

NORTH SOMERSET LOCAL PLAN 2039 REGULATION 19 STAGE: REPRESENTATIONS ON BEHALF OF BACKWELL PARISH COUNCIL (BPC) AND BACKWELL RESIDENTS ASSOCIATION (BRA).

2. Vision, strategic priorities and sustainability objectives

- 1.1 BPC and BRA broadly support the strategic priorities set out at page 8 of the Local Plan, particularly the priority to locate new development close to places with a ***“wide range of services, facilities and job opportunities”***. (my emphasis added)
- 1.2 The Sustainable Development Objectives (page 12) refers to the work undertaken through the Sustainability Appraisal (SA) in parallel with the plan-making process to identify and measure sustainability objectives. The SA objectives include ensuring ***“a range of job opportunities are easily accessible without having to use a car...promote the optimum use of land which supports regeneration, maximise re-use of previously developed (brownfield) land and protects the rural economy.”***

Strategic Policies

Key Diagram

- 1.3 BPC and BRA support the Key Diagram which identifies Backwell as a village with a settlement boundary under Policy SP6 and proposes the extension of the Green Belt to the north and west of the village under Policy LP6. The identification of Portishead, Nailsea, Clevedon and Weston-Super-Mare as the main towns and focus for sustainable development (Policy SP5) is also endorsed as a sustainable approach to development.
- 1.4 Objection is raised to the absence of any recognition of the presence of Bristol, as a city and major conurbation immediately adjacent to the eastern boundary of North Somerset and the opportunities this provides for development to be delivered in highly sustainable locations which meet the objectives of the Sustainability Appraisal.

Policy SP1: Sustainable Development

- 1.5 BPC and BRA support the terms of Policy SP1 to deliver new development in a sustainable manner throughout North Somerset. The policy's representation of the plan's vision and strategic priorities is supported as an overall framework for the other policies in the plan. However, there is a clear disconnect between this policy framework and the terms of other policies in the plan which lead BPC and BRA to find the plan unsound in its current form.

Policy SP3: Spatial Strategy

- 1.6 BPC and BRA object to the spatial strategy which fails to respond directly to the findings of the Pre-Submission Sustainability Appraisal (SA) which recommends a strategy based on urban

focus (Approach 2). The SA is explicit in its findings that Approach 2, which directs development towards Weston, SW Bristol and other main towns and sustainable locations would perform best in meeting the economic, social and environmental objectives of sustainable development. It advises that a strategy based on urban focus would best meet housing needs, direct housing to major employment locations and therefore address the current imbalance of employment and housing and reduce commuting. The approach would also maximise the benefit of new infrastructure for the wider communities and minimise flood risk, loss of high value agricultural land and impacts on sensitive habitats.

- 1.7 As drafted the spatial strategy gives priority to new residential and mixed-use development in or close to urban areas where there is an existing or proposed wide range of facilities, services and jobs and opportunities to encourage active travel, particularly where well served by public transport. However, it does not go far enough to direct most development to the main towns and crucially the conurbation of Bristol. Moreover, it does not acknowledge the need for some development to take place within the inner boundary of the Green Belt to deliver the benefits of urban focus.
- 1.8 The amount of development at villages and in the countryside is limited to that which is necessary to meet local community needs. An urban focus should ensure levels of development at the villages are strictly limited to identified local community needs. No assessment of local community needs has been undertaken to support this statement.
- 1.9 The supporting text acknowledges that development at villages is relatively less sustainable as a higher proportion of trips is likely to be made by car. Where development is acceptable at the villages ***“it must not be of a disproportionate scale which adversely impacts on the character of the settlement or leads to a significant increase in the number of car journeys”*** (page 20, Regulation 19 Local Plan).
- 1.10 The proposed spatial strategy was approved by North Somerset Council (NSC) in April 2021 to direct development over the plan period, based on a sequential approach, to suitable locations for development. The Challenges Consultation (2022) was supported by a Spatial Strategy and Capacity Paper (February 2022) which provided a full explanation of the sites considered through the sequential approach, comprising:

Sites outside the Green Belt:

- a. Existing planning permissions;
- b. Urban capacity;
- c. Town expansion;

- d. Other sustainable settlements; and
- e. Rural areas;
- f. Other opportunities

Sites within the Green Belt.

- 1.11 At this point in the plan-making process NSC was exploring the potential to identify Yatton and Backwell separately from other villages, as larger villages with a “wider range of services, facilities and jobs” (paragraph 35, Spatial Strategy and Capacity Paper) and perceived opportunities to encourage active travel and access to public transport. Accordingly, these villages were considered capable of accommodating a higher level of development than other villages.
- 1.12 The Paper sought to justify the separate identity of Backwell describing it as:
- “A large village with a smaller range of shops and facilities, but it does have a secondary school and leisure centre and is adjacent to Nailsea with its higher order facilities. It has a main line station and is on the A370 bus corridor. There is potential to improve bus access from Backwell to Bristol.”*** (paragraph 36).
- 1.13 However, following public consultation NSC took the decision to remove the separate identification of Yatton and Backwell within the settlement hierarchy and reinstate the settlements as villages within the rural areas.
- 1.14 It is noteworthy that through this process the Council has acknowledged that:
1. Backwell does not have a wide range of shops and facilities and is reliant on Nailsea for higher order facilities;
 2. Backwell (in combination with Nailsea) is unsuitable as a strategic growth location due to the need for substantial new highway infrastructure which has proven to be unviable and undeliverable within the plan period.
- 1.15 In the context of the spatial strategy and the evidence which has emerged through the plan-making process, Backwell’s status as a village has been established. The assessment of Backwell has demonstrated that it is unable to meet the requirements of the spatial strategy to be prioritised as a location for new residential development (it does not benefit from a wide range of facilities, services or employment, as confirmed by the Spatial Strategy and Capacity Paper), regardless of the village’s access to public transport services.

