for construction.

It states that good practice mitigation measures are part of the design and construction of the scheme. These aim to minimise the impacts of waste on the local environment and include measures described elsewhere in this report, such as conditions requiring the CEMP, controls over the compounds and treatment of contamination. Compound locations have also been carefully located to minimise movement of equipment, hgv's and materials as far as practicable. Hence main compounds are proposed at intervals along the length of the road construction whilst the one near Riverside would be a focus of activities relating to the bridge construction.

Materials will be managed by the applicant through (a) a Materials Management Plan which will cover imported material and be designed to control use of materials, so they are not wasted, are suitable for their use, sufficient but no more than is required, and do not present a risk to the environment or human health and (b) a Site Waste Management Plan for the identification, segregation, handling and storage of wastes arising from the road construction. These plans, proposed by the applicant, are a valuable tool to achieve sustainable construction projects but are not a requirement of the planning process. They are regarded as best practice and a requirement under other consent regimes, such as the Waste Framework Directive. No planning conditions are necessary.

The raw materials and secondary manufactured products associated with road construction could potentially have adverse environmental impacts. The proposed approach is to source materials ideally from local suppliers who can meet the qualitative and quantitative requirements, balanced with value for money. These include earthworks,

for which just under 40% might be constructed from materials 'won' on site (see also Geology and Soils section above), landscape fill, all of which is likely to be re-used on site, drainage, steelwork, signage, kerbing, fencing and lighting columns, all of which will be imported. Quantities of waste taken off site will be minimised, consistent with the waste hierarchy and will minimise hgv traffic. The effects on material reuse is considered insignificant.

The amount of material from cut activities, for example for flood works, is insufficient to supply the need for fill material on site, so importation of material up to 100,000m³ will be needed. Aggregates will be obtained from local recycled suppliers where possible. Crushed rock aggregates required will be a very small percentage of the crushed rock aggregate reserves in the southwest of England and is insignificant.

Waste impacts and opportunities to recycle are identified. The ES concludes that overall, a limited amount of waste will be removed from site and it is unlikely it will need to be disposed of outside the region. Effects on waste management infrastructure are therefore not significant.

For operational impacts the ES states that significant effects are unlikely during the use of the bypass, There are no predicted impacts after mitigation measures have been implemented in accordance with the ES. Impacts arising from extreme weather/climate conditions are unlikely and will be monitored and managed through the management plans identified above.

It is concluded therefore that there are no predicted significant effects on waste management from the road construction and it is in accordance with Policies CS7 and CS8 which are the main relevant policies but it can be regarded as also consistent with CS1,CS2, CS3 and CS10 which contain requirements for sustainable construction and commitment to the waste hierarchy.

Issue 16: Cumulative Impacts

The cumulative impacts of the proposal have been considered in ES chapter 15. This has taken into account the cumulative combined traffic and environmental effects (outlined in the various preceding sections of this report) of the proposal and also considered the cumulative effects of the proposed bypass together with other projects. This has included existing projects in the vicinity of the site which have planning permission as well as committed development and emerging development allocations as per the emerging Local Plan. This includes the proposed residential development at Wolverhill north of Banwell, given its proximity to the scheme, and other wider highways and utilities works where they do not form part of the scheme. It is recognised, however, that there are no details of this possible future development and therefore assumptions and limitations need to be applied to the cumulative assessment, which is in line with PINs guidance on assessing cumulative impacts, when dealing with Nationally Significant Infrastructure Projects(NSIP) although it is recognised that this project is not an NSIP.

The traffic modelling in the TA has included scenarios both with and without the draft local plan Wolverhill development. The TA concludes that the traffic impacts of the development that are directly attributed to the scheme can be mitigated. Whilst the TA notes that not all of the impacts associated with the future housing allocations can be

accommodated at some locations, this is considered appropriate at this stage given the status of the emerging local plan. The council, as Highway Authority, is satisfied with the modelling undertaken and that the impacts of the bypass have been fully considered and mitigated to a suitable level.

A number of sensitivity tests have been carried out on the traffic modelling to account for uncertainties and also to take into account the effect of the Bristol Airport expansion. The TA concludes that the Bristol Airport expansion will have a limited impact upon traffic flows within the study area.

In terms of the other environmental impacts, the ES chapter 13 on cumulative impacts, concludes that there will be major and moderate adverse in-combination effects during construction to a number of residential properties, commercial premises and public rights of way, including this in Knightcott Way, Stonebridge farm and caravan park, Court Farm, properties at the top of Castle Hill, Dark Lane, Wolvershill Road, Cook's Lane, East Street, Towerbrook Farm and at Banwell Football Club. However, it notes that these would be temporary of short duration and localised with a high likely success of construction mitigation.

In terms of the cumulative effects, in combination with other projects, the ES chapter noted that there is potential for cumulative effects but that with mitigation in place for both the proposed scheme and developments, apart from the road noise implications of future housing development outlined under the living conditions section of this report they are generally slight adverse or neutral or not significant. In terms of construction the effects of the bypass in combination with other projects, these are unlikely to be significant as the larger development are currently underway and the smaller are unlikely to cause a significant effect.

It is noted that due to the size and proximity of the scheme, the Wolvershill development in the draft local plan could also cause cumulative effects during construction if the 2 schemes are built concurrently, however this is unlikely given the early stage of the emerging Local Plan. There could be significant cumulative effects during the operational phase, together with this development, but this cannot be fully assessed as there is limited information available of the Wolvershill development at this stage. That development, if it comes forward, would be subject to its own Environmental Impact Assessment and a careful consideration of the operational effects together with the bypass will need to be considered at the appropriate time. In the meantime, as set out earlier in the report, there is co-ordination between the 2 projects to seek to ensure the bypass can serve the Wolvershill development in due course. The conclusions of the cumulative assessment chapter of the ES are therefore accepted.

Issue 17: Impact upon crime and disorder

The Crime and Disorder Act 1998 places a duty on local authorities to have regard to crime and disorder issues in exercising their functions. Policy DM32 also requires that in determining whether the design of new developments is acceptable, the design reflects the need to deter crime and enhance security.

The submitted Health Impact Assessment states that it is unlikely that the existence of the bypass would result in changes in crime within the local area. The Police Design Liaison

Officer has also been consulted on the proposals (see above) and has raised no objection. Comments and advice are made regarding future landscaping, boundary treatments, open space and design of active travel routes to reduce risk of crime and disorder.

Overall, it is concluded that the proposed development will not have a materially detrimental impact upon crime and disorder.

Other matters

All other matters raised including those by the consultees in appendix 2 have been taken into account, but none is of such significance as to outweigh the considerations that led the recommendation below. Some matters which have been raised e.g.: loss of view, private rights of way or devaluation of property carry very little or no weight in the determination of planning applications.

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

The proposed development was screened under the above Regulations (reference 21/P/1989/EA3) and found to constitute 'EIA development'. Accordingly, the Environmental Statement was submitted with this application as referenced throughout this report.

Equalities assessment

The Equalities Act 2010 sets out the Public Sector Equalities Duty ("PSED"). Case law has established that this duty is engaged when planning applications are determined and consequently this duty has to be taken into account in the determination of this application.

Conclusion and planning balance

Planning applications are required to be decided in accordance with the development plan unless material considerations indicate otherwise. In this respect, policy CS10 of the Core Strategy identifies Banwell bypass as a proposed major transport scheme whilst policy DM20 of the Sites and Policies Plan safeguards land for its alignment. Whilst the proposed route deviates in parts from the safeguarded alignment, the principle of a bypass to the north of Banwell and the southern link road, is in broad accordance with the council's adopted Sites and Policies Plan. The emerging local plan which currently has limited weight includes draft policy LP10 which also includes an updated alignment for the bypass similar to that now proposed in the current application. JLTP4, whilst not part of the development plan, is a material consideration and also provides support for the bypass.

The proposed bypass has been designed to improve the local road network to deal with existing congestion issues in Banwell. In so doing, it provides the opportunity to improve and enhance the centre of the village and its Conservation Area through some detailed "placemaking" improvements. These are significant benefits which should be given substantial weight. The proposal would also provide key infrastructure to support the delivery of new homes which would also be a benefit in favour of the scheme. Whilst the emerging local plan currently carries little weight, it does propose a strategic housing allocation at Wolvershill, north of Banwell which the proposed route could serve. That strategic allocation remains to be confirmed through the local plan process but the benefit

of the proposed bypass to the delivery of new homes should nevertheless be afforded positive weight in the balance. Indeed the HIF funding for the project has been awarded on that basis. As part of the consideration of the application, the benefits of the bypass in this respect have been weighed against the other impacts that the housing development might have whilst recognising that those developments would be subject to detailed assessment at the appropriate planning stages. Indeed policy LP1 of the draft plan, whilst of limited weight at this stage, sets out the criteria that the Wolverhill development should meet which includes effective integration with the design and delivery of the bypass. The two projects also need to coordinate to ensure the bypass design can accommodate the Wolverhill development if and when it comes forward.

The impacts of the proposed development have been assessed against the relevant development plan policies and against national policy in the NPPF and related guidance. In terms of the AONB and the impact on the wider landscape, it is concluded that the proposal would meet the tests set out in NPPF paragraph 177 and that, subject to the proposed mitigation and conditions, would be acceptable in terms of policies DM11 of the Sites and Policies Plan and CS5 of the Core Strategy. Whilst the proposals would have an impact on the character and appearance of the countryside, the scheme has been designed to mitigate this as much as possible. Extensive mitigation planting and landscaping is proposed, the benefit of which would significantly increase over time. On this basis the scheme is considered to be acceptable in terms of policies CS5 of the Core Strategy and DM32 of the Sites and Policies Plan. Although the impact on individual agricultural holdings can be mitigated, there would nevertheless be a loss of some best and most versatile land/soil resources which weighs against the proposal. Existing trees are safeguarded where possible and supplemented by significant areas of new tree planting of appropriate species. In this way the proposals will be in accordance with Policies CS4 and CS9 of the Core Strategy, Policies DM8, DM9, DM10 and DM19 of the Sites and Policies Plan and the North Somerset Biodiversity and Trees SPD.

The effect of the proposed development on protected species and habitats has been addressed in detail and in consultation with Natural England. Whilst the development would have some adverse impacts these are mitigated by an extensive range of proposed measures to be secured through the planning conditions recommended below. The proposals would also deliver a significant biodiversity net gain. An HRA is being finalised for agreement by NE and on the basis of the proposed mitigations, it is concluded that the proposals in respect of bats are sufficient to meet the requirements of Policies CS4 and DM8 and the NS and Mendips Bats SAC SPD.

The impact on recreational uses has been fully considered. Provision has been made for replacement facilities for Banwell Football Club which can be secured by condition whilst the scheme introduces a range of new footpath and cycle opportunities as part of extensive active travel improvements. These improvements are a benefit which weigh in favour of the development. The impact on existing Public Rights of Way has also been fully considered and addressed where required by a proposed diversion to Public Footpath AX3/6/10 which is crossed by the bypass.

There are a large number of designated and non-designated heritage assets, the settings of which would be negatively impacted by the proposed development. These include Scheduled Monuments, listed buildings, and Banwell Conservation Area. The design of the proposed scheme and the consideration of its impact has had special regard to the desirability of preserving the relevant listed buildings and their settings in accordance with

part 1 section 66 of The Planning (Listed Buildings and Conservation Areas) Act . Special attention has also been paid to the desirability of preserving or enhancing the character or appearance of the Banwell Conservation Area through the design and consideration of the scheme and the proposed planning conditions in accordance with Part II section 72 of the Act. The impacts identified have been given great weight in the consideration of the significance of the heritage assets and their conservation during the application process in line with paragraph 199 of the NPPF. It is also apparent that heritage benefits to Banwell Conservation Area have also been identified as a result of removing the traffic which currently runs through its core and the opportunities this creates for local enhancements. In terms of the tests in the NPPF, the impacts of the development results in moderate, less than substantial harm to the setting of listed buildings, but this would move to the lower end once the landscaping has fully matured. Similarly, the scheme would cause less than substantial harm at a moderate scale to the setting of the Conservation Area which would reduce to low level of harm once the mitigation has taken place. Whilst there would also be a negative impact on the significance of surrounding non-designated heritage assets as a result of the proposed development, this harm would also reduce once the landscaping and archaeological mitigation has taken place.

In these circumstances where less than substantial harm has been identified to a designated heritage asset, the NPPF requires that the harm must be weighed against the public benefits of the proposed development. In this case the benefits of the proposed bypass include removing congestion in the village of Banwell, the core of which forms the Conservation Area, thereby improving the character, appearance and living conditions of the village and Conservation Area; assisting the delivery of new housing through an infrastructure led approach, economic benefits, the creation of enhanced active travel routes and a significant biodiversity net gain. These are all public benefits which it is concluded outweigh the harm to the designated heritage assets. This harm would in any event reduce over time as the landscaping proposals mature. These benefits are also material considerations which outweigh the conflicts with policies DM3, DM4 and DM7 of the Sites and Policies Plan.

