

CHURCHILL AND LANGFORD RESIDENTS ACTION GROUP (CALRAG)

Response to the West of England Joint Spatial Plan

Technical Evidence Work consultation pertaining to North Somerset

A. EXECUTIVE SUMMARY

- A.1 Churchill and Langford Residents Action Group ("CALRAG") is a residents group with a committee of more than 40 individuals resident within Churchill and Langford Parish who formally object to the allocation of SDL 7.6 "Churchill Garden (Mendip Spring) Village". We have submitted consultation representations and other correspondence to the promoters of the West of England Local Joint Spatial Plan ("JSP") and to North Somerset Council specifically on a number of earlier occasions.
- A.2 The present Consultation is taking place because the appointed Inspectors identified serious issues with the documentation provided to date, which gave rise to concerns in respect of soundness and national policy compliance. These were identified against a backdrop of separate changes, primarily in respect of Court of Justice of the European Union ("CJEU") case law, and secondly, in respect of changes to national policy.
- A.3 It is CALRAG's view that the issues raised within the first letter, which the Inspectors have naturally raised at this stage without any concluded view, have identified fundamental flaws within the underlying evidence base and the decision to allocate Churchill SDL 7.6.
- A.4 Using the Inspectors' headings, but in a different order:
- A.4.1 Spatial Strategy: The authors of the JSP have failed correctly to assess reasonable alternatives to the spatial strategy, notably Green Belt release. Moreover, they have failed correctly to address the significant transport, environmental (landscape, habitats, air quality) implications of the proposed Churchill SDL 7.6.
- A.4.2 Selection of the Strategic Development Locations: The selection of the SDLs has been fraught with confusion, as apparent from the shifting terminology in respect of the level of certainty (e.g. paragraph 66). They have not been selected on the basis of a robust, consistent nor objective approach;
- A.4.3 Green Belt: The authors of the JSP insist on pursuing a strategy that avoids Green Belt release on North Somerset, whilst identifying exceptional case for release elsewhere

- A.4.4 Employment: There are serious defects in respect of the Employment policy justifications for the proposed Churchill SDL 7.6.
- A.5 Throughout the Inspectors' four letters there are consistent warnings to those promoting the JSP that the process applied should not seek to retrofit the evidence base to decisions already taken.
- A.6 Moreover, the Inspectors have emphasised the need to avoid confusion to members of the public.
- A.7 It must always be remembered that many of those residents being consulted on the process are often encountering the strategic planning process for the first time and thus the explanations provided need to be as full as possible. This need is particularly acute in respect of highly technical subject matter such as transport and viability, which are central considerations.
- A.8 We regret to say that the material provided to date does not heed those warnings by the Inspectors.
- A.9 CALRAG firmly believes that the arguments in favour of these SDLs remain fatally flawed. The Technical Evidence that has now been supplied does not address the clear failings already identified through the Inspectors' questions.
- A.10 Indeed, the new evidence raises yet more questions and answers few. Its conclusions are generally founded upon flawed methodological approaches and consequent statistics which have been assembled to fit the parameters of these particular SDLs. They do not bear close scrutiny and there is certainly no clear evidence of the 'open mind' that the inspectors requested in their earlier correspondence, with no evidence of any alternative sites being considered anywhere in the documentation.
- A.11 It is understood that the results of this Consultation will be recorded in a "*Key Issues Report*", that will record the consultation comments received and will provide a short response from the Council. This will then be circulated to the Inspectors.
- A.12 Our formal submission is that the Examination cannot proceed past any first stage assessment of legal compliance and general soundness of the Spatial Strategy.
- A.13 Without rehearsing the issues set out below or repeating the issues raised in our earlier submissions, it is considered that there is no lawful basis for the JSP to proceed with the Churchill SDL 7.6 Allocation. The authors of the JSP have failed to carry out the basic requirements for a policy of this scale and significance, and it should not have been attempted without:
- A.13.1 Comprehensive Green Belt Review
- A.13.2 Strategic Environmental Assessment, properly assessing all reasonable alternatives including Green Belt release and properly assessing the

environmental impacts of the Churchill SDL 7.6 proposal, notably in respect of transport issues and environmental considerations (landscape, habitats, air quality);

A.13.3 Transport Assessment of the proposed highways/access arrangements to Churchill SDL 7.6, with requisite certainty as to funding sources and accurate assessment of likely transport movements;

A.13.4 Viability Assessment of Churchill SDL 7.6, on the basis of up-to-date and accurate information, including taking into account the transport issues identified above.

A.14 CALRAG therefore trusts that these submissions will be correctly recorded in the *“Key Issues Report”* and will carefully examine any *“short response”* provided by the Councils at that stage.

A.15 In one key respect, transport/highways data, CALRAG are continuing to assess the voluminous material provided which has been difficult given the timing of the present consultation over Christmas. It is considered that there has been a failure to refer to broader DfT material in the assessment work which presents a serious technical failing in this core pillar of North Somerset Council’s case for Churchill SDL 7.6.

A.16 The details of this are set out below, and they will endeavour to provide an updated response to the Council in advance of the scheduling of any hearing sessions.

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C. INTRODUCTION

- C.1 The Churchill SDL 7.6 proposal is for a 'Garden Village' on an unprecedented scale for Churchill and Langford: more than 2800 houses in a location far outside the main centres of employment.
- C.2 It is considered that this would cause a significant degree of environmental harm. It would fundamentally alter the character of the landscape, overwhelm existing highway capacity, threaten sensitive habitats and have significant additional environmental adverse effects.
- C.3 However, fundamentally, this is the wrong location for a development of this major scale, when more sustainable alternatives exist closer to the main conurbations, within sustainable commuting patterns. It necessitates a major transport investment, for which there is no convincing funding source or viability case.
- C.4 The rationale for the Churchill SDL 7.6 proposal has never been clear, but appears to have been motivated by a narrow and artificial imperative of avoiding Green Belt release in locations closer to the centres of employment.
- C.5 The Churchill SDL 7.6 Proposal has therefore been opposed by the local community within Churchill and Langford from its inception.
- C.6 CALRAG is the primary representative body, concentrating those local concerns. CALRAG consists of a committee of more than 40 members from a wide demographic, who are resident in the vicinity of the Churchill SDL 7.6 proposal. CALRAG has consulted local residents through holding several 'drop-in' sessions and have over 750 families who have elected to sign up to receive updates. Most of CALRAG's committee members are professionals in non-planning disciplines who have volunteered their time to consult locally, assess the extensive documentation submitted and then assemble representations. In addition, CALRAG has contacted a 'bank' of professional consultants with a technical background relevant to strategic planning matters, possessing skills such as hydrology, transport engineering, environmental planning, legal and regulatory, and who kindly and willingly give up their time to assist.
- C.7 Churchill residents are not opposed to any residential development; they are, however, opposed to development at this massive scale of 2800 units. Currently, and despite the village only consisting of approx. 850 houses, the village has accepted approximately 300 new homes, either already under construction or under appeal.
- C.8 CALRAG recognises the need for continued development as population numbers increase, and the need for *affordable* housing is one in respect of which CALRAG is particularly aware.
- C.9 CALRAG endorses the concept of coordinated sub-regional planning (see [SD2 WoE Memorandum of Understanding \(2014\)](#)) and supports the sentiments outlined by the four West of England authorities in their original memorandum of understanding (2014).

- C.10 Unfortunately, however, we consider that the subsequent evolution of these plans, somewhat complicated by recent [policy change](#) offers little to applaud - and we suggest that many proposals are now profoundly contrary to national planning policy, as set out in the Archived National Planning Policy Framework (2012) ("Archived NPPF"), against which the JSP is intended to be assessed and the Current National Planning Policy Framework (2018) ("Current NPPF") against which North Somerset's Local Plan will need to be assessed (or any replacement document published to replace Current NPPF). The proposals are also profoundly out of kilter with the recent [National Infrastructure Assessment \(2018\)](#).
- C.11 We are concerned that the present proposals and assertions in the TEW documentation are at variance with those offered previously within the JSP (Nov 2017) published version ; they do not represent 'good development', in the sense of being development in the right place, with the right supporting infrastructure, and with as limited an impact on the environment as is possible. This is the very essence of true sustainability and it is lacking here.
- C.12 The Churchill SDL has been brought forward for what we believe to be entirely political reasons. Much of the area that has yet to be developed within North Somerset is either Green Belt, designated flood plain or AONB. However, simply because it is not designated as Green Belt does not make it appropriate for development, on a proper consideration of national policy, nor on a consistent application of Strategic Environmental Assessment. North Somerset Council appear to be adamant that this is the only proposal on the table, but that is only due to a failure in the underlying site assessment process.
- C.13 The Council have effectively turned a blind eye to alternatives. This TEW echoes the initial JSP evidence base, as an exercise not in finding a site that fits the criteria, but rather in finding criteria to fit the site.
- C.14 The proposed development in both Churchill and Banwell will be occupied largely by Bristol commuters, travelling round trips of 30 miles by car each day. There is no significant employment currently to be found in and around Churchill and Banwell. The idea that these developments will 'create' a level of suitable local employment to prevent mass commuting into Bristol (as the major conurbation) is entirely unsubstantiated. Against that backdrop, CALRAG consider that a development of this scale should only be considered in this location (1) if no other sustainable option has been found nearer to commuters' workplaces; and (2) if the infrastructure necessary to cope with the increased commuting levels either exists or is guaranteed to be provided, preferably taking journeys off of the (already stretched) road network. The TEW (and therefore the JSP) fails on both counts.
- C.15 Other sites have shown themselves to be far more sustainable than either Churchill or Banwell for a development of the scale being contemplated in the JSP. The Vale site (to the south-west of Bristol), for example, is in a prime location to connect to the new Bristol ring-road and also the existing Metrobus network, yet it has been dismissed out of hand because of its protected Green Belt status. And so, instead of an SDL that provides commuters with a short and sustainable journey to and from their workplaces, we are faced with a dormitory town at the foot of the Mendip Hills Area of Outstanding Natural Beauty (AONB), served by no viable public transport, where

commuters will need to cross the Green Belt in their cars on their journeys into and out of Bristol each day. Even leaving aside the increased strain on existing road routes that this will cause (and the unrealistically conservative statistics in the TEW to suppress realistic car movements which we shall address below), the sustainability arguments simply do not stack up.