- 1.16 In accordance with the spatial strategy the amount of development directed to Backwell, as a village, should be small scale and relate to local community needs. It should not serve to address strategic housing requirements which should be directed towards the urban areas which benefit from a wide range of facilities, services and jobs and access to public transport.

Policy SP6: Villages and Rural Areas

- 1.17 BPC and BRA object to the proposed amendments to the settlement boundary of Backwell, which extend westwards to include the proposed allocation of Grove Farm/Burnt House Farm for residential development and all other land located between the existing built up edge of the village and the proposed allocation.

- 1.18 The proposed amendments are not consistent with the criteria applied by NSC to the review of settlement boundaries, as set out within the Settlement Boundary Review Topic Paper.

- 1.19 The criteria include the following land within settlement boundaries:

- *new residential development;*
- *sites where planning consents have been granted or resolved to be granted for development;*
- *allocations in the new Local Plan;*
- *inclusion of dwellings and curtilages that relate closely to the built-up form of the settlement and where inclusion or possible development would not harm the form and character of the settlement;*
- *correction of anomalies;*
- *community uses including schools and associated playing fields;*
- *employment uses and previously developed land;*
- *farm complexes where they are part of the built form of the settlement or closely related to the existing settlement.*

- 1.20 The settlement boundaries should exclude:

- Open areas such as orchards and paddocks which have a different character to garden areas (even if they are part of a larger curtilage);
- Relatively isolated groups of buildings or individual properties separated from the main developed area by a physical gap, road, track, railway or waterway;

- Groups of buildings or plots at a significantly different density or character from the nearest part of the main developed area;
- Playing fields, allotments, cemeteries and other open space which is located on the periphery of a settlement;
- Urban fringe type uses such as stables with paddocks;
- Roads on the edge of the settlement boundary.

1.21 The proposed amendments to the settlement boundary of Backwell extend the boundary to include the draft allocation of land at Grove Farm and Burnt House Farm. Notwithstanding BPC and BRA's objections to this allocation, the principle of including the allocation land within the settlement boundary is accepted.

1.22 However, BPC and BRA object to the incidental inclusion of land between the existing settlement boundary and the proposed allocation, which are contrary to the Settlement Boundary Review Topic Paper:

- a) Backwell Playing Fields: playing fields located on the periphery of a settlement should be excluded from the settlement boundary;
- b) Land north of Backwell Playing Fields: this open field is isolated from the current urban edge and excluded from the proposed housing allocation of Grove Farm. As open space on the periphery of the settlement, it should be excluded from the settlement boundary;
- c) Land northeast of Backwell Playing Fields: this residential property and associated curtilage include orchard and paddocks of a different density and character to the other properties on Rushmoor Grove which should be excluded from the settlement boundary;
- d) Land northeast of The Green: this includes isolated residential properties, paddocks and orchards which have a different character from the settlement edge and should be excluded from the settlement boundary.

1.23 The proposed allocation of Grove Farm/Burnt House Farm is not contiguous with the existing built up edge of Backwell and by extending the settlement boundary to encompass the allocation, it follows that other land which has not been deemed suitable for allocation through this Local Plan, has been included within the settlement boundary, engaging a presumption in favour of sustainable development, subject to compliance with policy criteria. This could result in further housing development beyond the 705 dwellings already identified at the village. The impact of amending the settlement boundary has not been quantified in respect of the additional development which could come forward as a result and the additional impact which

this would have on the local infrastructure, including the capacity of the transport network. The accompanying transport note highlights the severe harm to the performance of the Backwell crossroads associated with the development of Grove Farm alone. Windfall development would inevitably result in further harm to the crossroads, lengthened vehicle queues and the associated residential amenity.

- 1.24 Notwithstanding the concerns regarding the proposed limits of the settlement boundary, BPC and BRA strongly support the categorisation of Backwell as a Village under Policy SP6 and broadly support the wording of Policy SP6 to limit new development to land within the settlement boundary, subject to compliance with all policy criteria. The limitations imposed on development outside the settlement boundary are also supported to control the settlement from further outward expansion.

Policy SP7: Green Belt

- 1.25 BPC and BRA strongly support the terms of Policy SP7, particularly the extension of the Green Belt to the south of Nailsea, as defined on the Policies Map to prevent the merger of Nailsea and Backwell and further encroachment into the countryside.
- 1.26 The Green Belt Review Part 3, prepared by NSC (2022) recognises the need to safeguard the land between Nailsea and Backwell, particularly in the context of planned growth at Nailsea and Backwell. Although the document has not been updated in light of the Regulation 19 proposals and the deletion of the allocation South of Nailsea, there remains a need to extend the Green Belt between Nailsea and Backwell to:
1. Maintain the separate identity of Backwell and Nailsea and prevent their merger;
 2. To replace the existing strategic gap; and
 3. To safeguard the countryside from encroachment.
- 1.27 The Landscape Sensitivity Assessment carried out by Wardell Armstrong (March 2018) concluded that the land between Nailsea and Backwell (either side of Station Road) including land south of Nailsea is of high sensitivity. The land to the south of the gap, south of Youngwood Lane, is of medium/high susceptibility to change due to its increased openness, distinct low-lying topography and its degree of separation from the southern edge of Nailsea.
- 1.28 The assessment finds that the development south of Nailsea and north of Backwell has visually coalesced and the remaining land between the settlements has an important role in preventing the physical coalescence of the two settlements and further visual coalescence (paragraph 6.2.59).