The harm which might be caused to archaeological assets as set out in the report has been fully taken into account and given great weight in accordance with the NPPF and policy DM6 of the Sites and Policies Plan. The harm has been assessed as less than substantial and with the use of appropriate conditions and mitigations that harm would be further reduced. The less than substantial harm has been weighed against the public benefits identified above and in the report and those benefits are concluded to outweigh the harm.

The impact of the proposed bypass on the rest of the local highway network and surrounding villages has been fully assessed. It has been concluded that the proposals would improve connectivity, provide enhanced active travel connections, improve road safety and environmental conditions in Banwell, reduce congestion in Banwell and would acceptably mitigate against traffic congestion elsewhere including Winscombe, Churchill and Sandford in accordance with Core Strategy policy CS10. The proposal is consistent with the aim of Policy DM20 of the Sites and Policies Plan which safeguards a route for the bypass to the north of Banwell and is considered acceptable in terms of highway safety, emergency vehicle access, public transport and waste collection. It would not have a severe residual cumulative impact on traffic congestion or on the surrounding area subject to the mitigation proposed. It is therefore in accordance with policy DM24. It should be noted however that National Highways has served formal

notice that planning permission should not be granted for a further three months (ie: until 22nd May) to provide more time to address an outstanding concern. This is reflected in the recommendation to give the opportunity for it to be resolved.

The cumulative impacts of the proposal have been fully considered, including the cumulative effects from the proposal taking into account the combined traffic and environmental effects of the proposal in isolation and also the cumulative effects of the proposal combined with other developments. This has included existing developments in the vicinity of the site which have planning permission as well as committed development and development allocations as per the council's emerging Local Plan. This includes the proposed residential development at Wolvershill north of Banwell and other wider highways and utilities works where they do not form part of the scheme. The potential cumulative impacts would not be so great as to warrant refusal of the application.

The effect of the proposed development on the living conditions of local residents has been fully considered taking into account the issues of noise, air quality, vibration and lighting. The impacts which have been identified would not cause sufficient harm to warrant refusal of the application taking into account the mitigations which have been proposed. A Health Impact Assessment has been carried out and it concluded that overall the development is in accordance with Core Strategy policy CS26. Whilst some homes would experience a significant increase in traffic noise in the longer term if and when major new housing development takes place at Wolvershill, a much greater number of homes would see a reduction in traffic noise as a result of the proposed bypass. Therefore it is concluded that overall there would be a positive effect in terms of the planning balance.

In terms of flood risk, the proposal would meet both the sequential and the exceptions tests set out in the NPPF and that subject to conditions, the development is acceptable in terms flood risk, drainage and groundwater impacts and complies with policies CS3 of the Core Strategy and DM1 of the Sites and Policies Plan Part 1.

The issue of climate change has been assessed on behalf of the local planning authority. Subject to conditions requiring the submission of detailed design and materials and implementation in accordance with the submitted carbon management plan, the proposal is in accordance with Core Strategy policies CS1, CS2 and CS10. The scheme has also been planned to minimise and manage waste.

Overall, taking into account all the matters which have been raised it is concluded that the impacts of the development are outweighed by the benefits and the application should be recommended for approval.

RECOMMENDATION: Subject to –

- (a) The conclusion of the Habitats Regulation Assessment and
- (b) the satisfactory resolution of the issues raised by National Highways

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. The development hereby permitted shall be begun before the expiry of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site location plan

BNWLBP-ARP-LSI-XXXX-DR-ZL-000013

Red line Boundary Plans

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Sheet 5 of 9 - BNWLBP-ARP-LSI-XXXX-DR-ZL-000008

Sheet 6 of 9 - BNWLBP-ARP-LSI-XXXX-DR-ZL-000009

Sheet 7 of 9 - BNWLBP-ARP-LSI-XXXX-DR-ZL-000010

Sheet 8 of 9 - BNWLBP-ARP-LSI-XXXX-DR-ZL-000011

Sheet 9 of 9 - BNWLBP-ARP-LSI-XXXX-DR-ZL-000012

PMA Visibility Drawing 1 BNWLBP-ARP-HGN-X_BB_Z-DR -CH-000009

PMA Visibility Drawing 2 BNWLBP-ARP- HGN-X_BB_Z-DR -CH-000010

SBR-0550-Culvert GA SBR-0550 Wallymead Rhyne Culvert (West) General Arrangement Drawing BNWLBP-ARP-SBR-X_BB_Z_0550-DR-CB-000001

SBR-1375-Culvert GA SBR-1375-Wallymead Rhyne Culvert (East) General Arrangement Drawing BNWLBP-ARP-SBR-X_BB_Z_01375-DR-CH-000001

SBR-1760 Culvert GA SBR-1760 Old Yeo Rhyne Culvert (East) General Arrangement Drawing BNWLBP-ARP-SBR-X_BB_Z_1760-DR-CB-000001

SBR-1930 Bridge GA SBR-1930 Banwell River Underbridge Approval in Principle Drawing BNWLBP-ARP-SBR-X_BB_Z_1930-DR-CB-000001

SBR-2310 Culvert GA SBR-2310 East Mead Rhyne Culvert General Arrangement Drawing BNWLBP-ARP-SBR-X_BB_Z_2310-DR-CB-000001

Moor Road Diversion Structures BNWLBP-ARP-SBR-XXXX-SK-CB-00017

Plan and Profile – Mainline

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Sheet 4 of 6 - BNWLBP-ARP-HML-X_BB_Z-DR-CH-000104

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Plan and Profile – Side Road

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Typical Cross-Section

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Placemaking Site Layout Drawing

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Highway Drainage Drawing

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Drainage Catchment Drawings Set 1 of 2

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Private Means of Access Visibility Plan

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Wider Network Mitigation General Arrangement Plans

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Wider Network Mitigation Standard Detail for Raised Zebra Crossings Draw-ning -
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Wider Network Mitigation Standard Raised Detail for Raised Signalised Crossings
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Environmental Master Plans

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General Arrangement Drawings
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Plans and Drawings Update Report
Planning Statement
Planning, Design and Access Update Report
Environmental Statement
Environmental Statement Update Report
Flood Evacuation Plan
Health Impact Assessment
Walking Cycling Horse-riding Assessment Report
Walking Cycling Horse-riding Review Report – Preliminary Design
Transport Assessment
Stage 1 Road Safety Audit Response
Wider Network Mitigations Measure Speed Limits Assessment Report
Surface Water Drainage Strategy
Lighting Strategy
Carbon Management Plan

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

3. No works, including any site clearance or demolition works, shall take place until a Works Programme, showing the subdivision of the scheme into defined work phases has been submitted to and approved in writing by the Local Planning Authority. Thereafter the construction of the development hereby approved shall not proceed other than in accordance with the approved phasing details.

Reason: It is necessary that the stages of development and the provision of associated infrastructure follow a co-ordinated sequence and in accordance with Policy CS2 of the North Somerset Core Strategy

4. Prior to commencement of any earthworks, drainage works, carriageway construction or other road construction work on any phase of the development a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved Plan shall be adhered to throughout the construction period. An Early Works Construction Management Plan will be prepared to cover the early works only. The Construction Management Plan shall provide for:
 - a) Construction hours, and how the loading and unloading of plant and materials and other goods will be managed to (i) avoid conflict with peak periods of vehicle activity on local approach and trunk roads and junctions and (ii) reduce potential conflict with pedestrian movement. This shall include procedures for emergency deviation of the agreed working hours;
 - b) Any necessary temporary closures or diversions of highways and Public Rights of Way;

- c) Procedures for maintaining good public relations including complaint management, public liaison, and communicating planned works in advance to help minimise disruption;
- d) Wheel washing facilities or other measures to prevent or clear mud or debris from the highway where appropriate;
- e) Provision for construction staff car parking, times of site operation, waiting or parking areas for construction vehicles and safety measures such as banksman. This shall include measures for traffic management including routing of vehicles to and from the site, details of the number and frequency and sizes of vehicles and proposed on-site parking for vehicles associated with the construction works including site personnel, operatives and visitors and the provision made for access thereto;
- f) Measures for controlling the use of site lighting whether required for safe working or for security purposes;
- g) Location of construction compounds, the type and location of activities to take place within the construction compounds and any required lighting;
- h) The location and design of the construction accesses including visibility splays. This shall include the proposed route(s) to and from the site including temporary site access, including connections to work compounds;
- i) The erection and maintenance of security hoarding, including displays and facilities for public viewing where appropriate;
- j) Stockpile management including location, heights and coverage.

The development shall be carried out in accordance with the approved details.

Reason: In the interest of highway safety and to minimise the impact on the development of nearby residents in accordance with Policies CS3 & CS10 of the North Somerset Core Strategy and Policy DM24 of the North Somerset Sites and Policies Plan Part 1.

5. Prior to commencement of any development for each work phase approved under Condition 3 (Phasing), a detailed Construction Environmental Management Plan (CEMP) which accords with the outline CEMP for that phase shall be submitted to and approved in writing by the Local Planning Authority. The level of detail included in the CEMP shall be appropriate to each phase and shall outline:
- (a) All site clearance and construction works to be in accordance with the Environmental statement.
 - (b) Arrangements for liaison with the Local Planning Authority's Pollution Control Team and on site presence to enable appropriate responses to matters such as unforeseen contamination.
 - (c) Mitigation measures to rectify any potential capacity impact, damage to structures or highway.

- (d) Proposals for the temporary movements and stockpiling of a soil and spoil and proposals for the testing of soils to be used in soft landscaping areas for contamination.
- (e) Measures to control the emission of vibration, dust and dirt during construction including a piling works risk assessment and verification plan and details of how vibration, dust and dirt during construction will be mitigated to protect the pollution from entering local watercourses. The treatment and removal of suspended solids from surface water run-off during construction works and measures to prevent building material finding its way into a watercourse.
- (f) A scheme for recycling/disposing of waste resulting from demolition
- (g) Details of measures to ensure the Rhyne network and any other aquatic habitats on or adjacent to the development site are not adversely affected during construction (to include no light spill to dark corridor during the construction phase);
- (h) Details of measures to protect wildlife habitats, protected species and Section 41 species during construction. The approved plan shall be implemented and adhered to thereafter at all time during construction.
- (i) The employment of an Environmental Clerk of Works.
- (j) Procedures for emergency deviation of the agreed working hours.
- (k) The use of a 'Considerate Contractors' or similar regime and arrangements for site induction for workforce highlighting pollution prevention and awareness.
- (l) Measures for controlling the use of site lighting whether required for safe working or for security purposes.
- (m) Arrangements for briefing contractors and sub-contractors on the importance of the ecological features which are to be retained on site and the ecological value of the SNCIs in particular. The CEMP should follow best practice pollution control measures and biosecurity.
- (n) A detailed Ecological Method Statement to include mitigation measures to protect ecological features during the construction and to include precautionary working measures for key species, including:
- (i) Best practice construction methods for the scope of works;
 - (ii) Suitable protection measures of ecological fencing and hedgerows with protective fencing and signage;
 - (iii) All works to be completed with suitable toolbox talks and ecological watching briefs;
 - (iv) Sensitive storing and siting of materials, chemicals and machinery;
 - (v) Pollution control measures to protect quality of surface and ground waters;
 - (vi) Measures for disposal of waste;
 - (vii) Sensitive construction lighting scheme including minimisation of night-time working.

(o) Details of a baseline survey to identify the working locations of invasive botanical species, for example not limited to where floating pennywort is located, and to detail the management of these species to ensure a high level of biosecurity when working near identified species or habitats found to contain them, to reduce the risk of spreading identified invasives. The CEMP should follow best practice pollution control measures and biosecurity.

The development shall be implemented in accordance with the approved details and subject to review of ongoing monitoring surveys for protected and notable species identified as being impacted by the works, without mitigation, and as referenced in the supporting documentation.

Reason: In the interest of public safety and to minimise the impact on the development of nearby residents as required by policies CS3, CS4 and CS10 of the North Somerset Core Strategy and to comply with the Habitats and Species Regulations (2010) and ensure the survival of rare or protected species, and the protection of a Wildlife Site in accordance with Policy CS4: Nature Conservation in the adopted North Somerset Core Strategy.

6. Prior to the commencement of development, a detailed Landscape Ecological Management Plan (LEMP) which accords with the outline LEMP) and provides for the long term post establishment 25 year period for the mitigation planting, habitat creation, grazing regime and enhancement shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall include a detailed scheme of mitigation, compensation, habitat management, and biodiversity net gain and enhancement measures including a timetable for the monitoring, management responsibilities, and maintenance and grazing schedules for all landscape and ecological areas including but not limited to planting and habitat creation, essential mitigation and enhancements, flood compensation areas, attenuation basins, grazing areas identified, and other requirements set out within the approved plans. This shall include planting specifications comprising locally appropriate native species; annual habitat management prescriptions; table of works and monitoring regimes; and location and installation prescriptions of species-specific mitigation and enhancements.. The development shall be implemented in accordance with the approved details.

Reason: To ensure compliance with the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended)], Protection of Badgers Act 1992 and the Wild Mammal Protection Act 1996; North Somerset's Core Strategy policy CS4 and Site and Policies Plan Part 1, Development Management policy DM8. All sites should achieve net ecological gain in accordance with the NPPF, UK Government 25 Year Environment Plan.