- C.16 Ultimately, the Churchill SDL presents profound problems on nearly every conceivable level – transport, distance from jobs, infrastructure costs, increased car usage, environmental and landscape damage, not to speak of the social damage of the effective urbanisation of a wholly rural location. Its location 15 miles from Bristol, the key source of employment, is its fundamental and irresolvable flaw.
- C.17 North Somerset Council - as promoters of the Churchill SDL – have, at every opportunity, underplayed the ecological, environmental, landscape, transport and local employment issues. This trend continues into the TEW exercise. We are profoundly worried by the lack of critical appraisal of alternative options, and by the frequent and perplexing disjunction between observations made and the conclusions then drawn. Sadly, this TEW Consultation, like previous consultation processes, reveals a stark lack of the objectivity and fundamental honesty that the Inspectors have called for. It adds a paucity of evidence, a significant level of inconsistency and a number of flawed assumptions to the JSP’s litany of failings.
- C.18 In all the circumstances, we feel that Churchill SDL 7.6 remains as ill-thought-through as ever. It is not sound, as defined by Archived NPPF 182 (being neither positively prepared, nor justified, effective and consistent with national policy). Although conceived of in the light of Archived NPPF 52, it has fundamentally ignored the imperative of actively managing patterns of growth to promote sustainable travel (Archived NPPF 17(11) and 29) and there has not been the requisite review of Green Belt boundaries (Archived NPPF 84). The resulting transport overload will breach Chapter 4, including (but not limited to Archived NPPF 34 and 35). The resulting landscape harms will be contrary to Archived NPPF 17(5) and 114. The environmental harms in respect of habitats would breach Archived 119 and 166.
- C.19 This list of policy conflicts at the national level and using the Archived NPPF (due to Current NPPF 215), for the purposes of NPPF 182, is necessarily not exhaustive. At a fundamental level, the placing of a settlement of this scale in this location without properly assessing alternatives and without the requisite infrastructure is profoundly contrary to current national planning policy and basic strategic planning practice. It is the polar opposite of *“Planning for the Right Homes in the Right Places”* approach that supported the Current NPPF.

D. (WED 002) - SCHEDULE OF PROPOSED CHANGES

- D.1 We are profoundly concerned by the following deletions/amendments in PC08 and PC12 (page 7):

*"Development **requires** ~~will not commence until~~ the construction of the Banwell Bypass ~~is delivered~~ **in conjunction with residential development** as part of the M5-A38 highway improvements with **a future** connection to a new M5 junction 21a at a location to be confirmed, and onward connection to the Sandford/Churchill Bypass ... Development must not prejudice the delivery of future improvements to M5, including the construction of the new M5 junction."*

"Package of highway schemes including ~~a new M5 junction~~, Banwell Bypass, Sandford/Churchill Bypass an capacity improvements to A38/A368 junction."

These are major changes and are also highly contradictory, with M5 Junction 21a referred to in one but removed from the other.

- D.2 We are also deeply concerned that the change in PC08 will increase the likelihood of piecemeal house-building and that such uncoordinated advance development will precede the completion of the road improvements, leading to absolute chaos on the existing roads.
- D.3 The changes are described as being 'for clarity', but in fact they change the scenario completely. This is discussed further below in the Transport section.

E. (WED 003) – DUTY TO COOPERATE

- E.1 In Document SD15A, point 4.19, the EDNA study concluded (amongst other things) to address relative deprivation and market failure in South Bristol, in order that development schemes (infrastructure, housing and employment) within South Bristol and its fringe could be pursued. This, it was said, could help challenge the status quo, create a virtuous cycle of investment and stimulate demand for employment uses, thereby helping to create jobs and addressing relative deprivation.
- E.2 Surely this statement would support the promotion of alternative sites closer to South Bristol; it certainly does little to support the Churchill SDL.

F. (WED 004F) - JUSTIFICATION OF THE REQUIREMENTS FOR CHURCHILL SDL 7.6

- F.1 Paragraph 1 of the introduction to this part of the TEW documentation (pertaining to Churchill SDL 7.6) suggests that the primary purpose of the SDL is to justify transport improvements along what is intriguingly (and optimistically) termed:

“the A38 growth corridor between Weston-S-Mare and Bristol Airport”.

The text continues:

“Banwell and Churchill together are proposed to be supported by a series of strategic transport interventions including the Banwell Bypass and the Sandford and Churchill Bypass, which offer an opportunity for transformational change to existing settlements along this corridor. Mendip Spring Garden Village [change of name for Churchill SDL 7.6] will provide employment opportunities, services and facilities which complement those in the locality”.

- F.2 The above opening statements depart markedly from Garden Community principles (which are also quoted extensively throughout the TEW documentation). This fundamentally undermines the “Garden Village” justification for the new settlement, consistent with Archived NPPF 52 (and associated Archived NPPF Chapter 4 in respect of sustainable transport).
- F.3 However, most importantly, there are no details given anywhere in the documentation about precisely what *“strategic transport interventions”* will be committed to, what *“transformational change”* will occur (and how), and what *“employment opportunities”, “services”* or *“facilities”* will be provided. These are simply bland statements with no substance as far as we have seen. We will return to these aspects later in this paper.
- F.4 For now, however, as regards *“services and facilities”*, there is reference elsewhere in the documentation (in WED009) that the existing Churchill Academy has capacity to absorb anticipated growth in pupil numbers, so it certainly seems as if a significant amount of the educational provision is intended to be met from existing resources. For the record, our research suggests that there is no such capacity within Churchill Academy.
- F.5 As regards *“transformational change to existing settlements along this corridor”*, this is a highly subjective comment and must be qualified. Local residents are aware of the transport consequences of constructing a Sandford & Churchill bypass, but they have told us that the cost in terms of devastation of the countryside - particularly the Mendip Hills AONB - is unlikely to be worth the possible advantages, especially when one considers the increase in traffic and carbon emissions and ecological damage that will result from such a road scheme.
- F.6 WED004F Paragraph 2 refers to SD11A and notes,

“identified potential for strategic growth at this location”.

We draw attention to SD11C (p17) also referred to in paragraph 2 of WED004F which

lists the *“Key identified constraints upon strategic development potential”*. These constraints are described as

“considerable adverse impacts”

and are referred to as such in the North Somerset Landscape Character Assessment adopted in October 2018 by North Somerset Council.

F.7 Paragraph 2 of the introduction refers to

“call for sites [SD11F] information indicating land availability”.

This statement is disputed. Scrutiny of SD11F indicates that the sites noted have either already received planning permission or are currently under appeal. There is no public information as to any developer(s) wishing to engage in Option or Promotion agreements on the Churchill SDL 7.6 Site. That is remarkable given the scale of the development.

F.8 Paragraph 3 of the introduction states clearly that:

“This development is being progressed in adherence to garden village principles reflecting the key qualities that represent garden villages (as set out in the Garden Communities Prospectus, MHCLG: 2018) including ample green space, clear identity and well-designed places. The North Somerset Local Plan Issues and Options consultation document WED200 currently defines this development as a free standing new settlement.”

As stated above, this is misleading. The Garden Village principles clearly state that the intention should not be to create so-called 'dormitory towns'. Yet, on any objective analysis, the TEW documentation pertaining to Churchill SDL 7.6 cannot be anything other than a dormitory town to serve Bristol (see further below).

F.9 The location of Churchill SDL 7.6 has been marginally changed in the TEW documentation from previous iterations. The site is now presented as a smaller development area with the adjacent areas offered up as 'Alternative scenarios'. These are not truly 'alternatives', but are actually the same area as has been identified earlier, simply split up into packages. However, the proposal that additional precision be provided as to location only accentuates the need for a robust evidence base.

F.10 WED 004F #1 (page 2) notes that WED 200 (NSC Local Plan Issues and Options consultation document)

“refines the general location for this new development...”

and maintains that SD11C

“indicates potential for additional strategic growth”.

This is fundamentally disputed; the sheer cost of the infrastructure (see Transport section below) mitigates strongly against there being any significant benefits of developing in this location.

F.11 WED 004F #5 (page 3) refers to the

“Creation of a new local centre to provide the heart of the new community with a range of retails, employment, services and facilities.”

The associated comment is that

“It is anticipated that a development of this scale will require a range of supporting facilities in order to create a sustainable community and high-quality place. A lack of suitable local facilities will encourage additional car movements. The specific mix, and scale will be set out in the Local Plan supported by further evidence and masterplanning”.

Once again, this statement is contrary to Garden Village principles. Whilst the commentary around car movements (and associated environmental impact) is welcomed, the Viability Assessment (WED 005) is very clear in stating that it does not consider the costs of infrastructure. Masterplanning is certainly going to be a key issue which will also need to be factored into the overall viability of the SDL 7.6, but it is highly concerning that there is still no detail available. This is directly contrary to Planning Practice Guidance in respect of Viability, in its Plan-Making Section, paragraphs 10-001 to 10-006 which all make clear that a strategic plan (especially with strategic sites) must be deliverable over the course of its lifespan. This is integrated with the soundness considerations that a plan must be “effective”: Archived NPPF 182(3).

- F.12 It is noted that Planning Officers have indicated previously that three- and four- storey accommodation in the centre of the development is likely to be required in order to provide the density to accommodate the requisite number of dwellings on this site. This is further alluded to in #6 of WED 004F (page 3), which also indicates that there will be

“local public transport provision to encourage shorter trips and sustainable development in general. It also has the opportunity to contribute to the sense of place by increasing the footfall and activity and this should be taken into account through the urban design process”.