- 1.29 The Green Belt Review Part 3 explored several options for the potential extension of the Green Belt between Nailsea and Backwell. Option 1 sought to replace the land designated as strategic gap with Green Belt. However, this failed to provide a defensible boundary to the western extent of the Green Belt. Option 2 extended the Green Belt further west beyond the current limits of both settlements. The boundaries are defined by Youngwood Lane and Chelvey Road, providing clear and defensible boundaries. A final option sought to create a major extension to the Green Belt extending to the east of Clevedon. However this was not considered necessary in the absence of any development threat to coalescence between Clevedon and Nailsea.

Although it is accepted that one of the exceptional circumstances for extending the Green Belt in this location, namely, the development south of Nailsea, has been removed, there remain exceptional circumstances for the extension on the basis of the existing visual coalescence of the settlements and the need to protect against the physical merger of the settlements. For these reasons, regardless of the scale of development planned through this Local Plan, an extension to the Green Belt between Nailsea and Backwell, as defined on the Policies Map, is justified.

Policy SP8: Housing – Distribution of housing

- 1.30 BPC and BRA express the strongest objection to the proposed distribution of development defined under Policy SP8, in particular, the direction of 3,610 dwellings to the villages and rural areas (23% of housing supply), which includes the allocation of 515 dwellings to Backwell through the allocation of land at Grove Farm/Burnt House Farm and a total of 705 dwellings to Backwell village. The proposed distribution is contrary to the Spatial Strategy (Policy SP3) and the policy approach for villages (Policy SP6), representing a disproportionate scale of development, relative to the scale of the village, which would have a harmful impact on the local community, the capacity of infrastructure and the setting of the village.
- 1.31 The proposed distribution of housing is based on a flawed assessment of sites, detailed within the Site Selection Methodology Paper (November 2023).
- 1.32 The spatial strategy as defined by Policy SP3 prioritises new residential and mixed-use development in or close to urban areas where there is an existing or proposed wide range of facilities, services and jobs and opportunities to encourage active travel, particularly at locations which are, or could be well served by public transport. The amount of development at villages and in the countryside is limited to that required to meet local community needs. Policy SP6 defines Backwell as a village; the distinction previously drawn between Yatton, Backwell and all other villages which sought to direct higher levels of growth to these settlements, has been removed from the Regulation 19 version of the plan. However, the Site Selection Methodology Paper (November 2023) continues to assess Backwell with Nailsea as

an area of search, despite the recognition that Backwell and Nailsea are unsuitable as a location for strategic growth due to infrastructure and Green Belt constraints.

- 1.33 The Paper records the decision of NSC to significantly reduce the scale of proposed development within the Green Belt, compared to the 'Preferred Options' stage. The rationale for this includes the "more constrained approach to Green Belt release in line with the NPPF." (Page 38). The latter statement is based on the draft proposals outlined in the National Planning Policy Framework Prospectus, published in December 2022 in the expectation that these proposals would be relevant to the NSC Local Plan.
- 1.34 The National Planning Policy Framework was updated in response to the public consultation in December 2023, post publication of the Regulation 19 Plan. Annex 1 of the new NPPF advises that for plan-making purposes, the policies of this NPPF will apply to plans which reach the Regulation 19 stage after 19th March 2024 only. Plans which reach this stage on or before this date, such as the NSC Local Plan, will be examined under the relevant previous version of the Framework. Accordingly, the "more constrained approach to Green Belt" detailed at paragraph 145 of the new Framework does not apply in the examination of this plan. Rather the relevant consideration, as set out in the previous iteration of the NPPF, is whether exceptional circumstances justify alterations to the Green Belt boundary. In reviewing the Green Belt boundary and the need to promote sustainable patterns of development the plan should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, or towards locations beyond the outer Green Belt boundary (paragraph 142, NPPF).
- 1.35 Contrary to the NPPF, NSC has sought to direct virtually all new development to non-Green Belt locations, at the expense of achieving sustainable development patterns, and has sought to rely upon Government policy proposals prematurely to justify its approach. The need for a review of the Green Belt and its capacity to help meet the housing requirement in accordance with the spatial strategy should be fully considered through this Local Plan to comply with national policy. Indeed, the Nailsea and Backwell Transport Position Statement, prepared by NSC, dated September 2023, (see attached) accepts that ***"Strategic Transport Policy considers that a strategic allocation at Yanley, delivered in the right way, presents an opportunity to deliver housing needs in a transport sustainable way without excessive growth in the Nailsea and Backwell area. If Green Belt release is to be progressed it should be considered holistically and that development at Yanley should be part of the consideration."*** This paragraph was removed from an update to this statement issued on 31 October 2023.
- 1.36 The allocation of land for housing and mixed uses to the south of Bristol offers the opportunity to deliver new housing in a highly sustainable location, closely associated with the main urban

area of Bristol and its associated infrastructure, services and facilities. This would align with the proposed spatial strategy and enable development to be limited in the rural areas to a level which is commensurate with meeting an identified need in the local communities. The proposed deletion of the land allocation at Yanley Lane has not been justified in the context of the relevant NPPF for the purposes of this examination and is therefore wholly unsound in all respects.