7. For each work phase approved under condition 3 (phasing), detailed plans and details of the following aspects shall be submitted as a single submission for each phase and be approved in writing by the Local Planning Authority before the works approved in that phase are begun:
 - (a) Materials and hard landscaping details (including paving, surfaces, edge details and kerbing);

- (b) Soft landscaping details showing existing planting to be retained and new planting (including location, number, species, size and planting density of any proposed planting, cultivation, finished ground levels, importing of materials and other operations to ensure plant establishment) and a programme of implementation;
- (c) Street furniture and equipment (including signals, control equipment and signage);
- (d) Bicycle storage and hubs;
- (e) Placemaking works (including how these take into account nearby heritage assets);
- (f) Riverside bridge design and screening;
- (g) Street lighting (including a lighting level contour plan to assess light spill impacts upon ecology);
- (h) Bus stop infrastructure;
- (i) Noise attenuation barrier and screening;
- (j) Boundary fences and treatments (including the location, design, height and any vehicle or pedestrian gated access points) and security arrangements;
- (k) Surface water drainage.
- (l) Measures to prevent unauthorised access along shared use paths
- (m) Signage strategy including any parking restrictions
- (n) A detailed assessment of road surface materials to demonstrate if noise reduction can be achieved with a low noise surface material.

The development shall thereafter be implemented in accordance with the approved plans and details. unless otherwise agreed in writing by the Local Planning Authority prior to the first use of any part of the road by the public with the exception of the planting that may be carried out no later than during the first planting season following the first use of any part of the road by the public. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or 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.

Reason: To ensure a coordinated design of the elements identified so as to ensure the satisfactory appearance and functioning of the development and to accord with Policies CS3, CS4, CS5 and CS9 of the North Somerset Core Strategy, policies DM1, DM3, DM4, DM8, DM9, DM10, DM11, DM24 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees SPD.

8. Prior to the commencement of implementation of the proposed wider traffic mitigation works in Sandford, Winscombe and Churchill submitted as part of the development hereby approved , a speed monitoring plan shall be submitted to and approved in writing by the Local Planning Authority. Speed monitoring will thereafter be carried out in accordance with the approved plan.

Reason: To provide information to inform any evaluation of the performance of the speed reduction measures

9. No above ground work shall take place for each work phase approved under Condition 3 (Phasing), until details of the surface water drainage works for that phase have been submitted to and approved in writing by the local planning authority. The submitted details shall:
- (i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site to greenfield run off rates and volumes, taking into account long-term storage, and the measures taken to prevent pollution of the receiving groundwater and/or surface waters; and
 - (ii) include a timetable for its implementation.

Reason: To reduce the risk of flooding to the development from surface water/watercourses, 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 (Development Management Policies).

10. No above ground work 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 road which shall include details of land ownership; maintenance responsibilities to secure the operation of the sustainable drainage scheme throughout its lifetime; together with a description of the system, the identification of individual assets, services and access requirements, routes 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 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).

11. No above ground work shall take place until details of the implementation, maintenance and management of the flood mitigation areas 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 road which shall include details of land ownership; maintenance responsibilities to secure the retention of the flood mitigation areas throughout its lifetime; together with the identification of individual assets, services and access requirements, routes, and details of routine and periodic maintenance activities.

Reason: To reduce the risk of flooding and to ensure that the flood mitigation areas are secured for the lifetime of the development, 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- Development Management Policies).

12. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) ('HIF Banwell Bypass and Highways Improvements Project – ES Appendix 13.B – Flood Risk Assessment', ref. BNWLBP-WHS-GEN-X_BB_Z-RP-CD-000003 rev. P05 dated 27 September 2022, Wallingford Hydrosolutions) and the following mitigation measures it details:
- The proposed crossing of the River Banwell by the Moor Road Riverside link road shall have a minimum soffit level equivalent to the 1 in 100 (1%) flood level including climate change allowance, as stated in section 3.3.7 of the submitted FRA.
 - All other crossings of designated 'main rivers' shall have a minimum soffit level equivalent to the 1 in 100 (1%) flood level including climate change plus 600mm freeboard, as stated in section 5.4.1 of the submitted FRA.
 - Floodplain compensation areas shall be provided as indicated in Figure 12 and described in sections 5.4.2-5.4.8 of the submitted FRA.
 - Areas of residual minor increase in flood risk in design conditions, as described in section 6.4 of the submitted FRA, shall be subject to a Compulsory Purchase Order (CPO) including right to flood.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To prevent increases in flood risk elsewhere because of the proposed development and to comply with Policy CS3 of the North Somerset Core Strategy and Policy DM1 of the North Somerset Sites and Policies Plan Part 1.

13. Prior to commencement of the works, a scheme for drainage of the Towerhead catchment shall be submitted to and approved in writing by the local planning authority demonstrating no interruption of drainage channel and no increase of flood risk as a result of the works. The development shall be implemented in accordance with the approved details.

Reason: To ensure there is no increase of flood risk to third parties and to comply with Policies CS3 of the North Somerset Core Strategy and DM1 of the North Somerset Sites and Policies Plan (Part 1).

14. The development hereby permitted may not commence until such time as a scheme to:
- (a) investigate, risk assess and secure de-watering of the road and embankments

- (b) risk assess and secure the protection and sustainability of licensed and unlicensed sources of water with regard to water quality and resource availability
- (c) risk assess and monitor the maintenance of spring-fed flows
- (d) risk assess and secure the protection of groundwater dependent terrestrial ecosystems
- (f) specify the form of the road foundations
- (g) risk assess and specify any intrusive foundation design through the historic landfill area
- (h) develop options to install additional monitoring wells to better delineate the stratigraphy and hydrogeological conditions in the deeper sections of the bedrock, and provide robust evidence of a linkage between the Banwell Spring PWS and the proposed construction site.
- (i) continue and improve where necessary monitoring of the hydrogeological conditions in both the shallow and deeper aquifer strata, water quality and hydraulic interactions in controlled water receptors prior to, during and post construction
- (j) manage the construction phase to prevent pollution of the environment and controlled waters
- (k) agree pollution prevention measures for the above ground storage of oils, fuels and chemicals during the construction phase has been submitted to, and approved in writing by, the Local Planning Authority. Any such scheme should include a maintenance programme of the facilities to be provided. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes as may subsequently be agreed, in writing by the Local Planning Authority.

Reason: To ensure that the proposed development, including the construction, monitoring, and maintenance of the bypass, does not harm the water environment and in accordance with Policy CS3 of the North Somerset Core Strategy and Policy DM1 of the North Somerset Sites and Policies Plan Part 1.

15. A scheme for managing any borehole installed for the investigation of soils, groundwater or geotechnical purposes shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of how redundant boreholes are to be decommissioned and how any boreholes that need to be retained, post-development, for monitoring purposes will be secured, protected, and inspected. The boreholes that are retained must also be secured to avoid potential uncontrolled discharge of artesian groundwater. The scheme as approved shall be implemented prior to any part of the permitted development.

Reason: To ensure that redundant boreholes are safe and secure, and do not cause groundwater pollution or loss of water supplies and in accordance with Policy CS3 of the North Somerset Core Strategy and Policy DM1 of the North Somerset Sites and Policies Plan Part 1.

- 16 No development approved by this permission shall be commenced until a scheme for prevention of pollution during the construction phase has been approved by the Local Planning Authority. The scheme should include details of the following:
1. Site security.
 2. Fuel oil storage, bunding, delivery and use.

3. How both minor and major spillage will be dealt with.
 4. Containment of silt/soil contaminated run-off.
 5. Disposal of contaminated drainage, including water pumped from excavations.
 6. Site induction for workforce highlighting pollution prevention and awareness.
- Invitation for tenders for sub-contracted works must include a requirement for details of how the above will be implemented.

The development shall be carried out in accordance with the approved scheme.

Reason: To prevent pollution of the water environment and to comply with Policies CS3 of the North Somerset Core Strategy and Policy DM1 of the North Somerset Sites and Policies Plan Part 1.

17. If during a phase of development, contamination not previously identified is found to be present at the site then no further development on that phase (shall be carried out unless otherwise agreed in writing with the Local Planning Authority) until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site and in accordance with Policy CS3 of the North Somerset Core Strategy and Policy DM1 of the North Somerset Sites and Policies Plan Part 1.

18. No development shall commence on any phase of the development approved under condition 3 until further ground investigation has been carried out for that phase and details submitted to and approved in writing by the Local Planning Authority to determine the extent of any landfill, including ground gas monitoring (in unflooded monitoring wells) to confirm the ground gas regime and groundwater sampling, and determine any further mitigation/on-going monitoring required. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the proposed development does not harm groundwater quality or resources and is in accordance with Policy CS3 of the North Somerset Core Strategy and Policy DM1 of the North Somerset Sites and Policies Plan Part 1.

19. Prior to the commencement of each work phase approved under Condition 3 (Phasing) as appropriate, a Road Safety Audit for that phase shall be submitted to the Local Planning Authority for that phase and the development shall be carried out in accordance with the recommendations unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and to accord with Policy CS10 of the North Somerset Core Strategy and Policy DM24 of the North Somerset Sites and Policies Plan Part 1.

- 20 Prior to the commencement of works adjacent to trees shown to be retained for each work phase approved under Condition 3 (Phasing), a detailed Arboricultural Method Statement and Tree Protection Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. Tree protection fencing shall remain in place during site works. Nothing shall be stored or placed in any area fenced in accordance with this tree protection fencing and approved ecological method statements. Condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the Local Planning Authority. No equipment, machinery or structure shall be attached to or supported by a retained tree or hedge. No mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area. The Local Planning Authority is to be advised prior to development commencing of the fact that all protection measures required are in place and available for inspection. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the trees to be retained are not adversely affected by the development, in the interests of the character and biodiversity value of the area, and in accordance with Policies CS4 and CS9 of the North Somerset Core Strategy, Policies DM8, DM9, DM10 and DM19 of the North Somerset Sites and Policies Plan Part 1 and the North Somerset Biodiversity and Trees SPD.

21. Prior to commencement of construction of any works on the playing field land needed for the scheme, details of the proposed temporary reprovision of facilities for sporting use during construction and during the establishment of the replacement playing field land shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented and complied with in full throughout the carrying out of the development.

Reason: To safeguard and secure replacement playing fields in accordance with Policies DM68 and DM69 of the North Somerset Sites and Policies Plan Part 1.

22. Prior to commencement of construction of any works on the playing field land, details of access and any site clearance works including demolition of structures and undergrounding of utilities shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that satisfactory replacement playing fields are provided in accordance with Policies DM68 and DM69 of the North Somerset Sites and Policies Plan Part 1, in the interests of highway safety in accordance with Policy DM24 of the North Somerset Sites and Policies Plan Part 1, to ensure satisfactory landscaping in accordance with Policy DM8, DM9 and DM10 of the North Somerset Sites and Policies Plan Part 1 and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), Wildlife and Countryside Act 1981 (as amended), policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan Part 1.

23. Prior to the commencement of construction of any works on the playing field land, a written specification and schedule of works for the replacement playing field that demonstrates that the replacement playing field will be, at least, constructed and maintained to an equivalent quality and quantity as the existing playing field shall be submitted to and approved in writing by the Local Planning Authority. The approved specification and schedule shall be implemented in full and the playing field shall remain in existence for as long as the development hereby permitted exists.

Reason: To safeguard and secure replacement playing fields in accordance with Policies DM68 and DM69 of the North Somerset Sites and Policies Plan Part 1.

24. Prior to the demolition of section of wall from the medieval deer park as shown on the plans hereby approved that forms the boundary of the Banwell Conservation Area, details of its storage and future re-use shall be submitted to and approved in writing by the Local Planning Authority, including any details of any pointing, coursing, and/or jointing involved in the re-use of the wall. The development shall be carried out in accordance with the approved details.

Reason: To ensure the historic material from the non-designated heritage asset is re-use appropriately as part of the scheme and the appearance of the rebuilt wall will be satisfactory in the interests to the visual appearance of the conservation area and in accordance policies CS5 and CS12 of the North Somerset Core Strategy and policies DM3, DM7 and DM32 of the North Somerset Sites and Policies Plan (Part 1).

25. No development shall take place until an Archaeological Mitigation Strategy has been submitted to and approved by the local planning authority in writing. The strategy shall include an assessment of significance and research questions; and;

1. The programme and methodology of site investigation and recording
2. The programme for post investigation assessment
3. Provision to be made for analysis of the site investigation and recording
4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
5. Provision to be made for archive deposition of the analysis and site investigation
6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation

No development shall take place other than in accordance with the approved Archaeological Mitigation Strategy and the development hereby approved shall not be open to traffic until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the approved Archaeological Mitigation Strategy and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with policy CS5 of the North Somerset Core Strategy and policy DM6 of the North Somerset Sites and Policies Plan (Part 1 – Development Management Policies).