- F.13 Such intense development (whether in the centre or otherwise) is entirely inappropriate for a village environment, particularly with this location being so close to the Mendip Hills AONB and Windmill Hill, which is small but offers significant tranquillity for local residents and visitors from Bristol and Weston-S-Mare. Certainly 'high-rise' development cannot be countenanced.
- F.14 WED 005F #7 (page 4) mentions the Strawberry Line potentially creating opportunities for access to Yatton Station. Whilst the Strawberry Line is undoubtedly a significant leisure amenity, only the youngest and fittest will cycle the four miles to Yatton station on a daily basis. It is therefore misleading to herald this as a sustainable commuting solution – furthermore it will require street lighting for security purposes. Cars remain the only viable transportation option for the masses. This gives rise to the significant conflict with Archived NPPF Chapter 4, identified already above.
- F.15 WED 005F #10 (page 5) considers the implications for Bats in the area suggesting that

“One opportunity may be to provide a green corridor...”

There is no specific proposal or detail, and the documentation suggests taking one strategic approach across all sites covered by the JSP, not adopting a site-by-site

approach. This sort of corner-cutting would undoubtedly be to the detriment of the currently abundant wildlife in this area. This is also fundamentally contrary to the expectations in respect of appropriate assessment following the judgment in *People Over Wind v Coillte Teoranta* (C-323/17) (and subsequent confirmatory cases by the CJEU (e.g. *Grace v An Bord Pleanála* (C-164/17)) which we shall address below under Habitats in our response to WED 010. This gives rise to additional national policy breaches, e.g. Archived NPPF 119 and 166.

- F.16 WED 005F #11 (page 5) considers employment potential. This will be discussed separately below in the Employment section but, to summarise, we dispute the optimistic and unrealistic assumptions made across the TEW documentation. Our research has indicated that those existing sites that have put aside land for employment purposes have since applied for a 'Change of Use' to housing as they cannot attract takers to the sites. Furthermore, as stated below, the current owner of the site that has been provisionally allocated for employment within Churchill SDL 7.6 is very firm that it is not for sale. The policy therefore remains undeliverable, contrary to Archived NPPF 182(3).
- F.17 WED 005F #12 and #13 (page 6) refer to the potential affect such a development will have within the AONB and on land outside its boundary (and #13 to Windmill Hill).

“It is considered that the specific location, form and layout of development, as well as more detailed design considerations to follow, will be critical aspects in addressing any impacts.”

This is yet another unevidenced statement with absolutely no supporting documentation to assist with comment. This is fundamentally contrary to the basic legal principle in a public consultation of this kind that consultees are provided with *“sufficient reasons for any proposal to permit of intelligent consideration and response”*: *R(Moseley) v Haringey LBC* [2014] UKSC 56. Referring to Windmill Hill, it appears to dismiss any detrimental effect that high density 3-4 storey buildings will have on the landscape.

- F.18 We believe that the statements regarding the landscape need a much higher priority on the basis that once the landscape has gone, it can never be recovered. There are clear breaches here of Archived NPPF 17(5), 114 and 115.

Spatial Strategy: Reasons for selecting the preferred alternatives and discounting other options.

- F.19 We draw attention to the following quotation from the above paper (WED 009 4.79 (page 70)):

“As set out in Topic Paper 2 (SD 7B), paragraph 3, based on the assessments of the Issues and Options spatial scenarios and the individual potential development locations, and informed by the spatial priorities, the transport assessments, the Green Belt assessment and Sustainability Appraisal, the responses to the consultations and other evidence, it was considered the spatial strategy underpinning the JSP should reflect the following key principles:

- The use of greenfield locations should be minimised but if needed, locations well

related to existing urban areas should be used, either by physical proximity or on existing or potential sustainable transport corridors.

- Avoid the continued sprawl of the Bristol conurbation north and eastwards and refocusing development towards the south in light of the 7,800 homes built here since 2006 and a further 12,800 homes committed.

Recognition that location in the Green Belt are likely to be needed and that there are exceptional circumstances for the strategic release of some Green Belt locations....

- Avoid the continued sprawl of the Bristol conurbation north and eastwards and refocussing development towards the south"

- F.20 This is a further example of a missed opportunity that was presented by the Inspectors to keep re-assessing alternative locations that might be more suitable to meet the assessed housing need, particularly affordable housing.

Conclusion

- F.21 The justification for Churchill SDL 7.6 is flawed. Again, this is another paper that is full of subjective judgment based on dubious assumptions which we suspect may have been made from a desk-top assessment whilst ignoring local input that has been made available to North Somerset Council at every opportunity.

G. (WED 005) – UPDATED VIABILITY ASSESSMENT

G.1 The Technical Evidence Work has not produced any evidence to indicate that Churchill SDL 7.6 is viable.

G.2. We are concerned that objective 1 regarding affordable housing targets will not be met through Churchill SDL 7.6 due to the considerable development costs. (See Transport section below)

G.3 WED 005 1.4.3 (page 7) justifies our concerns as the following makes clear:

“Previously the NPPF (2012) set out the overall approach to the preparation of Development Plans. It provided specific guidance on ensuring viability and deliverability. In particular, paragraphs 173-174 stated:

‘Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.’

G.4 We do not believe that Churchill SDL 7.6 as proposed in both the JSP and the North Somerset Local Plan 2036 Issues and Options consultation document is deliverable.

“To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for Affordable Housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing landowner and willing developer to enable the development to be deliverable.” (NPPF)

G.5 Infrastructure contributions and abnormal building costs together with green and transport infrastructure implementation costs will be considerable.

G.6 There are very few willing land owners in the area shown for Churchill SDL 7.6.

Development Cost

G.7 The following is stated within WED 005 on the issue of development costs:

2.4.1 (page 21)

“Total development costs can vary significantly from one site or scheme to another. For these strategic overview purposes, however, assumptions have to be fixed to enable the comparison of results and outcomes in a way which is not unduly affected by how variable site-specific cases can be. As with the scheme scenario building, an overview of the various available data sources is required.... ”

2.4.3 (page 21)

*“For this overview, **we have not allowed for abnormal costs that may be associated with particular sites** - these are highly specific and can distort comparisons at this level of review. Contingency allowances have however been made for all appraisals. This is another factor that should be kept in mind in reviewing development viability*

more widely and ensuring in particular that any review of CIL charging is not set to the 'limits' of viability. In some circumstances and over time, overall costs could rise from current / assumed levels...."

3.4.9 (page 53)

"Viability assessment undertaken to inform and support policy is in any event usually high-level and cannot pre-judge viability outcomes on specific sites as those are brought forward through the planning process. Any assumption used at this stage, whether by DSP or others, is obviously related only to the context of the work. This does not necessarily mean that the assumptions would be valid for site-specific discussions / negotiations and decision taking stages in the future."

3.4.10 xii (page 57)

"Development sales period: Based on an assumption of selling between 10 and 16 dwellings per month with multiple outlets assumed (this would infer up to around 4 sales outlets operating from various development parcels on a large site), as appears appropriate in the circumstances, overall again the assumptions as used appear reasonable in our view."

- G.8 These are all very telling comments hidden within the lengthy report. All require significant further investigation as regards Churchill SDL 7.6 in its own right, as the concept of adopting a 'one size fits all' approach to something as significant as this cannot be right and demands further work to be done on the specifics. By way of but one example of this is that current developments in Churchill are not selling at anywhere near the rate set out at WED 005 3.4.10 xii. Only one (1) completion has allegedly been secured in three months on the new sites in Churchill. Whilst we fully appreciate that this is a bad time of the year for house sales, it is nevertheless indicative in our view of a slowing housing market.

Infrastructure Cost

- G.9 Further on the issue of development cost – this time in terms of infrastructure – paragraph WED 005 3.4.16 (page 62) states that

"The emerging Transport Topic Paper also notes: 'There will also be the opportunity to allocate funding from the West of England Investment Fund, which was agreed as part of the West of England Devolution Deal. This will be allocated in accordance with the principles of the Assurance Framework, with a strong focus on supporting economic growth. However, there will be a requirement for substantial investment from central government in the new infrastructure.' "

- G.10 It is important to point out here that North Somerset does not form part of the West of England Devolution Deal. Furthermore, the substantial investment from central government in the new infrastructure is likely to be limited, certainly by reference to the extremely significant sums likely to be required (see Transport section below).

Viability of local employment

- G.11 Paragraph 3.5.20 (page 66) goes on in relation to the prospect of attracting employment to the new development:

"In our wide experience of CIL and Local Plan viability, away from residential development, generally poor viability or at best mixed results tend to be seen from most test scenarios other than those representing certain forms of retail development."

- G.12 This further confirms residents' fears that, far from being a utopian Garden Village as described in the documentation, this SDL 7.6 will most likely not have a bypass, will be built piecemeal and will have limited local employment opportunities. In other words, it will be a dormitory town for Bristol served only by cars on the existing road network.
- G.13 It also goes against Objective 2 - *"to pursue economic growth"* – by *Ensuring more inclusive growth and life chances for all, across the West of England, and improve accessibility to jobs"*. This issue is discussed more fully below in the Employment section.

Spatial Strategy

- G.14 Objective 3- *"To deliver a spatial strategy which: Focuses on three primary centres of Bristol, Bath and Weston-Super-Mare and recognises the complementary role of market towns to achieve sustainable growth"* is also not furthered by this proposed development.
- G.15 The distance between Churchill SDL 7.6 and Weston-S-Mare is incorrect and underestimated; it is stated as being 3-4 miles in the JSP and the TEW documentation, whereas in fact it is 9 miles. Likewise, the distance between Churchill and Bristol airport is actually 7 miles (5 miles in JSP and TEW).
- G.16 These significant arithmetical errors have been pointed out to North Somerset Council in our response of January 2017 and on many occasions since, but they remain unaltered in the TEW documents, which one cannot help but feel is deliberate. The documentation certainly continues to be extremely misleading to anyone unfamiliar with the locality.
- G.17 The greater (realistic) distances render it difficult to see how SDL 7.6 could conceivably complement the cities or market towns stated in Objective 3. The nearest market towns to Churchill are Nailsea or Clevedon.