- 1.37 The proposed distribution of housing is contrary to the findings of the Pre-Submission Sustainability Appraisal (SA) and previous iterations of the SA; the findings have consistently advised that the best performing scenario for distribution of new development is Approach 2 (Urban Focus).
- 1.38 In respect of economic prosperity, the SA highlights the scale of the challenge, with high levels of out-commuting, particularly to the Bristol urban area. Planning has an important role to play to maintain a ready supply of sites and premises to meet local requirements for business expansion and inward investment and to restore a closer balance between employment and housing. Without the right strategy it is unlikely that out-community can be reduced (paragraph 3.57).
- 1.39 In this regard, Approach 2 provides a significant scale of growth accessible to jobs, performing well by directing development where employment demand is focussed at Weston and Bristol and other towns and locations such as the airport and port. Approach 1 (avoiding the Green Belt) also avoids the employment demands at Bristol (SA, paragraph 4.16). Directing development to Bristol and Weston also performs best to meet housing needs and affordable housing needs (SA paragraphs 4.20 and 4.21).
- 1.40 Approach 2 also performs best in improving economic wellbeing and reducing inequalities, by concentrating development at the principal locations of Weston and Bristol. By concentrating development in these locations wider benefits can be provided to Weston residents through investment in sustainable infrastructure, and possible Mass Transit use at Bristol (SA, paragraph 4.19). Accordingly, Approach 2 performs best in promoting deliverable, high quality sustainable infrastructure.
- 1.41 There are many other examples of Approach 2 offering the best solution to meet social, environmental and economic objectives of the SA. Approach 2 provides the greatest opportunities to enable residents access to active travel, sustainable travel options, healthy living opportunities and potential heat network developments. In addition, Approach 2 has a lower impact on biodiversity, habitats and species (paragraph 4.30) and the loss of best and most versatile agricultural land is avoided (SA, page 113, Urban Focus).

BPC and BRA have consistently supported Approach 2 as the most sustainable spatial strategy. However, notwithstanding the clear conclusions of the SA, NSC has sought to proceed with a spatial strategy and distribution of housing which fails to maximise the opportunities at Weston and SW Bristol to meet local housing needs, address the imbalance of employment and housing, maximise the benefits of investment in new infrastructure, reduce the impact of development on the environment and build in resilience to climate change. This approach is flawed and inconsistent with findings of the evidence base and must be revisited.

- 1.42 In respect of Nailsea and Backwell area of search, the summary of HE20595 Land Around Grove Farm fails to identify the presence of Grade 1 agricultural land as a relevant constraint to development. The Local Plan proposes the residential allocation of the land, despite the importance of retaining the limited supply of best and most versatile agricultural land for long-term food production and the expectations of Policy SP11 and DP53 to protect and safeguard best and most versatile agricultural land.
- 1.43 The proposed distribution of housing, directing 23% of the new housing to the villages and rural areas, of which approximately 19.5% (705 dwellings) would be directed to Backwell, fails to align with the spatial strategy to prioritise development at the main urban areas and limit development at the villages and rural areas to a level which is commensurate with local housing needs. No distinction is drawn between Backwell and other villages in terms of the level of development which can be accommodated, however, Backwell has been singled out to accommodate a strategic level of development akin to the levels of development proposed at the towns of Clevedon (562 dwellings), Portishead (735 dwellings) and Nailsea (926 dwellings).
- 1.44 The level of development directed to Backwell should be adjusted to align with the spatial strategy to a level which is small-scale and commensurate with the size of the village. Existing commitments are already in place to deliver 190 dwellings over the plan period. This is comparable to the scale of development proposed at other larger villages e.g. Churchill (284 dwellings), Congresbury (168 dwellings) and Winscombe (269 dwellings).

Policy LP2: Housing, Employment and Mixed Use Allocations

- 1.45 BPC and BRA express strong objections to the proposed allocation of land at Grove Farm/Burnt House Farm under Policy LP2, as identified on the Policies Map and Schedule 1 of the Local Plan.
- 1.46 BPC and BRA have consistently expressed their objections to the allocation of land west of Backwell for a strategic scale of residential development through recent emerging development plans, including the abandoned West of England Joint Spatial Plan and all stages

of the emerging Local Plan 2039. These objections have been broadly based on four fundamental concerns:

1. The scale of development which is disproportionate to the existing scale of the village and the harmful impacts of this scale of development on the local community;
2. The absence of viable and sustainable mitigation to address the severe impact of the proposals on the Backwell crossroads;
3. The loss of best and most versatile agricultural land, including Grade 1;
4. The loss of important bat foraging grounds, closely associated with the Brockley Hall Stables SSSI and the impact of the population of greater and lesser Horseshoe Bats.

1.47 For the reasons set out in respect of Policies SP3, 6 and 8, the proposed spatial strategy represents a sustainable approach to development over the plan period and is supported. The proposed allocation of land at Grove Farm/Burnt House Farm to deliver 515 dwellings at the village of Backwell, represents a strategic scale of development which is not commensurate with meeting local housing needs, as defined by the spatial strategy. The proposed location is not close to a wide range of services and facilities or employment opportunities, as required by the spatial strategy and whilst active travel modes are available, the potential to enhance these services (bus and train) is at best limited and at worst, out of the control of the Council.