26. Prior to commencement of any relevant construction approved under Condition 3 (Phasing), a Tier 2 assessment of the hydrological impact of the Scheme on the preservation environment of the Scheduled Monument (Roman Villa) and associated deposits within its setting shall be carried out in accordance with Historic England's Preserving Archaeological Remains Guidance. The results will be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To make provision for a programme of archaeological mitigation, so as to record and advance understanding of any heritage assets which will be lost, in accordance with policy CS5 of the North Somerset Core Strategy and policy DM6 of the North Somerset Sites and Policies Plan (Part 1 – Development Management Policies).

27. Notwithstanding the submitted drawings, prior to commencement of the relevant phase of development, details of the following shall be submitted to and approved in writing by the Local Planning Authority:
- (a) Means of restraint for cyclists and horse riders where the bypass shared path is adjacent to embankments.
 - (b) The hardstanding and turning area for maintenance vehicles shown at CH2300 on plan BNWLBP-ARP-HGN-X_BB_Z-DR-CH-000004 Rev P10 Sheet 4.
 - (c) Control feature to be provided at the terminus of Eastermead Lane.
 - (d) The bend shown at CH2300 on plan BNWLBP-ARP-HGN-X_BB_Z-DR-CH-000004 Rev P10 Sheet 4. to be redesigned to serve cyclists and pedestrians and improve visibility.
 - (e) Speed reduction measures for Sidcot Road, Hilliers Lane and Dinghurst Road.
 - (f) pedestrian facilities at the Nye Road junction.
 - (g) Bus bays on A368/Greenhill Road by Sandford Primary School.
 - (h) Crossing point for cyclists and pedestrians at junction of upgraded PRow AX14/21 and A368/Greenhill Road to be agreed
 - (i) Crossing point with give/ take section for upgraded PRow AX14/36 junction with Church Lane.

- (j) Crossing point/ narrowing for upgraded PRow AX14/36 junction with Ladymead Lane.
- (k) Bus stop improvements and safe pedestrian crossing point at Hilliers Lane/Dinghurst Road (A368).
- (l) Bus stop buildouts east of the Railway Inn

The development shall be carried out in accordance with the approved details and implemented prior to the first use of the bypass.

Reason: In the interests of highway safety and to accord with Policy CS10 of the North Somerset Core Strategy and Policy DM24 of the North Somerset Sites and Policies Plan Part 1.

- 28 Notwithstanding the submitted plans and prior to the commencement of development of the relevant phase, tracking details shall be submitted to and approved in writing by the Local Planning Authority for that phase. This is to include acceptable tracking for:

- (a) Wider Network Mitigation GA Plans Sheet 1 of 13 Rev P08. 2-way tracking of the 5.5m roads at the gateway feature.
- (b) General Arrangement Sheet 2 of 6. The turning head for Wolvershill Road south prior to bus gate/Bypass junction for the turning of waste/recycling vehicles.
- (c) Wider Network Mitigation GA Plans Sheet 2 of 13 P08. 2-way tracking at the raised bus boarders east of the Railway Inn and at the crossing point west of Nye Road for widths (larger vehicles/HGV's/buses).

The development shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety and to accord with Policy CS10 of the North Somerset Core Strategy and Policy DM24 of the North Somerset Sites and Policies Plan Part 1.

29. For each work phase approved, detailed plans and details of soft landscaping details showing existing planting to be retained and new planting (including location, number, species, size and planting density of any proposed planting, cultivation, finished ground levels, importing of materials and other operations to ensure plant establishment) and a programme of implementation shall be submitted to and be approved in writing by the Local Planning Authority before the works approved in that phase are begun.

The development shall thereafter be implemented in accordance with the approved plans and details unless otherwise agreed in writing by the Local Planning Authority prior to the first use of any part of the road by the public with the exception of the planting that may be carried out no later than during the first planting season following the first use of any part of the road by the public. Trees, hedges and plants shown in the landscaping scheme to be retained or planted which, during the development works or 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.

Reason: To ensure a coordinated design of the elements identified so as to ensure the satisfactory appearance and functioning of the development and to accord with Policies CS3, CS4, CS5 and CS9 of the North Somerset Core Strategy, policies DM1, DM3, DM4, DM8, DM9, DM10, DM11, DM24 and DM32 of the North Somerset Sites and Policies Plan (Part 1) and the North Somerset Biodiversity and Trees SPD.

30. No external lighting shall be installed except in strict accordance with the lighting specification and locations as shown in the approved lighting strategy and detailed mitigation plans. No lighting shall be installed until supplementary details are submitted to and approved in writing by the Local Planning Authority, including:
- (i) details of the type and location of the proposed lighting
 - (ii) existing lux levels affecting the site
 - (iii) the proposed lux levels
 - (iv) lighting contour plans

Any lighting shall be installed and operated in accordance with the approved details and subject to review of ongoing monitoring surveys for protected and notable species identified as being impacted by the works, and as referenced in the supporting documentation.

Reason: To reduce the potential for light pollution in accordance with policy CS3 of the North Somerset Core Strategy and to protect bat habitat in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended), Wildlife and Countryside Act 1981 (as amended), policy CS4 of the North Somerset Core Strategy and policy DM8 of the North Somerset Sites and Policies Plan Part 1.

31. No development shall commence until a timescale for the implementation of the wider traffic mitigation measures in Sandford, Winscombe and Churchill has been submitted to and approved in writing by the local planning authority. The traffic mitigation measures shall be implemented in accordance with the approved timescales and prior to the first use of the bypass by vehicular traffic.

Reason: To ensure that the wider traffic mitigations are in place prior to the first use of the bypass and in the interests of highway safety in accordance with Policy DM24 of the North Somerset Sites and Policies Plan (Part 1).

Appendix 1

Table of Abbreviations

The following table is a key to abbreviations and acronyms used in the application and in some cases in this report.

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| AONB | Area of Outstanding Natural Beauty |
| AQAL | Air Quality Assessment Level |
| BMV | Best and Most Versatile Agricultural Land |
| BNG | Biodiversity Net Gain |
| BPM | Best Practicable Means |
| CESAP | Climate Emergency Strategy & Action Plan (for North Somerset) |
| CCA | Climate Change Act |
| CCCAP | Carbon and Climate Change Action Plan |
| CEMP | Construction Environmental Management Plan |
| CIL | Community Infrastructure Levy |
| CMP | Construction Management Plan |
| CS | North Somerset Core Strategy |
| DAS | Design and Access Statement |
| dB | Decibels |
| DEFRA | Department for Environment, Food and Rural Affairs |
| DfT | Department for Transport |
| DMRB | Design Manual for Roads and Bridges |
| DMP | Development Management Policies (Sites and Policies Plan – Part 1) |
| EA | Environment Agency |
| EIA | Environmental Impact Assessment |
| EPS | European Protected Species |
| ES | Environmental Statement |
| FRA | Flood Risk Assessment |
| FSC | Forestry Stewardship |
| GHG | Greenhouse Gases |
| GVLIA | Guidelines for Landscape and Visual Impact Assessment |
| HEP | Habitat Evaluation Procedure |
| HIA | Health Impact Assessment |
| HIF | Housing Infrastructure Fund |
| HRA | Habitats Regulations Assessment |
| IAQM | Institute of Air Quality Management |
| J21 | M5 Motorway Junction 21 |
| JLTP | Joint Local Transport Plan |
| JTS | Joint Transport Strategy |
| LCA | Landscape Character Assessment |
| LEMP | Landscape and Ecological Management Plan |
| LOAEL | Lowest Observed Adverse Effect Level |
| LNR | Local Nature Reserve |
| LPA | Local Planning Authority |
| LQA | Land Quality Assessment |
| LVIA | Landscape and Visual Impact Assessment |

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| NE | Natural England |
| NERC | Natural Environmental and Rural Communities |
| NH | National Highways |
| NOEL | No Observed Effect Level |
| NO2 | Nitrogen Oxide |
| NPCU | National Planning Casework Unit |
| NPPF | National Planning Policy Framework |
| NPSE | Noise Policy Statement for England |
| NSC | North Somerset Council |
| NSLCA | North Somerset Landscape Character Assessment |
| NSIP | Nationally Significant Infrastructure Projects |
| PINS | Planning Inspectorate |
| PM | Particulate Matter |
| PROW | Public Right of Way |
| PT | Public Transport |
| SAC | Special Area of Conservation |
| SAP | North Somerset Site Allocations Plan |
| SOAEL | Significant Observed Adverse Effect Level |
| SM | Scheduled Monument |
| SPA | Special Protection Area |
| SPD | Supplementary Planning Document |
| SO2 | Sulphur Dioxide |
| SOS | Secretary of State |
| SSSI | Sites of Special Scientific Interest |
| TA | Transport Assessment |
| TRO | Traffic Regulation Order |
| UAEL | Unacceptable Adverse Effect Level |
| ULEV | Ultra-Low Emission Vehicle |
| WECA | West of England Combined Authority |
| WHO | World Health Organisation |
| ZOI | Zone of Influence |

Appendix 2

Representations received.

The following tables summarise the comments received by the Council as LPA during the public consultation on the planning application.

There are separate tables summarising the objections to and support for the application. The comments are broadly listed according to particular issues although some issues are cross cutting.

There are separate summaries for comments on the application as originally submitted and those additional points raised following consultation on the amended plans.

The tables are a high level summary of the principal points made. Full copies of the responses received can be viewed on the Council's website.

Objection from the general public on the proposals as originally submitted.

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| Agriculture and Banwell Woods |
| Impact upon grade 3a/b agricultural land at Eastermead farm |
| Proposal has not properly taken into account the impact upon/loss of agricultural land |
| Proposal would affect the smallholding at Muddle End and ability to farm the land. Embankment would overshadow it. |
| Will adversely affect highway safety at the existing access to Banwell Woods on Towerhead Road. Currently a dangerous access and there are 26 separate owners that use this access to the woods. |
| Accessibility, active travel and sustainable transport |
| Eastermead Lane is not suitable for access to the replacement club land |
| Need to protect safety of walkers, horse riders and cyclists using Moor Road |
| No provision for sustainable transport in surrounding villages. Rural bus service ever diminishing. |
| Object to proposal to turn footpath between Sandford and Churchill Green into a shared path. Currently a rural footpath. Path links from a very busy Sandford Road which is already hazardous to cycle along. Not a safe path to encourage cyclists to use. Path comes out at Churchill Green which is also dangerous. Money better spent on improving Sandmead Road for horse riders and cyclists. |
| Object to Churchill to Langford cycle/footpath – currently lacks detail. Currently there are gates across the track which need to be kept closed. Possible conflict with livestock and users of the track. |
| Traffic and Highways |
| Traffic forecasting does not take into account Bristol Airport expansion |
| Will move traffic problems from one village to another |
| Will significantly increase traffic in Sandford, Winscombe, Churchill and Langford. |

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| Increase in traffic will displace rat runs to other villages and rural roads which have no pavements. |
| Already high volumes of traffic and excessive speeds through Winscombe and Sandford and Churchill |
| Likely to cause more traffic at Churchill traffic lights which is dangerous for pedestrians. In 2024 traffic volume at peak flows will rise by 30% |
| Will increase traffic in Sandford by 25% immediately after completion and up to 50% in the longer term. Will affect school. Increase in traffic will cause more vibrations to residential properties |
| If the bypass is built journey time to Churchill traffic lights will increase to 17mins in 2039 which indicates sever congestion in the villages |
| Will have a knock-on effect to Junction 21 which is already congested |
| Speed limits should be enforced. Dinghurst Road speed restriction should start at Pye Cottage. There should be a pedestrian crossing to the east of the bus stop at Dinghurst Road/Hilliers Lane. Need pavements along Dinghurst Road. |
| Ladymead Lane likely to be used for rat running and traffic along this lane needs to be tackled. Should only be accessed by active travellers. Conflict likely to occur at crossing with proposed shared use path. |
| No details of the gradient of the shared use path up to the Bypass from Moor Road |
| Concerns about Moor Road Riverside link road. Need an underpass for pedestrians and agriculture |
| Object to dedicated turn left lane at Churchill traffic lights which will cause more tailbacks |
| Need to improve road junctions. T junction of Church Road, Winscombe and the A371 will be very dangerous. Browns corner will become congested. There should be smart traffic lights at junction of Hill Road and Station Road. There should be more provision for active travel in Winscombe. Yellow box junction needed at Knapps Drive. |
| Object to traffic measures in Sandford. Traffic needs to be able to flow. Operate business in Sandford. Measures to narrow the road will be unworkable for HGVs and will have detrimental impact upon business. Will cause tailbacks and increased pollution and removal of bus stops will lead to more tailbacks and pollution outside the school. |
| Zebra crossing on Sandford Road is dangerously placed should be nearer community centre or fire station. Need a pedestrian crossing around Belmont Road on Sidcot Lane |
| Proposed traffic lights at Summer Lane and A371 should be deleted and replaced with priority T junction |
| Traffic in Banwell could be better controlled by traffic lights and weight restrictions |
| Need traffic lights in the village in addition to a bypass |
| Wolvershill Road should have an exit onto the bypass. There should be access for Banwell residents. |
| Unacceptable to cut off Moor Road village access |
| Need buildouts or speed cushions/tables and measures to enforce speed limits and more signage reinforcing speed restrictions and weight limits |
| Concern about height of embankments and in particular at the East junction. More screening needed along entire length and at Southern Link. |
| Riverside bridge and linear feature of the road visually unacceptable. Greater woodland blocks needed in landscaping scheme |
| No turning head at Moor Road |