Alignment with infrastructure / sustainable travel

- G.18 Ensuring that new development is properly aligned with infrastructure and maximises opportunities for sustainable and active travel is a major concern for SDL 7.6. This is addressed in detail below in the Transport section. It is hard to even imagine how SDL 7.6 can contribute positively to any of the JSP area when such infrastructure requirements as major road construction - together with that which is necessary for a 'stand-alone Garden Village' - will be required but is, as yet, completely unparticularised in its detail.
- G.19 A Banwell bypass constructed in isolation will have a devastating effect on Sandford and Churchill and all the villages beyond Banwell particularly at congestion hot spots and pinch points. A major new roundabout at Churchill traffic lights will possibly alleviate queuing there in peak times, but will also have a severely detrimental effect on the actual character of Churchill; it will further fragment the village and will not

ultimately resolve the problem of congestion further along the network towards Bristol.

- G.20 Maximising opportunities for sustainable and active travel from Churchill to the surrounding areas and centres of employment is to be encouraged, however it is too far for all but the youngest and fittest to cycle to town centres, centres of employment or public transport.

Integration of high quality, multifunctional green infrastructure. Reduction of greenhouse gas emissions and ensuring resilience to the impacts of climate change.

- G.21 The proposals for Churchill SDL 7.6 will require expensive green infrastructure due to surface water flooding issues, as set out further below in the HRA section. The site will contribute very significantly to greenhouse gas emissions due to the distance from Bristol which is acknowledged to be the main centre of employment for Churchill residents. By turning green fields into impermeable ground which will require the green infrastructure to assist drainage cannot ensure resilience to the impacts of climate change. See reference to Crest Nicholson problems experienced in Pudding Pie Lane and List of constraints WED 004F below. Nothing in the TEW work referring to Sustainability/Viability assessments appears to adequately address the additional, 'abnormal building costs'.

Protection and enhancement of the sub-region's diverse and high quality natural, built and historic environment and securing a net gain in biodiversity

- G.22 The TEW documentation WED009A 8.2 page 46 that SDL 7.6 will not secure a net gain in biodiversity, to the contrary much will be lost. This is referred further below in the HRA section M.
- G.23 As mentioned elsewhere in this document, no new evidence has been introduced as to alternative solutions or to the reassessment of other SDLs with cogent reasons as to why they have been omitted.
- G.24 Viability in terms of the cost of the necessary infrastructure has not been assessed in conjunction with the building costs (see G.1 to G.9 above). It is our belief that Churchill SDL 7.6 is not sustainable in terms of viability of the transport infrastructure due to its distance from train stations of Yatton and Weston-S-Mare (both of which would need extensive extra parking) town centres and centres of employment.
- G.25 For transport alone there are two financial questions. On the one hand road building costs (and cost in terms of additional CO₂ and other environmental costs) and on the other, there is the financial performance of the road when constructed, does it deliver a sustainable solution? We believe that it does not. Furthermore, road building requires large capital allocations up front as building proceeds. This cannot be obtained from revenue from subsequent housebuilding contributions. It needs to be asked whether the release of 4,900 houses is a suitable cost/benefit analysis?

H. (WED 006) - UPDATED EMPLOYMENT EVIDENCE

- H.1 CALRAG consider that Employment development within the proposed Churchill SDL 7.6 and Banwell SDL 7.5 is unsustainable and that the Additional Technical Evidence Work WED 006A and WED 006B provided by North Somerset does not add any value in justifying either the Churchill or the Banwell SDLs.

Statistics

- H.2 The figures shown within Historic Completions table forming an addendum to WED006 Updated Employment Evidence, show questionable inconsistencies which clearly need further exploration and explanation. In particular, the following statement in the JSP Technical Evidence Consultation, November 2018 Updated Technical Evidence acknowledges the errors and inaccuracies that are within the provided data.

"Please note that a number of errors have been identified in the historic completions data underpinning WED006 and its addendum Historic Completions Data published on 26 November 2018. A review of the relevant data is being undertaken and will be used to assess the conclusions drawn of WED 006 and a consequential update will be posted as soon as possible."

We therefore feel that it would be inappropriate to comment without these corrected figures.

- H.3 CALRAG does not believe that there is justification or validity for an employment area within Churchill SDL 7.6 and Banwell SDL 7.5 now or in the future. Even leaving aside the fact that the landowner is not willing to sell the land that has been proposed as an Employment area, no valid supporting evidence has been provided by North Somerset Council to demonstrate an actual need for business development in this location. There are still many sites within Weston-S-Mare that could be developed for business use for example, Weston having a high existing population and being far better connected to appropriate road and rail infrastructure. The fact that this is not being done suggests that the employment potential in and around Churchill SDL 7.6 is low.

Lack of employment potential in and around the Churchill area

- H.4 Evidence suggests that, despite companies growing in Gross Output, this is not matched by increases in employment levels. Many companies such as Yeo Valley, Thatchers and Bristol Airport are increasingly turning to automation, and this trend is set to continue into the future. Combined with this, the minimal wages being paid for the majority of work at facilities such as these would render it entirely unaffordable to live in the type of property that would be built in a location such as Churchill SDL 7.6 in any event.
- H.5 Indeed, having undertaken our own research, Bristol Airport have confirmed that they are projecting an employment growth of only 400 by 2036. This is hardly transformative growth and, as stated above, many of the airport employees are low wage earners with seasonal working contracts in any event.

- H.6 The low employment potential of this area is further demonstrated by the fact that many 'business units' in this area have had 'change of use' applied due to lack of use, and are now being classified as residential units. This information is readily available on North Somerset Council's planning portal should it be of interest.
- H.7 Against this backdrop, we do not believe that proposals within Churchill SDL 7.6 to deliver 7.2 hectares of business use - even if the Landowner were willing to sell – could conceivably be delivered, and certainly not at the employee income levels necessary to be able to afford the house prices likely to be demanded at the site.
- H.8 No evidence has been provided to suggest that the 'local' jobs market would be able to support the residents of the proposed Churchill or Banwell SDL's. The proposed Employment area is purely speculative. There is no evidence provided showing potential employers locating to Churchill SDL 7.6 or Banwell SDL 7.5.

Commuting out of the immediate area

- H.9 A document produced by North Somerset Council entitled "Our Area" (<https://www.n-somerset.gov.uk/corporate-peer-challenge/our-area>) acknowledges that many residents of North Somerset commute to work in other areas, particularly Bristol. However, although performance in terms of jobs and business growth has been strong, the evidence in terms of productivity is mixed according to the document.
- H.10 Productivity (GVA per FTE) was £51,600 equating to 97% of the UK average (2014 AMORE model). However, comparing North Somerset to the West of England, the AMORE model suggests that, although the region has been successful in generating jobs, these have tended to be lower value in economic terms.
- H.11 This implies that jobs in Bristol are likely to be higher paid but, as housing costs there are much higher than in North Somerset, people are increasingly motivated to move out of town in order to be able to afford a property, thereby necessitating long commutes into work. In view of this, the sensible solution ought surely to be to provide affordable housing closer to centres of employment, rather than a considerable distance away.
- H.12 Ignoring the principle that housing should be employment-led, development at Churchill SDL 7.6 and Banwell SDL7.5 will add a huge number of additional car journeys into (and out of) Bristol each day (see Transport section below). Energy should also be spent on attracting employers to Weston who would offer higher salaries and thus encouraging people to live and work within Weston with good access to open spaces and sustainable transport. Although, some businesses have been attracted to Weston, their arrival has been offset by other employers leaving, such as Lidl distribution centre who are re-locating to Bristol and Costain who we understand are moving from Yatton. Others have been attracted by inward investment from the LEA such as the Food Hub in Weston, which cost £11.5million with a capacity to offer employment to 250 people at a cost (we understand) of £46,000 per person.
- H.13 Reference can be made to document link:
<http://innorthsomerset.co.uk/locate/economic-profile/economic-profile/lea.pdf> The data in this document demonstrates that the number of out-commuters in North Somerset (ie leaving the region to attend workplaces elsewhere) is proportionately

high in comparison to in-commuters. This is no great surprise given that this area has no major employment centres of its own.

- H.14 The North Somerset document, "Our Area" <https://www.n-somerset.gov.uk/corporate-peer-challenge/our-area/> shows a trend that people living close to their employment with good public transport links have less reliance upon a car. By strategic, sustainable planning we can help mitigate further damage to the environment and promote better access to the workplace. With commuters already stuck in traffic for an average 15 minutes a day, this will only get worse with inappropriate development in which the car is further relied upon. Parking is also an issue for many commuting into Bristol. So, to provide housing in a location which has easy access for employment whether it be on foot, bicycle or public transport should be considered as a first choice. Rather than sending more cars into Bristol causing yet more chaos.
- H.15 The Council (and the inspectors) are referred to the West of England Joint Spatial Plan Topic Paper November 2017 and the annexed BNP Paribas Report: https://www.jointplanningwofe.org.uk/gf2.ti/-/845730/31472901.1/PDF/-/Topic_paper_4_An_assessment_of_viability_potential_within_the SDLs.pdf. This report shows Churchill SDL 7.6 to be one of the least sustainable villages in the review. The study confirms all that we say above, in that it is unlikely that the majority of people living in the development would work at or near the site (even if employers could be attracted). The review goes on to demonstrate that the cost of land and associated infrastructure will render the houses too expensive for the average person working locally and as such they are likely to be commuting into Bristol. (We deal with development cost substantively elsewhere in this document).
- H.16 By creating a 'Garden Village' in Churchill SDL 7.6, what will effectively be being created is a commuter village, a dormitory town for Bristol. This appears to go against all of the "Garden Village" principles.
- H.17 Ultimately, Churchill SDL 7.6 would create more traffic in contravention of the Government's own policies of sustainable green travel. With data available showing that there is trend of higher car ownership in North Somerset in comparison to Bristol for example, this suggests that the need to commute is high and public transport is poor (buses are un-reliable and routes regularly changed, longer journey times and public transport cannot be relied upon). A sustainable development offering good, reliable transport links close to existing employment should be the way forward, and Churchill SDL 7.6 does not provide this.