1.48 Despite Backwell's status as a village under Policy SP6, the scale of development proposed at Backwell is comparable to that proposed at the towns of Portishead, Clevedon and Nailsea (the three main towns outside of Weston-Super-Mare), which benefit from a considerably broader range of services, facilities and employment opportunities. Although Backwell is relatively close to Nailsea, active travel opportunities between the two settlements are limited and it is evident from Census Data (**See accompanying Transport Note prepared by Neil Brant Consulting**) that the vast majority of employees residents in Backwell (and indeed across North Somerset) commute to Bristol. Therefore, Backwell's physical proximity to Nailsea does not justify the allocation of a strategic scale of development.

Policy LP4: Settlement boundaries

1.49 BPC and BRA object to the proposed amendments to the settlement boundary of Backwell, which extend westwards to include the proposed allocation of Grove Farm/Burnt House Farm for residential development and all other land located between the existing built up edge of the village and the proposed allocation.

1.50 The proposed amendments are not consistent with the criteria applied by NSC to the review of settlement boundaries, as set out within the Settlement Boundary Review Topic Paper. The criteria include the following land within settlement boundaries:

- new residential development;
- sites where planning consents have been granted or resolved to be granted for development;
- allocations in the new Local Plan;
- inclusion of dwellings and curtilages that relate closely to the built-up form of the settlement and where inclusion or possible development would not harm the form and character of the settlement;
- correction of anomalies;
- community uses including schools and associated playing fields;
- employment uses and previously developed land;
- farm complexes where they are part of the built form of the settlement or closely related to the existing settlement.

1.51 The settlement boundaries should exclude:

- Open areas such as orchards and paddocks which have a different character to garden areas (even if they are part of a larger curtilage);
- Relatively isolated groups of buildings or individual properties separated from the main developed area by a physical gap, road, track, railway or waterway;
- Groups of buildings or plots at a significantly different density or character from the nearest part of the main developed area;
- Playing fields, allotments, cemeteries and other open space which is located on the periphery of a settlement;
- Urban fringe type uses such as stables with paddocks;
- Roads on the edge of the settlement boundary.

1.52 The proposed amendments to the settlement boundary of Backwell extend the boundary to include the draft allocation of land at Grove Farm and Burnt House Farm. Notwithstanding

BPC and BRA's objections to this allocation, the principle of including the allocation land within the settlement boundary is accepted.

1.53 However, BPC and BRA object to the incidental inclusion of land between the existing settlement boundary and the proposed allocation, which are contrary to the Settlement Boundary Review Topic Paper:

- e) Backwell Playing Fields: playing fields located on the periphery of a settlement should be excluded from the settlement boundary;
- f) Land north of Backwell Playing Fields: this open field is isolated from the current urban edge and excluded from the proposed housing allocation of Grove Farm. As open space on the periphery of the settlement, it should be excluded from the settlement boundary;
- g) Land northeast of Backwell Playing Fields: this residential property and associated curtilage include orchard and paddocks of a different density and character to the other properties on Rushmoor Grove which should be excluded from the settlement boundary;
- h) Land northeast of The Green: this includes isolated residential properties, paddocks and orchards which have a different character to the settlement edge and should be excluded from the settlement boundary.

1.54 BPC and BRA are concerned that the inclusion of these parcels of land within the settlement boundary, introduce further opportunities for residential development at Backwell during the plan period, which would be in addition to the 515 dwellings allocated at Grove Farm/Burnt House Farm, placing additional pressure on the existing infrastructure, including the capacity of the transport network.

1.55 The impact of amending the settlement boundary has not been quantified in respect of the additional development which could come forward and the additional impact on the local infrastructure, including the capacity of the transport network. The accompanying transport note highlights the severe harm to the performance of the Backwell crossroads associated with the development of Grove Farm alone. Windfall development would inevitably result in further harm to the crossroads, extended vehicle queues and the associated residential amenity.

Policy LP6: Extent of the Green Belt

1.56 BPC and BRA strongly support the terms of Policy SP7, particularly the extension of the Green Belt to the south of Nailsea, as defined on the Policies Map to prevent the merger of Nailsea and Backwell and further encroachment into the countryside.

- 1.57 The Green Belt Review Part 3, prepared by NSC (2022) recognises the need to safeguard the land between Nailsea and Backwell, particularly in the context of planned growth at Nailsea and Backwell. Although the document has not been updated in light of the Regulation 19 proposals and the deletion of the allocation South of Nailsea, there remains a need to extend the Green Belt between Nailsea and Backwell to:
1. Maintain the separate identity of Backwell and Nailsea and prevent their merger;
 2. To replace the existing strategic gap; and
 3. To safeguard the countryside from encroachment.
- 1.58 The Landscape Sensitivity Assessment carried out by Wardell Armstrong (March 2018) concluded that the land between Nailsea and Backwell (either side of Station Road) including land south of Nailsea is of high sensitivity. The land to the south of the gap, south of Youngwood Lane, is of medium/high susceptibility to change due to its increased openness, distinct low-lying topography and its degree of separation from the southern edge of Nailsea.
- 1.59 The assessment finds that the development south of Nailsea and north of Backwell has visually coalesced and the remaining land between the settlements has an important role in preventing the physical coalescence of the two settlements and further visual coalescence (paragraph 6.2.59).
- 1.60 The Green Belt Review Part 3 explored several options for the potential extension of the Green Belt between Nailsea and Backwell. Option 1 sought to replace the land designated as strategic gap with Green Belt, however, this failed to provide a defensible boundary to the western extent of the Green Belt. Option 2 extends the Green Belt further west beyond the current limits of both settlements. The boundaries are defined by Youngwood Lane and Chelvey Road, providing clear and defensible boundaries. A final option sought to create a major extension to the Green Belt extending to the east of Clevedon, however this was not considered necessary in the absence of any development threat to coalescence between Clevedon and Nailsea.
- 1.61 Although it is accepted that one of the exceptional circumstances for extending the Green Belt in this location, namely, the development south of Nailsea, has been removed, there remain exceptional circumstances for the extension on the basis of the existing visual coalescence of the settlements, the need to protect against the physical merger of the settlements. For these reasons, regardless of the scale of development planned through this Local Plan, an extension to the Green Belt between Nailsea and Backwell, as defined on the Policies Map, is justified.