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| Need a mini roundabout at junction of Church Road, Winscombe and the A371 |
| Housing and infrastructure |
| Concerned southern link road will not be built |
| Bypass infrastructure should go to M5 rather than A38/A368 corridor to reduce HGVs through villages |
| Bypass will not facilitate the development of Wolvershill Village. Dominant direction of travel towards Weston and Bristol. Wolvershill Village will be isolated from Banwell. |
| Policy and procedure |
| Contrary to the Local Plan as will be detrimental to highway safety, does not recognise existing highway hazards or make sufficient mitigations |
| Contrary to policies in the new local plan 2038 which seek to minimise impact upon sensitive landscapes and reduce greenhouse gas emissions and car use. |
| No social, economic or environmental benefit to the bypass. No justification for bypass in draft local plan. Joint spatial plan has been withdrawn. |
| Need to assess proposed replacement football fields against Policy DM69 |
| Would be contrary to draft Local Plan policy DP37 as would be major development in an AONB and would not be in the public interest. Major development which will cause harm to the AONB, destroying natural beauty, peace, tranquillity and opportunities for recreation. |
| Draft Local Plan 2038 DP52 and DP57 have not been considered by the applicant |
| Road narrowing in Sandford contrary to NS Highways Development Design Guide which requires secondary distribution roads to be 7.3m wide |
| Proposal does not adequately meet the aims of the HIF funding by adequately supporting the delivery of proposed housing sites required to meet the needs for housing over the next 15 years. Junction of Summer Lane will need improving. |
| Access and mitigations to use of replacement land for football club should be covered in planning conditions. No extant permission for use of this land. |
| General proposal and mitigation issue |
| Proposal is disproportionate for the short stretch of road it seeks to eliminate congestion on. Banwell uncongested for most of the day. Only at peak times is there a problem. Alternatives should be considered. |
| The route should go all way to A38 and Bristol airport to have positive effect on Banwell and surrounding areas. A368 already busy due to Thatchers Cider and other development |
| Applicants have not thoroughly considered alternative alignments for the bypass. There should be a WebTAG assessment for all possible routes. Option 1 best for avoiding issues |
| Mitigation measures should be in place before bypass opening |
| Mitigation measures do not go far enough and should include more roads in the 20mph zone in Winscombe, Sandford, Churchill and Langford |
| Not enough mitigation Church Street, Winscombe |
| Biodiversity, flood risk, landscape and placemaking |
| Will mean that NSC will not be able to meet zero net carbon target for 2030 |

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| If approved will be catalyst for more housing and traffic that will negate and worsen environmental impact from emissions |
| Will have adverse impact upon Sandford Primary school, excess traffic fumes, pollutants, noise and impact upon pedestrians walking to school |
| Scheme would constitute 1.95% of NSC Carbon budget (1.6% user carbon) which is quite significant |
| Would result in air pollution - construction dust, PM10 emissions and NO2 emissions from traffic and construction, negative impact upon health from noise and air pollution |
| May result in increase in pollution at Churchill Traffic Lights |
| Potential for pollution and contamination of groundwater. Raw materials will have embodied emissions |
| Proposal will lead to noise and disturbance particularly as the road is elevated. There will be an increase in noise for residents at either end of the bypass. Few noise mitigations are proposed. |
| Will impact upon flooding/drainage |
| No health impact assessment or air quality assessment in the surrounding villages. Will lead to additional noise, pollution and congestion in Winscombe, Sandford and Churchill. Contrary to health and well-being strategy |
| Will destroy countryside and adverse effects on wildlife and biodiversity and habitats, in particular hedgehogs, horseshoe bats and barn owls |
| Will impact upon wildlife in the River Banwell |
| Junction near SAC will cause headlights to affect bats |
| Lighting of the proposed shared path between Sandford and Churchill Green could impact on wildlife and bats. |
| Replacement football club land would result in loss of agricultural land and foraging grounds for bats. Ecological value of replacement site should be properly assessed. |
| Southern link would affect AONB and conservation area. Better to use NG Haul Road. Longer link not properly considered. Eastern junction needs further consideration. |
| Proposed acoustic fence and incongruous feature in the AONB |
| Will impact upon tranquillity of the AONB. |
| Proposal would affect the landscape character of the area. |
| Not enough cross-sectional drawings or photomontages showing proposed embankment. Difficult to establish impact of embankment upon farm at Muddle End or the impact upon the wider landscape character. Environmental Statement highlights major magnitude of construction and operational impact from Moor Road |
| Query the accuracy of the chapter 15 of the ES qualitative assessment on residential properties in East Street and Dark Lane |
| Query accuracy of open space assessment, which states that field being used for informal recreation has not been used for agricultural purposes. Aerial photograph show it has been. |
| Noise, privacy and visibility |
| Concerned about noise impact by large vehicles going over the raised tables along Sidcot Lane near the junction with Belmont Road, query if the raised tables could reduce traffic speeds significantly |
| No noise and vibration mitigation measures for Old Police House property. Noise impact is understated due to the incorrect location of receptors and modelling methodology of the noise impact study |

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| Noise assessment does not include properties along Eastermead Lane or the Old Police House |
| Will adversely impact upon property at The Old Police House, 3 Towerhead, Banwell. Construction compound will lead to noise and disturbance. Will result in inadequate safe access to the property, will affect tree subject to a TPO on the front corner of the property and proposed road will affect privacy. Property is elevated above land to the rear and users of the road will be able to overlook the rear of the property and curvature of road will lead to headlights shining into property and increase light pollution at the property. Construction will lead to noise and disturbance to business which is run from home, sound pollution and vibrations. |
| Detrimental loss of privacy or overlooking of the Old Police House property |
| Will impact upon visibility at property of entrance at 25 Castle Hill |

Supporting comments from the general public on the proposals as originally submitted

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| Accessibility and active travel |
| Support creation of paths and cycle routes. Extension of Strawberry line will bring more foot traffic to village to support local business |
| Support footpath widening through Banwell, will reinstate heritage feel. |
| Will reduce school bus journey times |
| Bypass needs to take account of future active connections to proposed Wolvershill Village |
| Mitigations are well considered. Will improve connections to strawberry line and cycle network |
| Support new shared path from Banwell to Sandford |
| Traffic and Highways |
| Will significantly improve traffic flows |
| Will end congestion in the village centre and remove problems with HGVs, emergency vehicles, lorries and buses getting stuck on Castle Hill. Will improve highway safety in Banwell, houses are regularly hit by vehicles. |
| Will complete connection between A370 and cycle route 26 |
| 20mph on Church Road/Winscombe Hill will need some build outs |
| Support priority left lane at Churchill traffic lights |
| Support speed reduction change proposed for Wolvershill Road |
| Needs a mini roundabout at Church Road, Winscombe and Banwell Road junction. |
| Need a layby on each side of the carriageway |
| Wolvershill Road currently dangerous and plans will provide a solution. |
| Housing and economy |
| Proactively creating infrastructure ahead of housing is welcome. New homes are needed and will be built with or without the bypass |
| Will boost economy |
| Biodiversity, landscape and placemaking |

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| Too much attention given to bats over the safety of children going to bats |
| Will improve air quality in the village, will eliminate slow moving and idling traffic, providing a positive impact upon reducing climate change |
| Whilst bypass may increase traffic volumes, modern engines and EV's will mitigate any increase in pollution over time |
| Impact upon local biodiversity will be mitigated. Environmental mitigation is excellent |
| Plans seem well considered and aim to minimise impact upon surrounding villages and wider environment |
| Will save historic buildings in centre of Banwell conservation area, enable improvements in centre of Banwell, and will improve conditions for pedestrians and residents in centre of Banwell |
| Recommended granite cobble in square in Banwell. Will regenerate the area. |
| Banwell football club support the bypass but are concerned about a lack of detail with regards the replacement pitch provision |
| Need |
| Long overdue, unquestionably needed due to traffic levels through Banwell |
| No other option. Queuing traffic will only get worse. |

Other comments from the general public on the proposals as originally submitted.

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| Agriculture and Banwell Woods |
| Concerns regarding security of woodland which backs onto southern link road. Will palisade fencing be erected to stop trespassers |
| Will sever agricultural land from main holding |
| Impact upon agricultural land, access and fencing |
| Accessibility, active travel and sustainable transport |
| The 126 bus service which is proposed to be cut should be maintained and it would benefit from a bypass |
| Object to footpath widening in the Square and around East Street, Castle Hill junctions |
| Object to path widening along Emerson Terrace, parking is used for access to village hall, doctors surgery and pharmacy. |
| Wolvershill bus gate proposal should be deleted |
| Pavement along Wolvershill Road should be extended |
| 8 miles of new routes for walkers, cyclists and horse riders is a positive |
| Combined footway/cycleway along the bypass only 3m wide which does not accord with the recommended standards. |
| Need proposals to increase active travel in Winscombe and Churchill |
| Traffic and Highways |
| Concern about highway safety on Dinghurst Road, which currently has limited pavements. |
| May increase use of Riverside Road as a rat run. |
| Need more speed signage |
| Need another motorway junction |
| Lacks detail of Wolvershill Road junction |

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| Do not support removal of parking in East Street |
| Delete the crossing places in East, Church Street and Castle Hill |
| Question need to close off Wolvershill Road. If it is closed, there is no need for further traffic calming. Traffic calming on Wolvershill Road will post traffic in front of blind exit at Mansfield House |
| Traffic management on Castle could be improved by phased traffic lights and enforcement of HGV weight limits at vastly reduced cost |
| Access off/onto bypass at Well Lane is unclear |
| Further modelling testing required to ensure that that local plan growth can be accommodated. Proposals show some junctions over capacity in 2039 do something scenario and mitigation for motorised traffic stops short at fully mitigating the impacts of the bypass. |
| Modelling scenarios do not consider scenario where bypass build out but HIF development not coming forward in 2039 |
| Single carriageway road could still be congested |
| Concern about box junction at Nye Road/Hill Road will be insufficient in heavy traffic. |
| M5 will need to have clearer signs for HGV's |
| Rat runs in lanes between A370 and A371 will still continue |
| Hill Road, Sandford should also be included in 20mph scheme and need measures to stop Somerville Road being used as a rat run |
| Housing and infrastructure |
| Concerned southern link road will not be built |
| Bypass infrastructure should go to M5 rather than A38/A368 corridor to reduce HGVs through villages |
| Bypass will not facilitate the development of Wolvershill Village. Dominant direction of travel towards Weston and Bristol. Wolvershill Village will be isolated from Banwell. |
| Policy and procedure |
| Proposed replacement land is unsuitable does not comply with policy as has insufficient access and there are a number of electricity pylons that cross the site. Can't be considered to be equal to or better than the land to be lost. |
| Would affect access and security to metal working business in Moor Road. Contrary to Policy C12 designing out crime. Retaining wall needs to be sufficient to prevent vehicle collisions from spilling over onto The Workshop site |
| Open space assessment does not properly assess all potentially suitable sites for relocation of the playing field land. Proposed change of use of agricultural land to playing field land would detrimentally affect agricultural business. |
| General proposal and mitigation issue |
| Need elevations of the embankment |
| Sandford shared use path will create security to solar park and farm and health and safety risk to public as close to high voltage equipment |
| Concerns over accuracy of modelling that suggest reduced demand on M5 junction in 2039 |
| Concerned about proposals going overbudget. Public money better spend elsewhere. |

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| More mitigation measures should be included e.g. speed reduction measures in Church Road, Barton Road and Parson's Way Winscombe |
| Biodiversity, flood risk, landscape and placemaking |
| Street lighting should be minimised and carbon sequestration should be used |
| 13 watercourses will be impacted and will result in 10 culverts and one bridge which will detract from landscape |
| Would affect sewer pipe serving 144 homes at caravan park. Main site compound would be very close to caravan park and lead to noise and disturbance to residents |
| Possibility of finding remains of marine reptiles dating to the early Jurassic period 200 MYA. Want access for geologists, with site safety certification to be allow access during construction to record the section and fossils found. |
| Banwell placemaking improvements 4/9 and 5/9 not necessary. Who will be responsible for onward maintenance of planters and benches? |
| Noise and private right |
| Noise impacts on The Workshop from proximity of the bypass and disruption to business during construction |
| Concerns about impact of construction on private properties and other developments rights of access |

Objection from the general public on the updated proposals

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| Access and public right of way related to Banwell Woods |
| Access to land south of Knightcott Road via an existing gateway appears to be at risk of restriction. |
| Query the impact of access during landscaping process |
| Difficult to access properties next to the proposed Southern Link |
| More difficult access for tractors, trailers and haulier in and out of their premises |
| Cut off access of livestock to the fields and to the farm buildings, and also farm machinery crossing the proposed route |
| Difficult to keep animals and people safe with the proposed mitigation in Sandford |
| Cannot keep livestock and people crossing the land apart from the plans of public right of way |
| No plans on the proposed improvements of the public right of way |
| Need a slip lane or pull-in outside the entrances of woodland in Banwell Wood, and signage to warn road users of the concealed entrance in use 24/7 |
| Active travel and sustainable transport |
| Inadequate footpath along Dinghurst Road for pedestrians |
| No shared path for accessing the Bypass from Moor Lane |
| No provision of cycle path from Banwell to connect the existing ones or additional well-surfaced cycle paths for Winscombe linking to the Strawberry Line |
| Question the assumption of active travel and public transport given the recent cuts to services and current pricing structure |
| Proposal does not take account of the removal of bus route 126 |