Green Belt

- H.18 We refer to the letter WoE01 in response to ED01 which states that the Inspectors' description is correct (that as a strategic plan, the JSP makes the in-principle decision that there are exceptional circumstances to release the 12 SDLs listed in Policy 2 from the Green Belt (see SD7A paras 3.11 and 4.11 to 4.12) and that these 12 SDLs should be allocated in Local Plans in order to meet the sub regional housing need to 2036). The letter also confirms that it will be the role of the UA Local Plans to conform with the strategic policies in the JSP and to remove the SDLs from the Green Belt through formally allocating them by defining a site boundary and amended detailed local

Green Belt boundaries. The UA Local Plans will not need to revisit the exceptional circumstances for releasing these locations from the Green Belt.

- H.19 CALRAG believe that the Green Belt allocation and boundaries should be reviewed on this occasion. The impact that commuting trends have on the environment should also be reviewed. We also feel that there is validity in the CPRE reviews that are being undertaken to reassess housing needs locally, particularly in relation to employment Hotspots.

Affordable housing

- H.20 The real issue is making houses affordable and not building more.

H.21 If we were to look at the average Small New Build 3-bedroom property which is being marketed within the Churchill / Langford area, they are selling for £350,000.00. (Whilst some developers have reduced the prices suggesting a lack of demand, we strongly suspect that the prices on the Churchill SDL 7.6 site would actually be priced higher due to the high infrastructure costs – see discussion elsewhere in this document). A first-time buyer seeking to buy such a property would, having paid the requisite 10% deposit (£35,000) from their own funds, be then subject to an average monthly mortgage repayment (according to RightMove) of £1,646.00. To be able to afford such a monthly payment, our first time buyer would need a net income of £19,752.00 per annum just to pay the mortgage, let alone any living expenses. With the average gross wage at £28,444, it is easy to see how unaffordable the proposed development is likely to be, especially in view of the fact that the development's location will necessitate residents running at least one, if not two, cars.

H.22 North Somerset has become the labour supply chain to Bristol - where house prices have forced people to move out of the city to be able to find affordable homes – but these people are having to deal with (and fund) a commute into the workplace. More houses built remotely from employment will just compound the issues. (Affordable) housing requirements should be employment led as voiced by some of the North Somerset Councillors themselves.

H.23 We make reference to the National Infrastructure Commission, July 2018 which shows Bristol to be experiencing one of fastest growths and congestion (refer to page 79). This shows a valid need of affordable houses close to this centre of employment.

H.24 In Document SD15A, point 4.19 The EDNA study concluded, amongst other things, that to address relative deprivation and market failure in South Bristol, development schemes (infrastructure, housing and employment) within South Bristol and its fringe could be pursued. This, it was said, could help challenge the status quo, create a virtuous cycle of investment and stimulate demand for employment uses, thereby helping to create jobs and addressing relative deprivation. Surely this statement would support developments closer to South Bristol, rather than being hell-bent on a development that appears to us (and to many) to have little to commend it.

Summary

- H.25 CALRAG feels that the proposal of the Churchill SDL 7.6 does not offer employment-led housing and is not viable. There are far more viable sites that would better

support local employment opportunities, thereby reducing commuting need and limiting environmental damage. Whilst this might require the existing Green Belt delineation to be re-examined, we believe that this would result in a much more 'natural' satisfaction of the housing need than is currently being proposed.

I. (WED 007) - TRANSPORT TOPIC PAPER

J. (WED 008) – EMERGING FINDINGS TRANSPORT REPORT

IJ.1 The TEW documentation makes two assertions which it wishes to show act in synergy:

IJ.1.1 It maintains that the M5 to A38 corridor route has important strategic significance to the network as a whole.

IJ.1.2 It further maintains that this same connection facilitates house building along the corridor.

IJ.2 We suggest by contrast that there is minimal strategic benefit and in consequence, the cost of this road building should be seen as a housing subsidy. This statement is supported by Bristol Airport Authority which is more concerned with connections northwards with Bristol and its environs.

IJ.3 We question the justification for this M5 to A38 corridor in terms of house-building for many reasons which will be outlined below. Chiefly, we feel strongly that it will not contribute to the allocation of affordable housing outlined in the JSP. WED004F JSP Criteria No1 Objective 2b of the JSP page 2 refers:

“Affordable Housing is expected to form part of the mix of dwellings in order to provide for mixed and balanced communities”.

This is not reflected the very clear data presented in the BNP Paribas report (‘Topic Paper 4 – *An Assessment of Viability of the SDLs*’, Section 6 pages 31 onwards). The BNP Paribas report is substantially supported by the Dixon Searle Partnership [WED 005 Updated Viability Assessment](#) (the latter does not give such a clear, coherent assessment).

IJ.4 The proposals for transport are utterly confused. We are bemused by the removal both of M5 Junction 21a and the proposed improvements to the A38 North East of Churchill Gate. This leaves the possibility of a Banwell Bypass either built in isolation to facilitate just 1,900 houses in SDL 7.5 (Banwell) or alongside a Sandford & Churchill Bypass to facilitate a further 2,800 houses in Churchill SDL 7.6, none of which are likely to be affordable. This concern is amplified elsewhere in this document.

IJ.5 A major concern locally is the possibility of a Banwell Bypass being built in isolation and the devastating consequences that would inevitably follow for all the surrounding villages in terms of the additional traffic causing gridlock elsewhere around an already struggling existing road network.

IJ.6 We are aware that there is conflict within the documentation regarding the removal of M5 Junction 21a (although more commonly removed than not), however it remains a possibility if not now then in the future. JLTP4 might clarify this but of course, is yet to be made public.

Composite Bypass Scheme

IJ.7 As regards the M5 to A38 corridor:

- IJ.7.1 We suggest that the evolving evidence from the West of England Partnership indicates that overall the proposals offered here are neither viable nor deliverable. The composite bypass scheme (M5 Junction 21a, a Banwell Bypass and a Bypass of Sandford & Churchill connecting to the A38) has now shrunk substantially, as per PC08 in WED 002 (see section above). This is of considerable concern to CALRAG, who see little in the way of coordination at council level regarding the infrastructure requirements of Churchill SDL.
- IJ.7.2 It is clear that attempts to acquire land for the Churchill SDL have encountered major difficulties. Despite talk of mitigation against the undesirable consequences of the scheme within the present local road network, the consequences of the much-increased future traffic are largely ignored.
- IJ.7.3 The paper entitled "Schedule of Proposed Changes" (WED 002) indicates a revised M5 to A38 corridor route which (within the plan period) now offers:
- IJ.7.3.1 No new connection to the M5 (no J21a), and where other evidence, contained within WED 007 and WED 008, indicates:
 - IJ.7.3.2 No plausible connection with the A38, and no scheduled improvements to the A38 onwards towards Bristol.
- IJ.7.4 We note in bewilderment that another crucial and costly element of the proposed composite bypass encompassing the SDL of Churchill is the removal of a connection to Churchill Gate. If one assumes that the residents of the new development will need to access facilities (health and education) services in Churchill, the resulting traffic will be required to use narrow local roads. One of these is a particularly important Holloway (King Road/Church Lane), which forms part of the character of the north west approach to Churchill. The other, Ladymead Lane, is a single-lane road, already extremely congested and prone to flooding. There is of course a third route, Stock Lane (B3133) which is too narrow in places for HGVs to pass. In short it is an important, seriously congested through route; to suggest that no work is required to the road network here is simply absurd.
- IJ.7.5 The JSP proposal for a link road south east from SDL 7.6 to Churchill Gate has disappeared. The junction between this new road and the A368/A38 junction would be hard to engineer since it would involve accommodating seven roads. It should be noted that there are obstacles to this new link due to the Jubilee Field in Trust and the reluctance of the land owners to release adjacent land. Furthermore there would be serious environmental and landscape objections.
- IJ.8 We have acquired extensive transport data, mostly from the Department for Transport, which has not been properly analysed within the consultation documentation. We are analysing this data and our detailed conclusions will be made available as soon as possible prior to the Public Examination. It is our view that this information should have been assessed by the authors of the JSP and their consultants prior to commencement of the consultation. Our preliminary conclusions are outlined below:
- IJ.8.1 Since WED 007 and 008 are substantially intertwined, they need to be reviewed

together. Our all-pervasive concern here over road transport is that the JSP proposals, despite proposed attempts at mitigation, will lead to substantial extra congestion on all elements of the network be they Strategic Routes, Primary Routes or Local Routes. Improved public (and primarily off-road) public transport receives far too little attention. Moreover, we have serious concerns about the assumptions employed in the G-BATS4 modelling (see p21 of WED 007 where a single, JSP-area-wide peak trip rate is employed thus giving an underestimate vehicle movements for a remote SDL such as 7.6). This we will consider in more detail in a later publication. setting out the analysis of the above documentation.

IJ.8.2 We suggest it is both informative and helpful to consult the first major attempt (23 years ago) to examine, for (approximately) this sub-region, a future transport policy (7GBSTS); various EW connections SW of Bristol received substantial attention, but the presently proposed M5 to A38 corridor route was entirely absent.

IJ.8.3 The composite (M5 to A38) bypass proposal (which first appeared as an explicit scheme within the Banwell Area Transport Study (JWP 2001 (available from N. Somerset)), is now fragmented and deprived of vital components at both ends. The proposal might certainly facilitate house building, albeit at high cost:

IJ.8.3.1 Using North Somerset Council's own figures, adding the £55m cost for the Banwell Bypass to the suggested £120m for the Sandford & Churchill Bypass gives a £175million requirement for roads alone. This is in addition to £tens of millions to engineer flooding solutions and road junctions along the route that will undoubtedly be needed. When that cost is amortised across the number of houses to be built, it adds a £37,000 cost per property ($\frac{£175m}{(1,900 + 2,800) \text{ houses}} = \frac{£175m}{4700 \text{ houses}} = £37,000/\text{dwelling}$).