DP35: Nature Conservation

- 1.62 BPC and BRA support the proposals for Nature Parks to protect and enhance greater and lesser horseshoe bat habitat at Nailsea, Backwell and Wolverhill and other locations. However, the policy does not identify specific sites to perform the role of nature parks, nor does it establish any criteria for the suitability of sites to be designated as nature parks. The supporting text advises that NSC would prefer developers to use North Somerset Nature Parks to mitigate any impacts of development on greater horseshoe bats. It states that Nature Parks are located in areas that have been modelled as providing the most important habitat and connectivity for bats (page 157). However, no sites are identified on the Policies Map and we understand that the Council has not yet secured any land to meet this policy objective. Papers reported to the Transport, Climate and Communities Policy and Scrutiny Panel on 30th November 2023 indicate that the Council has commissioned the University of West of England to identify the best locations for Nature Parks to best support the protection and enhancement of land for the benefit of the greater horseshoe bats. NSC is also embarking on its first land purchase to create the first Nature Park and discussing the inclusion of Nature Parks within strategic developments where habitat and connectivity for greater horseshoe bats have the potential to be improved.
- 1.63 It is unsound to proceed with a policy for nature parks prior to the outcome of the UWE research and the subsequent identification of suitable land on the Policies Map. This is necessary to ensure adequate land is available and deliverable in the best locations, to adequately mitigate the impacts of development on the horseshoe bat population.

Policy DP53: Best and most versatile land

- 1.64 The proportion of Grade 1 land in North Somerset is approximately 7% and 10% for Grade 2. 60% falls in Grade 3. The policy approach recognises the benefits of all best and most versatile land (BMV) and provides stricter safeguards for the more limited amount of grade 1 and 2 in North Somerset. BPC and BRA support the inclusion of this policy in the plan. However, they query why the policy only applies to non-allocated sites. The proposed allocations include sites which cover best and most versatile land (Grove Farm/Burnt House Farm, Backwell is known to have best and most versatile agricultural land, including Grade 1 land). If the allocation is deemed necessary to make the plan sound, the terms of Policy DP53 should apply to the development proposals for the allocation, to ensure the loss of BMV agricultural land is minimised.

Schedule 1: Proposed large sites for residential development

- 1.65 BPC and BRA strongly object to the proposed allocation of land at Grove Farm/Burnt House Farm, Backwell, for 515 dwellings to the west of Backwell.

- 1.66 The proposed allocation is contrary to the spatial strategy which limits development at villages to local community needs and prioritises new residential development to locations in or close to urban areas where there is an existing or proposed wide range of facilities, services and jobs and opportunities to encourage active travel, particularly where locations are well served by public transport
- 1.67 NSC has defined Backwell as a village under Policy SP6 of the Regulation 19 Local Plan. No distinction is drawn between the identified villages in terms of their capacity to accommodate development. Therefore, development at all villages, including Backwell, should be limited to that necessary to meet local community needs.
- 1.68 NSC acknowledges that Backwell does not benefit from a wide range of facilities, services and jobs (See Spatial Strategy and Capacity Paper (November 2023)). The Council has assessed Backwell's capacity to accommodate strategic growth and concluded that due to the transport and Green Belt implications, growth of the scale proposed at Nailsea and Backwell was not appropriate (paragraph 3.14, Spatial Strategy and Capacity Paper). NSC has therefore accepted that Backwell falls under the spatial strategy for villages. Chapter 4 of the Paper has assessed the potential of Backwell and other villages for "small scale site allocations" (paragraph 4.4). The Council has not defined "small-scale" for the purposes of this plan. However, with the exception of Backwell, the allocations to the rural villages do not exceed a cumulative village total of 289 dwellings.
- 1.69 The spatial strategy defines the scale of growth at the villages as that required to meet local community needs. However, the Local Plan fails to define or assess the extent of these needs. Accordingly, NSC has failed to demonstrate that the proposed allocations in the rural areas align with the Local Plan's spatial strategy. The scale of development proposed at Backwell (515 dwelling allocation and 705 dwellings including existing commitments) exceeds any reasonable definition of small-scale development upon which the Council has assessed the village and accordingly, the allocation has not been positively prepared or justified as an appropriate strategy based on proportionate evidence.
- 1.70 The Spatial Strategy and Capacity Paper explains the sequential approach adopted to selecting site allocations, which has sought to exhaust all non-Green Belt sites at the main towns and villages before consideration is given to Green Belt sites. The changes made between the Regulation 18 and Regulation 19 stages of the plan to the local housing needs figure have enabled NSC to avoid any significant changes to the Green Belt boundary to accommodate development.
- 1.71 BPC and BRA support NSC's decision to delete the proposed allocation of land East of Backwell and associated deletion of Green Belt. The release of land on the outer edge of the Green Belt boundary is unjustified and fails to contribute positively towards sustainable

patterns of development. However, BPC and BRA object to the sequential selection of sites for allocation, which fail to have due regard to the National Planning Policy Framework (September 2023), paragraph 142, to promote sustainable patterns of development when reviewing Green Belt boundaries; taking into account the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages within the Green Belt or towards locations beyond the outer Green Belt boundary.