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| Concern about the removal of the westbound bus stop in Knightcott Road near Banwell West junction |
| No plans for useful buses in Banwell or enhancing existing public transport such as reliable, frequent, free or subsidised bus service, or reinstate bus route 126 |
| Traffic and Highways |
| Moving the bottleneck from Banwell allows more rat-running to and from the M5 |
| Will generate increase in traffic speed and speeding on A368 through Churchill |
| Speed survey ignored main route Winscombe-Sandford Road-South Croft-Hill Road |
| Extreme changes of speed from the A371 to junction of Church Road and Woodborough Road |
| Limit 30 mph between Sandford and Churchill. Consistent 30mph zone along Dinghurst Road between Churchill Traffic Lights and Sandford and enforced with speed cameras. |
| Need enforced speed reduction on major routes to Churchill Academy and Primary School and Dinghurst Road from Churchill Gare (A38/A368 crossroad), along Riverside, and along the road from the entrance of to the parish of Churchill on the A368 at Pye Cottage and The Drive |
| Encourage an enforced village-wide 20 mph speed zone including Skinners Lane, Front Street, Churchill Green, Church Lane, Ladymead Lane, Stock Lane and all roads used by speeding traffic, tractors and HGVs in the 20 mph speed zone in Sandford. 20 mph zone should be enforced using physical deterrents – ideal starting point is opposite Barton Drove. |
| No speed limit reduction nor footpaths for residents from the end of bypass to Sandford. Recommend adding footpaths and 30mph speed limit from the end of the bypass to the start of the 20mph zone in Sandford |
| Alternative route of traffic reduction system should be considered |
| Cut off Banwell access to village, community, supermarkets, amenities, motorway junction and surrounding countryside walking areas with the proposed restricted access to the south. |
| Knightcott Road becomes a no through road, with the cut off and landscaping East of Chestnut House |
| No preparation for Church Road, Winscombe Hills and the Lynch for winter, diverting traffic and rat runs which makes these roads dangerous |
| Cost, need and economy |
| Building cost is not acceptable |
| Disproportionate result on moving traffic jam to the next village with such environmental damage and money |
| Devalue land property of farms and make farming impossible |
| Fail to consider the agricultural land classification and not taking impacts of the economic and other benefits associated with agricultural land brought by the scheme into account |
| Likely to disrupt existing businesses along Knightcott Road with longer travel times |
| Increase inequality and disadvantage for residents in Winscombe and Sandford |
| Housing, infrastructure and land rights |
| No infrastructure in place to support planned increase in houses in Banwell |
| Query the details of the replacement playing field |

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| Query the protection of the welfare of woodland owners |
| Lack costings, comprehensive maps and master plan on traffic in the whole area |
| Procedure |
| Proposed bypass should be assessed by an independent inspector |
| Proposal is a quick fix and not in the interest of all the surrounding villages – should build a new road direct to the A38 without any associated new housing |
| NSC appears to have little concern for those who will be adversely affected by the scheme and wants to get away with the absolute minimum in terms of the provision of wider mitigation |
| Logic of the Highways Authority in recommending reducing the extents of some of the proposed reductions in speed limits and retaining the existing limits would appear to be severely flawed |
| Design features and mitigation measures |
| Alteration to the red line boundary is not explained or carried through to related drawings |
| Concern refuges along the Track lie on private land which are outside the redline application boundary and the boundary for CPO |
| No turning head on Moor Lane |
| Question the positions of the proposed build-outs as cars regularly parked and proposed position is on a bend |
| Proposal does not bypass Sandford and Winscombe |
| Proposed Southern Link encourages high speeds in a continuous route |
| Proposed Churchill Gateway is ineffective in restricting traffic flow |
| Proposed village gateway feature on the Barton Road should also be used at the start of the 20mph zone on Winscombe Hill |
| Mitigation should address and be based on the increased forecasted traffic which the Banwell bypass and associated housing generate |
| Proposed mitigation measures scaled back and do little to mitigate |
| Need appropriate and adequate mitigation measures to be included in the total scheme and be in place before the bypass is opened |
| Inadequate mitigation measures for Winscombe, the section of Dinghurst Road of A368 and Sandford Road, and specified timeframe for remediation of the construction work near Knightcott Road |
| The mitigations do not help reduce journey time from Banwell through Winscombe |
| Concerned some mitigation measures will never take place as they are shown as ‘done by others’ |
| Recommend a resident-only route using automatic number-plate recognition |
| Need 20mph signs before road narrows and bends |
| Need a gateway at the junction of Parsons Way with Barton Road, and on Winscombe Hill near the junction with Kings Wood Lane |
| Need raised zebra crossing on Sidcot Lane near the junction with Belmont Road |
| Need reduced speed limit and traffic chokers on the link road, new road going down to meet East Street, and from Banwell Garden to the Banwell Castle |
| Need measures next to Kings Wood car park to remind drivers of their speed |
| Need vehicle activated speed signs and speed cameras |
| Need a formal traffic light system through ‘The Narrows’ and signage to remind drivers of road hazards |

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| A formalised system could be operated and work in conjunction with other proposed measures including Castle Hill and Dark Lane being closed and High Street to further limit traffic movement. Recommend a trial exercise using temporary lights |
| Safety |
| Concerned safety of existing road users using the Track between Churchill and Langford—none of the measures designed to slow traffic on church Lane are intended to apply to the Track |
| Inadequate focus on safety of all road users |
| Roads become more dangerous for pedestrians. Increase safety concerns on A368 through Churchill |
| The Brown’s Corner junction is dangerous for pedestrians and cyclists and the proposed pedestrian crossing will potentially block the whole junction. Recommend a new approach and relocate the crossing close to the Community Centre |
| Environment, flood risk, landscape and placemaking |
| Concerned greenfield land will be eroded as more house are built, endanger wildlife habitats especially aquatic species, avians and bats |
| Query wildlife protection in this area of ancient woodland and its environment |
| There are available brownfield sites closer to more amenities |
| Increase air and noise pollution on the A368 through Churchill, and Sandford |
| Proposed attenuation basins will not help prevent flooding along the route |
| New housing developments at Wolverhill increase flood risk |
| No improvement measures to the drainage of the Track between Churchill and Langford or Church Lane |
| Fail to address overshadowing and the impact upon the wider landscape character |
| Noise and privacy |
| Concerned about noise impact by large vehicles going over the raised tables along Sidcot Lane near the junction with Belmont Road, query if the raised tables could reduce traffic speeds significantly |
| No noise and vibration mitigation measures for Old Police House property. Noise impact is understated due to the incorrect location of receptors and modelling methodology of the noise impact study |
| Detrimental loss of privacy or overlooking of the Old Police House property |

Supporting comments from the general public on the updated proposals

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| Agriculture and Banwell Woods |
| Can improve access for emergency services |
| Active travel and sustainable transport |
| Welcomed the joining up of cycle tracks connecting between WSM and Sandford |
| The scheme provides good sustainable transport links |
| Traffic and highways |
| Will make road travel significantly easier and the area a better community |

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| Will take the high traffic volume from Stock Lane (B3133) and forecasted volume from the further urban sprawl from WSM in the future |
| The southern link road makes Banwell remain a through route |
| The improvement of traffic flow in the local area will benefit all local road users |
| Cost, need and economy |
| Only option in the absence of funding |
| Bypass is needed as Banwell cannot cope with the current volume of traffic |
| Bypass is overdue and should go ahead as soon as possible |
| Will return Banwell to being a village it deserves to be, improve business growth and provide more jobs for local people |
| Housing |
| Welcomed the new housing development |
| Safety |
| Will help Banwell to become safe and healthy to walk through |
| Environment, drainage, landscape and placemaking |
| Alleviate fumes of queuing traffic which make air quality in Banwell abysmal |
| Wildlife surveys can help and improve environment in Banwell |
| Wider area consideration |
| Benefit Sandford, Churchill and surrounding villages to access M5 via the bypass` |
| Help Banwell's surrounding villages cope better with the ever-increasing traffic |
| Will benefit a wider area including Weston-super-Mare and surrounding villages |

Other comments from the general public on the updated proposals

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| Agriculture and Banwell Woods |
| Increase the size of the pull-in to Banwell Woods and additional signage emphasising the access of slow moving vehicles |
| Need a lay-by for vehicles entering Banwell Woods |
| Recommend remediation for access to private woodland and the link to A38 as a future extension |
| Need clarification on the 'Temporary works lay down areas – reinstate and return to agriculture' adjacent to the flood compensation area labelled as EFJ P4.1 |
| Review alternatives for the satellite construction compound on the land between Elmbridge Cottage and the Bypass to reduce impact on existing operations and better protection on the amenity of those occupying existing residential dwellings |
| Active travel |
| No improvement of cycle links to the Strawberry Line |
| Footpath between Broadoak Road and Ladymead Lane should be user-friendly for cyclists and disability access |

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| Need extended pavement or safe spaces for walkers and cyclists. Recommend a pavement between Sandford and Churchill which goes all the way to Pye Corner and onto Hilliers Lane |
| Wider pavements and new crossing points proposed allows prams and mobility scooters to be use on the pavement immediately west of Hill Road, and slow traffic at that point |
| Traffic and highways |
| Modelling does not take in the West Street - Church Street junction into account |
| Current HGV and coaches using Church Street/Riverside/West Rolstone Road route cause significant damage to buildings |
| Daft sudden change of speed limit along Banwell Road approaching the Triangle |
| Encourage a blanket 20mph limit across all residential roads similar to Cornwall |
| Need additional speed-reduction measures with additional build-outs throughout Church Road in Winscombe |
| Need to include 20 mph limit on Hill Road, Somerville Road, Parsons Way, Barton Road, the Square, Church Lane, Winscombe Hill above Winscombe Court, and Sandford Road-South Croft-Hill Road |
| Need vehicle refuge along A368 and straightening the road to the west near Banwell Woods for more visibility and road safety- speed and blind bend. |
| Need to reduce speed limit from Well Lane towards the Highstreet to 20mph, and lead up road to the Highstreet to 30 mph |
| Need to include extra 400m of 20 mph speed limit in Winscombe Hill |
| Recommend physical measures other than signage on reducing speed |
| Proposed mitigation schemes at the existing junction frequently do not appear to provide sufficient capacity for the proposed housing traffic |
| Suggest investigation of options to deliver an enhanced mitigation scheme and collect additional cost of the improvement works via contributions from developments in the local area, which could be committed to through minor revision to the Bypass proposals by NSC post approval, agreed via an appropriate review mechanism, the wordings of which would require legal advice |
| Revise, in agreement with landowners, the access to the satellite construction compound and the attenuation basins via the existing access to Stonebridge Farm to avoid current high potential for conflicts between different uses which simply cannot operate together and serious implications for residential amenity and farm security |
| Environment, drainage, landscape and placemaking |
| Improvement should be sensitive as it is a wildlife haven and a bat feeding corridor |
| Query the carbon sequestration in the building method |
| Need more attention on placemaking in Banwell and the effect of the bypass on the neighbouring villages (Winscombe, Sandford and Churchill) |
| No discussion has been made with the landowners (ASL) on the flood risk impacts associate with the scheme and shown in the FRA at the 'caravan park at Stonebridge Farm' |
| Request clarification on the proposed reptile translocation area Ch. 0+400 to Ch. 0+700 labelled as EFD E3.1 E3.2 in the masterplan |
| Request for joint-working to ensure 40% BNG could be achieved without being limited or undermined at the strategic growth location, and ensure drainage and |

BNG at the proposed attenuation basins which were to be set-aside for habitat creation/ associated BNG will not undermine or compromise one another

Suggest to update the bypass design to reflect the recently change of the 45% upper limit of climate change allowance applied by the applicant to the proposed development

Parish Council comments

Banwell Parish Council:

Comments on plans as submitted.

“The application for the Banwell Bypass is both very large and technical. The Parish Council has consistently supported the Bypass and continues to do so. We, like others, have been able to interrogate and comment on the plans as they developed. While we still have some concerns regarding traffic flows inside the village, after completion, we are also aware that those concerns are based on anecdote and intuition rather than hard evidence. Looking at the Banwell public comments on the North Somerset Council website the majority are in support. It is clear that the objections mostly relate to Sandford and Churchill and presumably come from there, as such this is not of direct concern to this Parish Council or our Parishioners. There are a few objections in regard to the widening pavements near the centre of the village which may need further explanation. Overwhelmingly the Parish is in support of the Bypass as is the Parish Council”.

Comments on amended plans/additional information

“Further to our earlier comments of support for this application, Banwell Parish Council are supportive of the amended plans and wider mitigation documents and welcome the provision of replacement football pitches for Banwell Football Club”.