IJ.8.3.2 However, the Sandford & Churchill aspect of the proposal is actually more than three times longer than the Banwell element. As such, CALRAG suggest that the £120m for the Sandford & Churchill Bypass is unrealistically low. Using North Somerset Council's present baseline costings, the actual cost of this element is likely to exceed £165m (ie 3x £55m).

IJ.8.3.3 As such, when added to the £55m for the Banwell Bypass (but still ignoring the inevitable flooding mitigation and road junction costs along the route), this gives a £220million total cost, meaning a £46,800 charge per property.

IJ.9 Unless public funding could be secured for all of this work, this cost – when added to the cost of the properties on the developments - would render none of the housing affordable.

Assessment of the traffic generation by SDLs 7.5 and 7.6

IJ.10 The assumption of a single average trip rate for all modelling within the WoE is remarkably unrealistic. The values used for residential trip rates in the AM and PM

peaks (an OUT+IN of approx 0.5) is far too low for remote rural SDLs like Banwell 7.5 and Churchill 7.6. Our data for small local housing estates with a single access point indicates an average 0.9 and a ratio OUT/IN much more asymmetric than that employed here (in table 3.4 of WED 007, (page 21)). Consequently, it seems likely that the results quoted in table 3.5 (page 22) very substantially underestimate the peak traffic generation for remote SDLs.

- IJ.11 One consequence of this is that an unrealistically low level of CO2 emissions results. This further call into question the justification and sustainability of such remote SDLs where adequate public transport would require considerable subsidy.
- IJ.12 The project offers little strategic benefit and poses many strategic disadvantages for the sub-regional road network as a whole. (Our conclusions contradict table 6.6 on p28 of WED 008 - see also our detailed analysis and conclusions to be published later.)
- IJ.13 The following is just one example of the predictions (after mitigation) for local traffic flow. Fig 4.4 of WED 007 (page 42) suggests that, for B3133 Stock Lane and Brinsea Road - after mitigation - a consequent increase in the AM peak of 150 to 300 pcu/h will occur, yet no specific measures appear here to deal with this already constricted and over-trafficked route and its particularly problematic (offset double T junction) connection with the A370 at Congresbury.
- IJ.14 We appreciate that present maps are diagrammatic, but it is disturbing that Fig 6.1 of WED 008 (page 27) implies, once again, that a major arterial road bisects (and sunders) the new community at SDL 7.6. This would constitute very bad planning. The present village community at Churchill & Langford would also be dismembered by a remodelled intersection of A368 and A38 with a new road around Windmill Hill and joining at Churchill Gate. The land also has its own complications – land-owner unwilling to sell (see above) or a route through a Jubilee Field in Trust.
- IJ.15 It is rather interesting, in this context, that a new road connection to the intersection of the A38 and A368 now fails to appear at all. We should perhaps point out that, apart from the course of an arterial road, an existing high voltage power line running adjacent also constitutes a major design constraint for SDL7.6.
- IJ. 16 We should note very carefully that the present Primary Route of A371 + A368 is, by Primary Route standards, remarkably lightly trafficked and that, regarding access to the A38 Primary Route in the East, approximately half the present combined A371 Banwell traffic flow takes the A368 direction and the other half follows the A371 (7.5 tonne-limited) direction, via Castle Hill, to and from the already seriously constrained village of Winscombe (NB the West entry to Winscombe from Banwell is restricted by the Francis Fox Railway bridge (single lane, 12ft 3ins headroom and subject to flooding)).
- IJ.17 The map on page 27 of WED 008 also includes a short steep extra connecting element (A368 to A371) East of Dark Lane. This is in a Groundwater Source Protection Zone on the northern slopes of Mendip and therefore cannot proceed. See also the conclusions of the Banwell Area Transport Study 2001.
- IJ.18 Doubtless much traffic flow would adopt the proposed composite bypass route, and of course the phenomenon of induced traffic on new road routes is now well

documented (see *The Impact of Road Projects in England, Transport for Quality of Life* L Sloman, L Hopkinson, I Taylor (2017)). This essentially demonstrates that building extra roads does not necessarily contribute to improved economic performance.

- IJ.19 It is evident that the strategic justification for the composite bypass discussed above is remarkably weak. With an open mind approach, we suggest that conclusions drawn from the modelling as in SD 16A could well be different from those drawn by the consultants. See also SD16C Atkins Apr 2018 and compare it with SD7C and SD7A (Apr 2018). (See also our detailed quantitative data analysis to be provided later.)
- IJ.20 One may also anticipate that, in this present scenario (which lacks M5 Junction 21a) the present M5 Junction 21 will be further overloaded by traffic from these two SDLs 7.5 & 7.6. (see Fig 4.4 of WED 007, page 42).
- IJ.21 We should also note that further improvements to the present M5 Junction 21 could increase its capacity substantially. The evident need here is to separate two traffic flows on the A370, i) joining or leaving the M5 and ii) simply crossing the M5. At present these two flows mingle at grade. A modified junction with a further section, elevated above the present one, would carry (and segregate) this crossing traffic.

(Phased) roadbuilding

- IJ.22 We note (Fig 5.1 of WED 007, page 48) that construction of the Banwell part of the composite bypass is scheduled to complete in 2022, whilst completion of the Sandford and Churchill component is scheduled for 2028. A six-year delay is highly undesirable since, in the interim, induced traffic would be directed onto the serious existing pinch points within the latter two settlements. This is entirely avoidable and we suggest that to allow this would constitute very poor planning.
- IJ.23 Furthermore, we are concerned that the delay might also promote attempts to begin construction prematurely at SDL7.6, before adequate new road access exists. Again, this would cause obvious and avoidable problems.
- IJ.24 There are also further problematic consequences associated with the construction of the composite bypass. Full details will be provided once we have access to the Joint Local Transport Plan (JLTP 04), which we understand is expected shortly. However, in the meantime and in brief, our concerns are as follows:
 - IJ.24.1 Wolvershill Road: It is acknowledged in WED 007 that large increases in traffic flows will necessitate road widening. We see no proposals for this.
 - IJ.24.2 As previously alluded to, the junction between B3133 Stock Lane and Brinsea Road is entirely unfit even for current traffic flows, let alone the enhanced flows that this development will cause.
 - IJ.24.3 It is acknowledged that the A38, post the addition of the composite bypass) will have substantially increased traffic flows north east of Churchill Gate (towards Bristol) and yet no A38 mitigation costings are now included. In fact, they have been specifically excluded.
 - IJ.24.4 The A368 east of Churchill Gate is expected to carry substantially increased traffic and yet it is already tortuous route, is subject to a 7.5 tonne limit and contains various pinch points eg at Upper Langford and at Blagdon.

IJ.24.5 Regarding M5 Junction 21a, we note that Highways England are concerned that a new junction so close to the existing J21 would produce substantial obstruction of M5 flows through adverse interactions between them, resulting from lane-changes near the junctions. Consequently, they recommend only south-facing slip roads here - which would clearly defeat one primary purpose of such a new junction. This is probably a principal reason why J21a has now disappeared. CALRAG hope that this will be addressed in the JLTP4.

Public Transport plans

IJ. 25 Note that absolutely no specific public transport measures, in mitigation, are anticipated here. Furthermore, peak trip rates from SDLs 7.5 & 7.6, as predicted in the G-BATS4 modelling, are serious underestimates.

Conclusion

- IJ.26 This present plan is intended to provide a strategic policy framework for land use, development and transport over almost the next two decades. What has been provided to date is not methodologically robust, for the reasons set out above. It does not therefore provide a sufficient basis in national planning policy terms for identifying that the SDL allocation is appropriate or sound, assessed against both Archived NPPF and standard strategic transport planning practice.
- IJ.27 We suggest that the TEW documentation misses the opportunities presented by the Inspectors to provide 21st century solutions. It fails to re-evaluate the data in a consistent manner. It fundamentally fails to take account adequately of the profound changes in infrastructure and patterns of life as outlined in the National Infrastructure Assessment (NIA)) which are to be expected over this same time span.
- IJ.28 We note that uniquely amongst the four unitary authorities, North Somerset is not part of the West of England Combined Authority. This makes it even more difficult to achieve coherent policy making. We feel strongly that North Somerset has failed to take the opportunity to embrace the advantages of having a major city on its doorstep. It appears to be prepared to sacrifice one of its own major assets, the Mendip Hills AONB and the adjacent countryside in pursuit of unrealistic economic gain.
- IJ.29 It is now clear that two key components of the corridor (composite bypass) route are no longer part of the present Plan: thus M5 Junction 21a has now disappeared from current plans and the northwards improvements along the A38 towards Bristol have also been shelved.
- IJ.30 It is also noted that an E-W route from J20 (Clevedon) eastwards past Nailsea to the A370, is retained within the present proposals. This route offers an alternative to the strategic connecting role proposed for the M5 to A38 composite bypass.
- IJ.31 It is notable that Bristol Airport does not consider improved access by road from the SW to be a high priority; their primary concern is improved access North and into Bristol.

K. (WED 009) – CONSOLIDATED SUSTAINABILITY APPRAISAL

- K.1 The Sustainability Appraisal does not provide a lawful basis upon which to proceed with the examination and adoption of the JSP. Adopting the plan would be contrary to the Environmental Assessment of Plans and Programmes Regulations 2004, Regulations 5, 8, 12 and Schedule II, as the Environmental Report does not correctly assess significant environmental impacts and fails to assess reasonable alternatives.
- K.2 Whilst a supplementary addendum can be produced in specific circumstances to update the evidence base (e.g. *Cogent Land LLP v Rochford DC* [2012] EWHC 2542 (Admin)), this is of limited assistance where it continues to omit key information or continues to dismiss consideration of reasonable alternatives (*Satnam Millennium v Warrington BC* [2015] EWHC 370 (Admin) and *Ashdown Forest Economic Development LLP v Wealden DC* [2015] EWCA Civ 681).