1.72 There are considerable consequences for North Somerset's sequential approach to the allocation of land almost entirely outside the Bristol and Bath Green Belt, including:

1. The reliance on locations to accommodate new housing and mixed uses with limited access to public transport services;
2. New housing development located mainly on or beyond the outer edge of the Green Belt exacerbating the existing mismatch between housing and employment locations and hence existing commuting patterns to Bristol without adequate planned improvements to public transport services;
3. Significant additional traffic at already congested points on the public highway network, including Backwell crossroads. The proposed allocation of Grove Farm/Burnt House Farm, Backwell would result in a 448% worsening in the performance of the Backwell crossroads to -33.3% PRC (Backwell Crossroads Modelling Assessment, NSC);
4. The loss of best and most versatile agricultural land including loss of the very limited supply of Grade 1 land;
5. The loss of important habitat for Greater and Lesser Horseshoe Bats associated with the North Somerset and Mendip Bat Special Area of Conservation and Brockley Hall Stables SSSI.

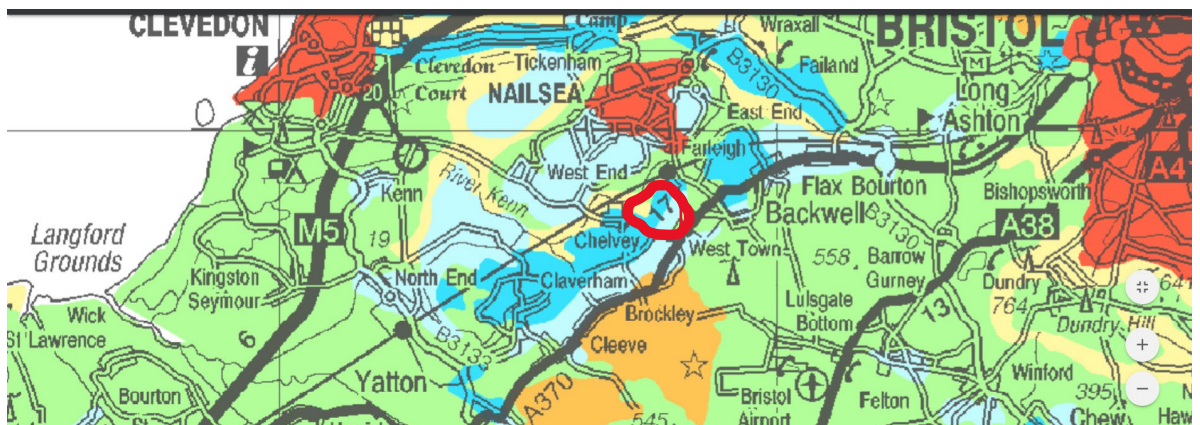
1.73 In respect of the particular constraints affecting Grove Farm/Burnt House Farm at Backwell:

Transport – A key pillar of the spatial strategy is to direct development to locations with opportunities for active travel. The proposed allocation of Grove Farm/Burnt House Farm is relatively detached from the existing built up area of Backwell, with connections limited to Moor Lane, Westfield Drive/Close and Rushmoor Lane. Walkable distances from the site to facilities will be limited to facilities within Backwell and possibly south Nailsea. Similarly, reasonable cycling distances would not reach the major employment areas where the majority of residents work. Therefore, the opportunities for active travel to enable new residents to access a wide range of services, facilities and employment would be severely limited. A detailed assessment

of the transport and active travel implications of allocating the site is set out in the accompanying transport note prepared by Neil Brant Consulting.

Ecology - The proposed allocation of Grove Farm/Burnt House Farm for 515 dwellings will result in the development of land within 1.1km of the Brockley Hall Stables SSSI and North Somerset and Mendip Special Area of Conservation (SAC). The land has a high suitability for greater and lesser horseshoe bats within the SAC and moderate-high connectivity with known roosts in the area. The proximity to the SSSI is only 100m beyond the 1km buffer zone which is deemed to be critical to the survival of the roost, as the Juvenile Sustenance Zone. The proposed mitigation includes provision of nature parks around Nailsea and Backwell. However, the location, scale, nature, proposals, ownership and maintenance/management protocols for these parks has not been defined through this Local Plan and will be a matter for a future Supplementary Planning Document.

Best and Most Versatile Agricultural Land –



Grade	Description
1	Excellent
2	Very Good
3	Good to Moderate
4	Poor
5	Very Poor

Non-Agricultural Land	
(Orange)	Other land primarily in non-agricultural use
(Red)	Land predominantly in urban use

Source: Natural England - Agricultural Land Classification Map South West Region (ALC006)

1.74 The above map illustrates that the approximate location of the proposed allocation (outlined in red) would result in the loss of the highest quality agricultural land (Grade 1 and 2 land).