Churchill Parish Council:

Comments on plans as submitted.

“Churchill Parish Council has responded to the consultations regarding the proposed Banwell bypass, but the plans described in the above Planning Application, raise matters which will impact upon this Parish. This Council strongly recommends that North Somerset Council addresses the following issues regarding the bypass development which, in its current form, will have disproportionate harmful consequences on our community.

Churchill Parish Council (CPC) believes there has been inadequate consideration given to the consequences which such construction will have upon already congested routes leading from where the new bypass joins the A368 at Towerhead, Banwell to the A38/ A368 junction in Churchill. The traffic projections contained within the planning application make it clear that with the building of the bypass, traffic flows on the A368 will increase sharply e.g. a 20% increase in vehicles in the AM peak flow, with the bypass compared to without and, likewise, a 30% increase in PM peak flow in 2024*1 . Further, if the bypass is not built, the journey time from Towerhead to the A38, at the AM peak flow, will rise from 7

mins in 2024 to 9 mins in the design year 2039 but if the bypass is built the journey will take 17 mins. Severe congestion seems a likely outcome.

Several roads in Churchill are major routes to school for pupils travelling to Churchill Academy and Primary Schools. Many of these roads are narrow and without pavements (such as Front St) while another, Dinghurst Rd from Churchill Gate (A38/ A368 crossroad) to the Clocktower has only a single narrow pavement (< 1 m width). It is imperative to ensure the safety of pedestrians and cyclists that NSC guarantees that, if the bypass is to be built, speed of traffic is reduced through enforced speed reduction. Further adequate crossing points should also be provided at bus-stops (such as at The Nelson Arms and at Hilliers Lane).

With the increased traffic stemming from the bypass development, many roads in the parish will increasingly become rat-runs for commuters keen to avoid congested areas. On most of these, such as Skinners Lane, Front St, Churchill Green, Church Lane, Ladymead Lane and Stock Lane, pedestrians have no protected areas/ pavements. To protect pedestrians on these roads it is important that speed of traffic is reduced to a 20 mph through a wide area (zone).

Large commercial vehicles avoid Banwell at present due to the long delays and inability of the present roads to accommodate large vehicles. With the creation of the new by-pass these vehicles will increasingly pass-through Churchill and Winscombe despite these roads being unsuitable. This Council strongly recommends that through traffic of large commercial vehicles is discouraged and that HGV traffic is encouraged to utilise improved bypass infrastructure / M5 rather than A38/ 368 corridor.

There appears to have been little consideration given to the provision of an improved public transport system to discourage use of private cars. It is vitally important to recognise the potential damage which the increase in traffic can inflict upon communities at all levels in terms of health, well-being and public safety. With the expected increase in traffic through the parish there will be an increase in pollutants being emitted which may be a danger to health and well-being of the residents particularly children walking on the narrow pavement approaching Churchill traffic lights on the Dinghurst Road. This should be the focus of a Health Impact study prior to the planning application being considered.

This Council suggests most strongly that these matters be re-visited and considered alongside the core by-pass proposals in order to put forward a holistic approach to the consequences and serious questions which are now raised. Further adequate mitigation must be put in place before the bypass planned opening in 2024.

Churchill Parish Council still requests more time to study the full documentation particularly as all documents disappeared from the site for 24 hours over the weekend of 20/21 August. Therefore, Churchill Parish Council unanimously resolved to object to this application and draw attention to the following points:

Specific requests for improving road safety / mitigation of increased traffic in Churchill parish:

- Introduce speed reductions on the A368 at village gateway / Pye Cottage for traffic travelling east.
- Install pedestrian crossing point and standing area required for bus-stops at Hilliers Lane junction with A368.
- We support the proposed pedestrian crossing point of the A368 at the Nelson Arms.

- Reduce speed to 20 mph to Front St, Churchill Green, Church Lane, Hilliers Lane and Ladymead Lane.
 - Improve pedestrian safety, for school children and others, along Dinghurst Rd (A368) from clock tower to traffic lights.
 - Reduce growth in HGV traffic through the villages by utilising improved bypass infrastructure / M5 rather than A38/ 368 corridor.
 - Implement parish-wide enforced reduction in speed limits to 20 mph (a reduced speed zone).
 - A Health impact study should be conducted within the parish, focusing on areas of Dinghurst Road and the A38/A368 junction, of the effects of increased traffic resulting from the bypass.
 - Implement all mitigation measures before bypass scheme completion in 2024.
 - An extension to respond to the planning application as the current consultation period is totally inadequate.
- *1 Appendix E, Strategic Model Forecasting Report, HIF Banwell Bypass and Highways Improvement Project, NSC 2022.”

Comments on amended plans/additional information

“Churchill Parish Council (CPC) objects to the planning application for the development of the Banwell bypass. CPC is very concerned by the predicted increase traffic volumes, ensuing congestion (as evidenced by the traffic modelling) and the lack of safety of those travelling on foot or cycle due to traffic speeds. CPC appreciates some measures have been included as “wider mitigation” to improve safety but these do not go far enough to mitigate the harmful impacts of traffic on the local community and some now do not appear to be implemented as part of the actual scheme but rather are ‘To be done by others’

Traffic measures CPC believes should be included in a proposed Banwell bypass:

1 Specific measures

1.1 CPC supports the proposed reductions of the speed limit on part of the Dinghurst Rd (the length of road affected is not long enough for residents or Churchill Academy students as there few pavements in this rural village). CPC also supports the reduction of the speed limit for Front Street, Church Lane, and Churchill Green. Further, CPC supports the installation of the pedestrian crossing adjacent to the Nelson Arms and Skinners Lane and associate measures but wishes to ensure that the crossing will not be placed where it conflicts with the listed Jubilee railings. Existing road narrows should be retained as a traffic calming measure.

1.2 Insufficient consideration is being given to safety of pedestrians and cyclists along the Dinghurst Rd from Pye Cottage to The Drive.

1.2.1 Vehicles often speed along this section of the road; it has a narrow section, mostly has no footpath, there are walls, overgrown hedgerows and an uneven grass verge which is only in small sections.

1.2.2 The 40 mph along this section prejudices safety of the pedestrians and cyclists and in particular the pupils attending Churchill Academy and using the Hilliers Lane bus-stop.

1.2.3 The speed limit on the A368 should be reduced from 40 mph to 20 mph, from Pye Cottage to The Drive.

1.3 There are many schoolchildren who regularly cross the road at the end of Hilliers Road to wait for the bus.

1.3.1. A crossing point (Puffin/ Pelican) should be included at this point.

1.3.2. the Village Gateway marking should be moved from the end of Hilliers Lane to close to Pye Cottage to give drivers adequate warning of the bus-stop and village environs.

1.4 Many speed changes over short distances are proposed around Hilliers Lane such that those making even short journeys will face many changes which may cause further dangers or a lack of compliance. To reiterate, the speed limit on the A368 should be reduced east of Hilliers Lane and all of Hilliers Lane, and to The Drive.

1.5 The proposed Raised Table on the A368 adjacent to The Drive should be relocated westwards and installed before Hilliers Drive, to increase awareness of entering the village and proximity of pedestrians.

1.6 Speed limit of 20 mph should continue as far as the Churchill Gate traffic lights. This section road is busy with pedestrians going to and from the Churchill Academy, and the single pavement is insufficiently wide for pedestrians going in opposite directions to pass forcing pedestrians to step into the road. In these conditions 30 mph is too fast.

1.7 CPC supports the proposals in improve pedestrian areas. On Church Lane, adjacent to St Johns the grass verge should be retained for pedestrian use with only the addition of kerb-stones at the road-side as protection.

1.8 Ladymead Lane should also be included in bypass mitigation scheme. This narrow lane is currently used as short-cut to B3133 and A370 and the increased traffic volume will cause further serious congestion.

1.9 An enforced speed limit of 20 mph should be introduced throughout the Parish, with exception of the A38 as soon as possible before the bypass is completed.

2. All traffic and pedestrian mitigation measures in the parish must be ring fenced and introduced prior to the bypass being completed. Speed limits to be self-enforcing and supported with technology / engineering.

3. Mitigation measures should be congruent with those implemented in neighbouring parishes to ensure maximum effectiveness.

4 Wider measures

4.1 The scheme in the planning application must be appropriately assessed as to whether it is "In the Public Interest". The relatively small area included in the planning application excludes the surrounding villages which will bear the most severe, predicted increase in traffic and congestion in local rural lanes.

4.2 Basic safety measures for local residents particularly children, senior citizens and those with disabilities to access local facilities are inadequate.

4.3 The proposed Banwell bypass scheme is within areas that border the Mendip AONB and involve building a new road within it. CPC does not believe there has been adequate justification that this is in the public interest as required by the National Planning Policy Framework (NPPF). Further, we do not consider there are adequate plans to mitigate against harm to populations of Horseshoe bats and other species. Likewise, there appears to be inadequate mitigation to limit the impacts of the scheme's construction and the expected increases in road traffic on the future global climate.

4.4 The current weight limits on the A368, eastwards from Churchill Gate (A38), should be maintained. Parish Council proposes that effective freight restrictions are introduced on the A368 through Sandford and Churchill to encourage local HGV traffic to use the bypass and A371 to access J21 on the M5 for out of area journeys and discourage HGV through traffic (e.g. permit scheme / access only ref. Kirkby Stephen, Cumbria).

4.5 The A371 and A368 have been described as strategic routes providing critical connectivity through North Somerset. Roads of our parish form part of this 'strategic route' between the east of the bypass (A368) and the A38 including the narrow village lanes along the border of the Mendip ANOB. These roads are unsuitable as a strategic route between the M5 and the A38 and have become congested and more dangerous. CPC urges North Somerset Council to refer to a hierarchy of roads, and acknowledge that village roads are not designed to be strategic routes for through traffic in the 21st century.

CPC has considered the Banwell Bypass Team's predicament in relation to the above measures and the financial constraints. However, CPC feels that the measures outlined are the minimum necessary to mitigate against the severe adverse impact, as evidenced in the planning application's modelling, that the Banwell Bypass will have on the villages of Churchill and Langford. Please get revert to us should there be need for clarification.

Please refer (below) to the Statement of Common Ground between neighbouring Parish Councils which reflects that views held in our parish are also more widely held."

Locking Parish Council:

"Locking Parish Council did not have any comments for the above application".

Puxton Parish Council:

Comments on plans as submitted.

"This consultation has not included what would have been invaluable professional input into effectively managing the project's consequential problems for our lanes, ergo, there is no response provision within the consultation questionnaire. This response encapsulates the essence of our concerns, which will obviously need professional development and advice if they are to be carried through effectively.

For some time, Puxton Parish Councillors have been reviewing key traffic issues affecting the lanes that run between the A371 and the A370. Over the years these lanes have seen increasing volumes of traffic as Weston-Super-Mare and its surrounding villages have expanded. Much of that traffic is driven too fast and without due consideration for other road users. The structure, width and tortuous nature of these lanes also suffers from a high volume of oversized HGVs using them.

This situation is going to get worse as the Banwell Bypass, with its associated increase in building development, gets under way, and is likely to remain permanently worse once the project is completed. The traffic going through Puxton during the recent road closure in Banwell provided an alarming foretaste of what is to come: time will tell how the bypass and new housing will influence rat-runs.

We can suppose that there will be some off-motorway traffic filtering into our lanes, but the bulk of the rat-run increase is likely to come from the new housing. Presumably the project

team have access to historical data on such shifts in traffic patterns - we can only make assumptions. The increased traffic will also exacerbate the already problematic entry and exit problems at the junctions between the lanes and the traffic-saturated A370.

If we are to, as we presumably must, endure the consequences of this development, we need to control vehicle flows that are already too intense and too undisciplined to be straddling our once 'quiet rural' spaces.

Some aids to traffic calming have been proposed to NSC already, in the context of existing traffic flows (Speed restrictions - Width restrictions - Weight restrictions - Signage - Engineered traffic management). The accompanying maps indicate the issues we are concerned about.

As stated in the first paragraph, enhancing and refining this list to produce an effective traffic control strategy for our lanes now needs professional input from NSC".

Comments on amended plans/additional information

"Further to earlier consultations, on reading the Transport Assessment in more detail it seems that Puxton would not expect more traffic along the Riverside, Puxton Road route. This is not the route that is of concern. The Nye Road junction off the A368 in Sandford Village leads to Puxton Lane. It lies beyond the bypass and there is no traffic analysis for it within the Transport Assessment. It will be the first point at which east bound traffic can move up to the A370 and the last point before the bypass at which west bound traffic can do so. Traffic will no doubt increase along this route. Maysgreen Lane, Puxton Lane and Puxton Road are one track country lanes that struggle to cope with local traffic and the modern, large, fast farm machinery but are not sufficient for the present addition of through traffic and HGVs as can be seen by the subsidence in several places. We need some speed restriction along these roads at least. The likely increased HGV flow and car "rat runs" should have been addressed as part of a wider mitigation plan. The duty of care that planning authorities should have with these matters seems to have been sadly been lost along the way".

Winscombe and Sandford Parish Council:

Comments on plans as submitted.