Alternative sites

- K.3 There is no evidence in the TEW of any alternative sites having been brought forward for consideration.
- K.4 In particular, CALRAG are aware of at least two other sites (the Vale and Brockley) which do not feature in the debate at all. It would appear that both sites may have been discounted due to their being at least part within currently designated Green Belt. But it is possible – and indeed the JSP policies specifically confirm – for Green Belt land to be brought forward for development in exceptional circumstances, and we have seen no evidence to confirm why such circumstances do not exist in this case.
- K.5 Before Churchill SDL 7.6 can be considered further, there must be a full debate of all alternatives, so as to ensure that the best and most appropriate site in all the circumstances is chosen for this proposed development.

Public Transport – General

- K.6 In order to get over the significant hurdles of 'Justification', 'Sustainability', and 'Viability', one would have expected improved public transport (and the acknowledged need to get journeys off the road network) to have been given very heavy emphasis. However, this is notably absent from both the JSP and TEW in relation to SDL 7.6.
- K.7 Whilst there is mention at some points (eg WED 002 Schedule of changes, PC12 Churchill bullet 8 (page 7/8)) of Metrobus being extended to Churchill (and a tram network was even mentioned at one of the Council-led 'drop-in' sessions), any alternative and sustainable modes of transport are mere soundbites unless and until a concrete proposal is made available. CALRAG's view is that viable alternative modes of transport will never be made available to Churchill SDL 7.6 as the cost of providing the infrastructure - and then running the network - will be prohibitively expensive.

Bus

- K.8 There is currently only one, hourly 'Falcon' bus service from Churchill (not Langford)

into Bristol and no direct bus service into Weston-S-Mare. See also K10.

K.9 Any new/improved bus service to and from Churchill SDL 7.6 would, in CALRAG's view, be impossible to become viable, due to the distances involved to centres of employment / enjoyment and the associated journey time. The average bus journey into central Bristol from Churchill in peak traffic would be well over an hour. The A38 will not readily support bus lanes, local roads/lanes are too narrow for buses to access, and so bus-stops would be few and far between, meaning that only those that live within reasonable walking distance of them will be able to use them. Driving to a bus stop would not be viable but, even if it was, that is hardly a solution fit for the 21st Century.

K.10 The new Bristol University U2 bus service from Langford Vet School only runs during the Bristol University academic term between university sites and has parking issues in Langford. This is supported by WED007 (page 15),

“Traffic congestion causes longer and less reliable journey times, reduced resilience in the event of incidents, worsened reliability of bus services, rat-running of traffic through residential areas and idling traffic causing air quality problems. Slow journeys also reduce accessibility to jobs and businesses and act as a barrier to the competitiveness of the city region.”

And further by WED007 3.4.1 (page 25),

“Many people living in rural areas, villages, small towns and suburban areas are heavily dependent on cars in meeting their movement needs”

And (last para page 25),

“... in many cases, significant investment will be required to improve public transport choices. In many cases this will be challenging, due to relatively low levels of service provision and long journey times to key destinations.”

K.11 Figure 3.4 (Page 25) notes that 82.6% of residents in Churchill and Langford use private transport to travel to work.

K.12 The JLTP 4 which might have some further public transport solutions has not yet been made available, and this simply adds to the problematic justification for such a remote SDL as Churchill 7.6.

Train

K.13 It should be noted that Yatton Station is 4.3 miles (6.9Km) away from Churchill SDL 7.6. There is no bus route from Churchill. The current road network between Churchill and Yatton consists of lanes, minor roads and an already highly-congested junction at Congresbury with the A370.

K.14 This would not support a bus route.

K.15 Car travel is the only viable option (leaving aside cycling along the Strawberry Line, which only the youngest and fittest could conceivably do regularly). However, parking at Yatton station is currently very limited and so this would need to be significantly increased. Neither WED 009 (Sustainability), WED 005 (Viability) nor WED 004 include the expense of mitigation of both traffic congestion and increased parking at Yatton

station.

Other alternatives?

K.16 We note that ED03 August 2018 (page 1) notes,

“It perhaps goes without saying, but it is obviously of crucial importance that this work (particularly that in relation to HRA and SA) is carried out with an “open mind” and does not seek to simply justify the approach/policies currently set out in the draft plan”.

K.17 Keeping an open mind is an issue of which we see no evidence in the TWE documentation. One area in which an open mind could have been applied is in relation to alternative forms of transport. In our CALRAG document, [“An alternative solution – a different perspective”](#), we put forward the notion that emphasis should be placed on the opportunities that could exist if North Somerset were to properly take advantage of having a major, thriving city on its doorstep. This document was approved by a consultant strategic planner and given a ‘thumbs up’ from John Penrose MP before publication on the internet. The thinking behind the document is that, in 21st Century Britain, prosperity in weaker communities comes through developing strong, efficient economic and sustainable transport links between two large prosperous areas, whilst maintaining the individual characters of the communities that lie between.

K.18 In our document we suggested that innovative 21st Century public transport should be at least discussed, and put forward the concept of a Magnetic Levitation system (MAGLEV) such as exists in Shanghai linking the city to the airport – a similar distance as between Bristol and Weston-Super-Mare. Since publishing our document we have been contacted by an expert at Nottingham notifying us of ongoing discussions between RollsRoyce, Bombardier and Toyota to discuss the possible installation of a MAGLEV to connect Nottingham to Derby.

K.19 This is just one example of 'keeping an open mind' and, whilst that suggestion may have little chance of becoming a reality in our lifetimes, it is CALRAG's view that the concept could nevertheless be employed here; that houses should be built where people want to both live and work.

K.20 WED 009 4.79 (Page 70) states:

“As set out in Topic Paper 2 (SD 7B), paragraph 3, based on the assessments of the Issues and Options spatial scenarios and the individual potential development locations, and informed by the spatial priorities, the transport assessments, the Green Belt assessment and Sustainability Appraisal, the responses to the consultations and other evidence, it was considered the spatial strategy underpinning the JSP should reflect the following key principles:

- The use of greenfield locations should be minimised but if needed, locations well related to existing urban areas should be used, either by physical proximity or on existing or potential sustainable transport corridors.

- *Avoid the continued sprawl of the Bristol conurbation north and eastwards and refocusing development towards the south in light of the 7,800 homes built here since 2006 and a further 12,800 homes committed.*
- *Recognition that location in the Green Belt are likely to be needed and that there are exceptional circumstances for the strategic release of some Green Belt locations...*

This excerpt speaks for itself.

Discussion of WED 009 "Objectives"

K.21 WED 009A Strategic Development Locations: Summary of SA findings – Issues and Options 5.57 SA (page 33) refers:

"No effects were identified in the short term for all locations and typologies....In the medium to long term, mostly minor or uncertain effects were predicted for all of the locations as not enough was known about the scale of development likely to take place, or the direction of growth at each of the locations at this stage in the plan process:

This is a very concerning statement in the context of an allocation that is intended to guide the location of a significant quantum of housing. It adverts to the disjointedness of the promotion allocations in the JSP and the Local Plan.

K.22 Objective 1b Minimise impacts on air quality and locate sensitive development away from areas of poor air quality. Although Churchill is not in an AQMA, we note the comment,

"Transport Impact Assessment and adequate preventative and mitigation measures are required."

K.23 Objective 1c Achieve reasonable access to healthcare facilities. Referring to Churchill SDL 7.6, we note that reference SD9D Sustainability Appraisal tables Policy 7.6 (page 58) notes:

"Churchill has a GP practice on Pudding Pie Lane, capable of serving the Garden Village"

It then comments:

"Work is required to assess projected requirements. Development of 2,800 dwellings could support a small satellite surgery. Policy 7.6 has no specific requirements."

K.24 Patients at Churchill, Pudding Pie Lane Surgery sometimes have to go as far as St. Georges or Yatton or Clevedon to a linked surgery to get an appointment. Satellite surgeries generally do not carry the full equipment and facilities for good practice. Patients would be required to attend Churchill for anything more than minor ailments. We suggest that this has not been appropriately assessed and would appear not to conform to Garden Community principles. We note the lack of any of this information in the TEW documentation in terms of viability and sustainability or justification..

K.25 5.57 SA (page 33) **Objective 2b** page 34 **mix of high quality housing** states:

..."The effects for the dispersed typology were uncertain as the specific locations of development within each Unitary Authority were not identified."

We suggest that K15 and K16 above (our underlining) undermines the value of the appraisals.

- K.26 The situation is even more confusing as WED 009 (page 116) (*“Summary of SA scores for the Strategic Development Locations (Long Term effects) table 5.3*) gives Churchill SDL a “++” (**Significant positive effect**) This calls into question the value of the evidence to justify SDL 7.5 and 7.6.
- K.27 Furthermore, throughout this response we call into question whether *any* affordable housing will be possible due to the abnormal building costs (piling of foundations and drainage issues), the necessary transport infrastructure costs, and the green infrastructure costs. WED009A (page 34), 2d **access to educational facilities** quotes Churchill as having
- “existing provision of primary and secondary schools with future places available in these locations.”*

Whilst this may have been the case at the time of writing WED 009A, it is not the case currently – January 2019.

- K.28 WED [009C Policy 7.6](#) Churchill Garden Village (page 787) states:

“New development location accessible to Churchill Academy, with potential for community infrastructure package”.

Again, this is concerning in its inaccuracy and lack of detail and would appear to contradict previous statements relating to such SDLs as being delivered along Garden Community principles. Churchill Academy had a full intake this year and with the current developments of 300 houses in Churchill and many more in the feeder area it is likely to remain so.

- K.29 **WED 009A 5.62** (page 34): **Objective 2e access to town centres** specifically mentions
- “Conversely, some Assessment Areas at the other settlements/locations which are generally smaller, were considered to have likely significant negative effects in relation to these two SA objectives e.g. Thornbury and Churchill (SDL 7.6)*

Again, although given a double negative in the table 5.3, (WED009 (page 116)) it calls into question whether such an SDL as Churchill 7.6 is an appropriate location for a self-sustaining community built according to MHCLG Garden Community principles.