- 1.75 Paragraph 174 of the NPPF (September 2023) requires planning policies to contribute to and enhance the natural and local environment, recognising the intrinsic character and beauty of the countryside, the wider benefits from natural capital and ecosystem services, including the economic and other benefits of the best and most versatile agricultural land. The proposed allocation would result in the loss of this high-quality agricultural land which is intrinsically linked to the highly suitable foraging habitat for the greater and lesser horseshoe bats population of the SAC. There is no evidence that NSC has considered reasonable alternatives to the allocation of Grove Farm/Burnt House Farm which would meet the housing needs without the loss of high quality agricultural land and bat habitat within close proximity of the Brockley Hall Stables SSSI.

Conclusions

- 1.76 In selecting sites for allocation, North Somerset's approach has been to exploit all land which is deemed capable of development outside the Green Belt and identify a local housing needs figure below that required by the Government's standard methodology. In combination these proposals have enabled NSC to avoid the release of additional land from the Green Belt which is deemed to be politically unpalatable.
- 1.77 NSC's approach is flawed for the following reasons.
- 1.78 Firstly, the Council has failed to appraise the distribution of development, against paragraphs 105 and 142 of the NPPF (September 2023). If these filters are applied it would direct NSC to explore whether the removal of some land from the Green Belt could deliver a sustainable pattern of development and therefore provide the exceptional circumstances to justify the release of Green Belt land.
- 1.79 In this regard, NSC's Sustainable Transport Policy Team has acknowledged that:
- “a strategic allocation at Yanley, delivered in the right way, presents an opportunity to deliver housing needs in a transport sustainable way without excessive growth in the Nailsea and Backwell area. If Green Belt release is to be progressed it should be considered holistically and that development at Yanley should be part of the consideration.”*** (See attached: Transport Position Statement, September 2023)
- 1.80 This confirms that delivery of development within the existing inner boundary of the Green Belt, could deliver new housing in a manner which is preferable from a sustainable transport perspective to development at Nailsea and Backwell.
- 1.81 The spatial strategy as drafted has failed to adopt the findings of the Pre-Submission Sustainability Appraisal, which is clear that Approach 2 (urban focus) performs best in delivering the economic, environmental and social objectives of sustainable development,

most effectively meeting housing needs, affordable housing needs, addressing the existing imbalance in employment and housing and reducing commuting whilst having the least harm on areas at risk of flooding, protected habitats and best and most versatile agricultural land.

- 1.82 NSC's approach relies upon the Government's proposed changes to Green Belt policies to support its decision not to release any additional Green Belt land i.e. paragraph 142 of the NPPF Proposed Changes (December 2022). The proposed changes were brought into effect on 19 December 2023 (paragraph 145 of the NPPF). However, the transitional arrangements set out in Annex A do not apply to North Somerset's Local Plan and hence the local planning authority remains obliged to review its Green Belt boundaries if necessary to meet its housing requirement through a sustainable pattern of development (paragraph 142, NPPF, September 2023). In light of the findings of the SA and the transitional arrangements set out in the latest NPPF, NSC's position in respect of the Green Belt is untenable and must be revisited.
- 1.83 The proposed allocation of 705 dwellings at Backwell and specifically the proposed allocation of 515 dwellings at Grove Farm/Burnt House Farm is unsound for the following reasons:
1. The allocation is not justified as an appropriate strategy having regard to proportionate evidence. The allocation is not based on a credible spatial strategy, consistent with national planning policy and the findings of the SA. The SA finds the Approach 2 (Urban Focus) to perform best in meeting social, economic and environmental objectives of sustainable development. The proposed spatial strategy fails to adopt the urban focus approach, dispersing development across the District and failing to direct any development towards the main employment area of Bristol.
 2. The proposal is based on a strategy which avoids the release of Green Belt land. There is no evidence that the sequential selection of non-green belt sites has considered the implications of channelling development beyond the outer limits of the Green Belt for the delivery of sustainable patterns of development contrary to national planning policy.
 3. Backwell has only been assessed to accommodate small-scale development to meet local community needs. The term "small scale" has not been defined by the plan. However, the scale of development directed to Backwell could not be regarded as small scale under any plain English definition of the term. Local community needs have not been assessed or defined through the Local Plan and is therefore unjustified.
 4. The allocation far exceeds the allocations at any other village within the District and is therefore at odds with the general scale of development directed to all other villages. The scale of development is not commensurate with the scale of the village and would represent a disproportionate growth of the village over the plan period which would have a harmful impact on its character.

5. The transport implications of development have not been fully considered. A transport assessment has not informed the plan making process and will follow as a retrospective contribution.
 6. The development would result in an unmitigated severe traffic impact at the A370 Backwell crossroads resulting in increased congestion and delay and a reduction in junction performance of 448%. No mitigation is provided for this impact and the evidence indicates that there are no reasonable mitigation options available. The severe harm arising from the development leads the policy allocation to be contrary to national policy.
 7. The development would result in the irreversible loss of best and most versatile agricultural land, contrary to Government policy and the objectives of the SA.
 8. The proposed allocation would result in the loss of important habitat for foraging bats within the North Somerset and Mendip Special Area of Conservation. Nature Parks are proposed to mitigate the harm to the Bat SAC associated with new development around Nailsea and Backwell. Nature Parks will rely on research into the best locations to create suitable habitat, purchase of the land by NSC from willing landowners and the delivery and funding of habitat creation and enhancement and ongoing management. The research is ongoing and accordingly the practical deliverability of Nature Parks remains highly uncertain and ineffective.
- 1.84 Accordingly, the proposed allocation at Grove Farm/Burnt House Farm and distribution of housing as a whole is unsound, unjustified, ineffective and contrary to national planning policy.

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