"OBJECT

The Parish Council has previously agreed that whilst the ideal bypass would bypass Winscombe, Sandford & Churchill as well, it is accepted that there is no funding pot big enough for this task at this time. Therefore, Winscombe and Sandford Parish Council support the need for a Banwell Bypass but only if appropriate and adequate mitigation measures for our parish are included as part of the total scheme and that all mitigation measures are in place before the bypass is opened to traffic. This application currently falls woefully short on adequate mitigation and this matter should be addressed in advance of the application being considered for approval.

NSC has been open to the fact that the creation of a Banwell Bypass will increase traffic flow though the surrounding villages, not only from vehicles previously avoiding the 'Banwell bottleneck,' but also from future housing development. Throughout the entire public consultation period, the parish council repeatedly requested projected modelling data for a 20- year growth period along with any other information that was used by NSC to form its decisions. This included population growth figures for the area to enable a true

assessment to be made of the traffic impact on the parish. It had been hoped that this information would be received during the consultation process, and in advance of a full planning submission to enable the parish council time to submit a carefully considered response regarding wider mitigation proposals for the scheme. Although NSC held this data, these requests were refused for over a 12-month period meaning that the parish council and its residents only have a window of 30- days to interpret and apply the results of the modelling data to the proposed mitigation proposals and assess the true impact of the bypass on this parish. As you will appreciate, as there are numerous, complex documents now available to examine, 30-days is very little time to work with data that has been held by NSC for over a year. This course of action by NSC can only be seen as obstructive and has not allowed a truly 'open and transparent' consultation with the parishes most affected by the bypass. We therefore advise that additional comment may be submitted by the parish council after the close of the official consultation period and would hope that these will be taken into consideration.

Having considered the modelling data, initial comments are as follows:

- There are errors in the data presented which need to be corrected in order for the PC to be able to adequately understand the proposed scheme. Some tables imply that traffic will peak in 2024 and then decrease by 2039 which seems improbable. Understanding the likely future levels of traffic in the parish is clearly crucial to our ability to grasp the likely impact of the scheme.
- There is discussion in the Transport Assessment of disbenefits for the area surrounding Banwell which appears to show a significant modelled decrease in road safety on the A368 through Banwell as a result of the scheme. Then assessment provides very little information and our understanding on this point may be flawed, but if this is the case then surely further mitigation is needed as it is not acceptable to make the centre of Sandford less safe for pedestrians and cyclists.
- More information is needed about journey times in 2039. There is an indication in the report that journeys E-W from Banwell through Sandford will increase by 5 minutes on the current journey times and that journeys E-W from Banwell through Winscombe will increase by 4 minutes on the current journey times which suggests that there will be significant additional congestion along those routes. The implication is that by 2039 we will see all the current delays plus extra congestion through Sandford and Churchill and through Winscombe. However, there is no data presented regarding these scenarios and the impacts on journey times are only described by one or two sentences in the text which makes assessment difficult. We would like to be told what the modelled journey times through our parish will be in all scenarios and in 2024 and 2039 and if it is correct that there will be significant additional congestion in the villages we ask that mitigation be developed for this including further work to improve junctions on the A38 in Winscombe and Churchill, as well as a review of pinch points through Sandford.
- There appears to be an increase in vehicle numbers passing through Sandford of 180% (i.e., to 280% of current levels) and an increase in vehicle numbers passing through Winscombe of 150% (i.e., to 250% of current levels). We feel that the proposed mitigation falls short of addressing the significant traffic which will pass through the parish.
- The model suggests that traffic on Hill Road/South Croft/Sandford Road will increase by 50%. This road already sees considerable speeding and the PC has requested that it be included in the mitigation design, but nothing has been provided. We ask that this is reconsidered.

- The model also appears to under-estimate current vehicle numbers on Hill Road/South Croft/Sandford Road as the numbers quoted in the transport assessment do not match our records of vehicle numbers and so we feel that this section of the model and the report needs to be reviewed.
- If we are likely to see traffic queueing time in the villages increase by 3 to 5 minutes as suggested by the transport assessment we feel that further mitigation is essential to manage the increases in vehicle numbers and congestion and that the scheme should not go ahead until adequate mitigation has been put in place.

The bypass scheme has proposed the removal of a number of parking spaces in the centre of Winscombe. These spaces are critical to the operation of our local shops and businesses and while we welcome the desire to provide safe road crossings we object strongly to the removal of the touch-down parking spaces. The shops and businesses are central to the character of the village and feedback from the local shopkeepers is that losing the parking is likely to put businesses at risk. The PC has previously asked the bypass team to provide crossings elsewhere on Sandford Road and Hill Road, a request which was not granted, we ask that crossings are provided here instead.

It is clear from the NSC documents submitted for wider mitigation, that little notice has been taken on-board from local communities through the consultation process. It is those living and travelling in this area on a daily basis that know how increased traffic flow through the villages will impact on different aspects of life in a semi-rural community, and how some of the proposals will without doubt cause congestion and queuing traffic. Rather than creating pinch points where they do not exist, mitigation proposals should ease congestion caused by additional traffic as well as focusing on safety for pedestrians, cyclists, and all road users. The Parish Council would always choose safety over congestion when considering plans, and some of the proposals are not considered to be safe, therefore alternative suggestions should be considered and a number have been appended to this response. It is questioned if some proposed mitigation measures have actually passed a safety audit test and could potentially be withdrawn from the plan at a later date? The parish council would strongly recommend that the matter of wider mitigation is re-visited before this planning application is decided.

Whilst the loss of land in the AONB is regrettable, the Southern Link Road is considered an essential part of the bypass plans and must be included if the bypass is to proceed so that all traffic is not forced out through Sandford & Churchill, or onto roads that are not suitable for this increased load. To ensure the correct distribution of traffic through each village, a correctly signed roundabout should be considered rather than a junction where the southern link meets the bypass. A roundabout would serve to ease traffic flow from the bypass onto the link road and also slow traffic from the bypass before it reaches Sandford Village and enters a '20 mph' zone. Whatever type of junction is finally agreed, signage will be crucial at this point to forewarn vehicles of height and weight restrictions in Winscombe and to prevent HGVs incorrectly using the southern link road and being forced to use Church Road when they cannot pass under the old Railway Bridge.

Traffic travelling on the bypass and link road will have a consistent speed limit of either 40 mph or 30 mph – until they reach the end of the link and join the A371 Castle Hill/Banwell Road into Winscombe. Here they will be faced with 5 different speed limit changes along a 1 mile stretch of road. With numerous other speed limit changes proposed as part of the bypass and mitigation proposals, the parish council would request that a consistent 40mph speed limit be applied to the A371 into the parish. This would not only make this an easier

junction to negotiate for those using the local garden centre, but also more likely that traffic will slow to 30 mph and then 20mph when entering Winscombe.

It is to be commended that the bypass proposals encourage the use of sustainable travel to discourage car use, but consideration should be given to lack of public transport available in this and surrounding parishes which forces local residents into their cars. From October 2022 the parish will be served by only one bus service running every two hours Monday to Saturday. There is no evening bus operation on this route and no service on a Sunday or bank holiday. It is noted that bus services do not fall 'within the scope of scheme' but has the loss of yet another bus service for the area been taken into consideration in recent modelling projections? If NSC is to reach carbon-neutrality, and part of the bypass proposals are to encourage the use of walking, cycling and public transport, serious consideration should be given to enhancing existing public transport as well as adding new frequently served routes to encourage better use.

In conclusion the parish council objects to this planning application in light of the impacts on the parish of Winscombe and Sandford and its parishioners”

Comments on amended plans/additional information

“Having considered the proposed amendments to mitigation proposals submitted for further consultation, the parish council still OBJECT to this planning application.

Whilst marginal improvements have been made to bat mitigation, the parish council was disappointed by the level of amendment to the proposed traffic mitigation measures. These measures do not go far enough. The parish council objects to raised platforms and tables considering these to be out of place in a rural location causing problems for tractors and trailers as well as noise issues for local residents from empty quarry lorries leaving the parish early morning. Emissions from all vehicles would increase.”

Winscombe and Sandford Parish Council, and Churchill and Langford Parish Council joint objection:

The Parish Councils have submitted a “Statement of common ground” expressing their fundamental concern for the villages in the following areas:

The proposed Banwell Bypass will impact greatly on both parishes who will share similar issues generated by this. Equally, the parishes will have separate more specific issues and therefore both Parish Councils have submitted individual responses to the application along with this statement of common ground. It is hoped that NSC will take this joint response into consideration and work in a constructive way with the two Parish Councils to find the best solution for all communities. Winscombe and Sandford Parish Council and Churchill & Langford Parish Council agreed that of fundamental concern for the villages are:

Speed and Safety

Insufficient thought has been given to traffic speed and resultant safety issues as additional mitigation measures are needed to slow traffic. Welcome suggestions from NSC for a more engineered solution with possibility of speed cameras, especially along the A368 being the preferred option. An inclusion of a controlled pedestrian crossing point on the A368 Dinghurst Road close to the junction with Hilliers Lane is requested to ensure the residents and students have a safe route to the village and school as the bypass proposals encourage active travel as the ideal

Congestion

Proposed mitigation is vague and inadequate. North Somerset have failed to define any mitigation proposal for the long-term congestion issues addressed by the Transport Assessment.

Timing of the introduction of mitigation measures

Effective and successful mitigation measures for the congestion and volume of traffic needs to be in place before the bypass are Southern Link Road are opened.

Planning Review Process

Given the size and complexity of this scheme, the unresolved issues identified in the Transport Assessment and the clear concerns of many interested parties, it is inappropriate for North Somerset to review their own planning application. North Somerset should ask the Secretary of State to call in application for a third party to review and decide the application.

Lack of consideration for mitigation measures made by the Parish Councils

Extremely disappointed that the Parish Councils have been largely ignored and the scheme has very little attention paid to the feedback provided by the Councils.

Wrington Parish Council:

Comments on plans as submitted.

“Wrington Parish Council has not previously made response to Consultations relating to the proposed Banwell By-Pass, but the latest iteration, the subject of the above Planning Application reference, has raised several matters which, it is believed, will impact upon this Parish and others east of the proposed route. As a result, this Council feels bound to submit the following comments which this Council would wish to see addressed by North Somerset Council and which will raise unperceived consequences on communities ‘down the line’.

This Council is not against the construction of a Banwell By-Pass per se but we believe that there has been insufficient and inadequate consideration given to the consequences which such construction will have upon already over-loaded and congested routes leading from the junction of the new by-pass where it is proposed to join the A368 west of Sandford.

It must be obvious that the creation of the by-pass will attract a greater volume of traffic than that which uses the A368 through Banwell at present. Larger commercial vehicles shun Banwell at present due to the long delays and inability of the present roads to accommodate large volumes of traffic, particularly during morning and evening rush hours (and on those occasions when the M5 motorway northbound is closed due to ‘an incident’). Creation of the new by-pass will overcome drivers’ reluctance to use this route and will therefore lead to increased traffic volumes both in Sandford and Winscombe. In turn this increase will flow into the villages of Churchill and Langford as connection is made to the A38 northbound and the A368 north-east bound (at Churchill traffic lights). The junction is already a pinch point, notably at morning rush hour due to (a) commuting traffic Bristol bound and (b) school coaches ferrying students to Churchill Academy – this latter causing already serious congestion on Hilliers Lane and Front Street in Churchill and

which often overflows on to the A368 Dinghurst Road. There has also been a noticeable increase in commuter traffic using the roads through Wrington as a rat-run in order to avoid the above congested areas.

All the above takes no account of the further traffic which will be generated as a result of the 2,800 odd houses to be built on land brought into play by the creation of the new arterial by-pass.

It must follow therefore that the current proposals serve only to impact in various degrees of severity upon the roads in the villages down the line from Banwell, with adverse and potentially dangerous impacts upon the safety of road users and pedestrians and cyclists who currently use those roads. There must also be a consequential increase in pollutants being emitted from those vehicles and the increased traffic which is a danger to safety, health and well-being of the residents in communities along the route and which flies in the face of North Somerset Council's target of Zero Carbon emissions.

There appears to have been no consideration afforded to the provision of enhancing safety measures in the face of the increases in traffic levels, nor to the provision of an improved public transport system to discourage use of private cars. It is vitally important to recognise the potential damage which the increase in traffic can inflict upon communities at all levels in terms of health, well-being and public safety.

At the very least, there needs to be a re-visitation to the provision of speed limits within those communities directly affected in order to minimise the speed at which traffic will flow through them, and favourable consideration also to the provision of suitably sited and regular pedestrian crossings (possibly traffic light controlled) to enable safe access to pedestrians and particularly to students attending Churchill Academy.

In the interests of all affected communities along and beyond the proposed by-pass, this Council would recommend most strongly that further and wider consideration be given to the above impacts and to their mitigation by the adoption of appropriate safety and control methods such as those suggested above. From the documents available via this current application, it is clear that little consideration has been afforded to these wider, consequential aspects beyond the bounds of the by-pass itself. This Council suggests most strongly that these matters be re-visited and considered alongside the core by-pass proposals in order to put forward a holistic and rounded approach to the consequences and serious questions which are now raised."