- K.30 [WED 009C](#) page 784 **Objective 3a Deliver a reasonable quantum of employment and increase access to work opportunities for all parts of society within the Wof England sub region’** .

“Currently limited local employment opportunities. Significant employers are University of Bristol (Langford House) Monaghan Mushrooms, Churchill Academy and Thatchers Cider.

Insofar as this is intended to be an indication that these organisations will be significant providers of future employment in this area, that suggestion is emphatically denied. Thatchers are currently building a fully automated new factory in Sandford. Planning application lists no increase in employment opportunities. Monaghan Mushrooms have not indicated any increase in employment and tend to offer

unskilled employment, Churchill Academy remains static in terms of employment – there is very little land available for expanding and its location presents safe accessibility issues.

K.31 Such limited statements to support sustainability when referring to an SDL are misleading. It is hard to know how a '+' can be given in the medium and long term at this SDL in the circumstances, and that rating casts doubt, in CALRAG's view, on other assessments used to justify this SDL.

K.32 WED 009C (page 786), **Objective 3b Achieve reasonable access to major employment areas** states:

"No major employment area, though Bristol Airport in the adjoining parish of Wrington is accessible via A38". "Policy 7.6 requires transport improvements but does not specify how public transport would serve the Garden Village".

Again, the reality is very different. Bristol Airport's Development plans state that they will create only 400 new jobs by 2036. Study of the available jobs at Bristol Airport made over the past 6 weeks reveals that the vast majority of the jobs advertised are for low-skilled workers, 'baggage handling colleagues', 'ramp agents' and catering staff.

K.33 It is hard to imagine how a '+/-' can be allocated for the medium and long-term without specifying the public transport arrangements.

K.34 WED 009C (page 786), **Objective 4a Minimise impact on and where appropriate enhance the historic environment, heritage assets and their settings** confirms that:

"Heritage assets are associated with the existing villages of Churchill and Langford. There are none in the proposed development location [though this location has not been specified] but it does have potential to impact on settings. Policy requires protection and enhancement of local heritage assets and their settings and retention of Windmill Hill (potential Iron Age settlement) as a focal green feature. Scoring assumes delivery of Policy 7.6 requirements for enhancement".

K.35 This has been given a green, ++ for medium to long term – an indication of an optimistic and very subjective judgement. There can be little doubt that SDL 7.6, if developed, will have a hugely negative impact on 'settings', and that it will not enhance the historic environment in any way. The views from the Mendip Hills AONB will be blighted for ever. The important tranquillity offered by Windmill Hill will be effected likewise. It should be noted that Windmill Hill is privately owned farmland and is already extensively used for recreational purposes as a tranquil place to visit.

K.36 The further comment *"delivery of Policy 7.6 requirements for enhancement"* needs to be specified and included in viability assessments. We further suggest that the above statement would prove to be impossible.

K.37 WED 009C (page 786), **Objective 4b Minimise impact on and where possible enhance habitats and specials (taking account of climate change)** confirms

"... ecological sensitivities in relation to bat flight corridors."

"Policy 7.6 requires safeguarding and enhancement of bat habitat and

investigation/implementation of green corridor linking Windmill Hill to south of Langford and Langford Brook. Requirement is for green corridor to be both investigated and implemented but 'investigation' suggests some uncertainty of feasibility, hence scoring cannot be '++'. Given uncertainty of feasibility and that impact on Priority Habitat not addressed through specific mitigation measures, score has been revised to '-/?'.

K.38 The map and comments on WED 009C (Page 783) clearly indicates

"Ecological sensitivities in relation to bat flight corridors."

Again, this suggests that SDL 7.6 is unjustifiable. There would appear to be insufficient evidence to the contrary. This is further detailed in the HRA part of this response.

K.39 WED 009C (page 787) **Objective 4c Minimise impact on and where appropriate enhance valued landscapes** states

"The area is within the River Yeo Rolling Valley Farmland landscape character area, a pastoral landscape intermediate between the valley floor and wooded limestone ridges. It is marked by stone farmsteads, thick hedgerows, small rural roads and modern ribbon/infill development along the A38 and A368. The area is considered to be of high sensitivity. Sensitive local topography around Windmill Hill which Policy 7.6 requires be retained as a focal green feature"

"Policy 7.6 requirements for development form and layout and for green infrastructure may mitigate landscape impact but details are currently unknown. There may be residual impacts that cannot be mitigated. A requirement for very high quality development, informed by detailed sensitivity assessment, would minimise these".

This has been given an appropriate bright red double negative.

K.40 North Somerset's own '*Landscape Character Assessment*' (p204) (adopted October 2018) states

*"Strategy" "The landscape strategy for River Yeo Rolling Valley Farmland is to **conserve** the peaceful, rural nature of the landscape with intact pasture and field boundaries and to **strengthen and enhance** the area of weaker character particularly where the landscape is affected by modern development to the west of the M5. (emphasis as per original)*

K.41 WED 009C (Page 783) also states,

"Impact on AONB to the south, and also sensitive local topography, particularly west of Churchill Village".

All of the above poses serious concerns regarding the justification and sustainability of SDL 7.6.

K.42 WED 009C (page 787) **Objective 4d Promote the conservation and wise use of land, maximising the re-use of previously developed land** confirms

"Development would be greenfield. Development on greenfield land does not contribute to promoting the conservation and wise use of land. Therefore, this

location has a negative effect on this objective and there is no apparent scope for mitigation”.

We draw attention again to the availability of alternative SDLs, particularly the Vale adjacent to the South Bristol Ring Road which has not been assessed as an SDL. We do not believe that North Somerset Council’s rigidity about not using Green Belt land is valid. We believe that there are exceptional circumstances to release Green Belt land in this instance (WED009 4.79 page 70/1) and reallocate it so as to protect and preserve the Mendip Hills AONB.

K.43 Page 783 notes:

“High probability of high-grade agricultural land.

This is true, and so its development would run contrary to objective 4d

K.44 WED 009C (page 787) **Objective 4e Minimise the loss of productive agricultural land especially best and most versatile agricultural land** explains that

“There are extensive areas of potentially Grade 2 agricultural land at Churchill/Langford, above the floodplain but below the higher ground, along with some Grade 1. There are no detailed surveys of land at Churchill....Natural England’s ALC Strategic Map shows it as predominantly Grades 1 and 2. “Detailed Agricultural Land Classification Assessment required to establish precise land grading. Site definition should seek to avoid identified areas of the best and most versatile (high grade) agricultural land (land in grades 1, 2 and 3a).”

This is a hugely telling statement. The area in and around Churchill SDL 7.6 is a predominantly farming community with a strong, thriving village cohesion. Preserving and conserving the beautiful landscape and the productive farmland for future generations must be a priority of good planning for development where there is an alternative which would serve the expanding city of Bristol, which could have a strong, positive, enhancing affect (if appropriately planned) on Weston-Super-Mare, that has not been included as an SDL.

K.45 We further question the decision to proceed with Churchill 7.6 when there is lower grade agricultural land in the Green Belt adjacent to Bristol which has not been considered as an SDL. Paragraph 5.58 of WED 009 still does not refer to the significant loss of high quality agricultural land at SDL 7.6.

K.46 WED 009 4.143 (page 87) notes re: **Objective 4e**

“There are concentrated areas of high grade agricultural land around Weston-Super-Mare but it was not considered likely that these areas could be excluded from the development area.”

It is unknown as to why it was not considered likely. Nor is it known why this SA objective in table 5.3 was given a “?” This appears to be in conflict with WED 009C Page 783 which, as stated above (regarding Churchill 7.6) notes,

“High probability of high-grade agricultural land.

We are nevertheless delighted to have an opportunity to agree positively with the scoring on WED 009A page 37, Table 6 .1 “- -”.

- K.47 WED 009C (pages 787/8), **Objectives 4f and 4g Minimise vulnerability to tidal/fluvial flooding (taking account of climate change), without increasing flood risk elsewhere and Minimise vulnerability to surface water flooding and other sources of flooding without increasing flood risk elsewhere.**

4f -“Within flood zone 1.” 4g “There are narrow areas of surface water flood risk associated with local watercourses and roads. There are possible issues of groundwater flooding associated with the Mendip Hills, which are a Groundwater Source Protection Zone. “Surface water runoff should be carefully managed to avoid adverse downstream impacts on Wrington and Congresbury”

(See below for an existing, ongoing example of this issue, yet to be resolved).

- K.48 In terms of justification, sustainability and viability, we draw attention to the location of Churchill SDL7.6 at the foot of the Mendip Hills. The area is extremely susceptible to pluvial flooding as has been noted at the Crest Nicholson development (land adjacent to the SDL 7.6). This is proving very expensive to mitigate. Piling of all the houses has been required, and the problem of drainage has yet to be resolved definitively.
- K.49 It is of course possible to solve flooding issues, but the added expense must be considered when considering sustainability, viability and deliverability. We see no evidence of this at all in the TEW documentation. Indeed, and extraordinarily in our view, 4f has been given a ‘++’.
- K.50 Needless to say, CALRAG strongly challenge this bold assumption. 4g has incredibly been given a +/-.
- K.51 WED004F (page 1) refers to SD11C dashboard (no page but pdf gives p 17 (ref SDL 7.6) Flood risk:

“Whilst the area is entirely flood zone 1 there would be flood risk issues to address, including the A38 carriageway that has experienced flooding and the Langford Brook and nearby Lower Langford. To the west of Langford there is a watercourse that runs towards Brinsea Rd Farm that should be considered in any development potential. There are groundwater issues to the south of the settlement also that would require a robust SuDs strategy”.

- K.52 For years, residents in Blackmoor (Langford – close to the Langford Brook and the pumping station) have been struggling to cope with the increased water levels after heavy rainfall. One resident has resorted to lifting the manhole cover in his garden manually to allow raw sewage to disperse so that he can flush the toilets in his house. This problem has been ongoing for some time now, and is clearly due to a lack of current drainage capacity in the area. Whilst remedial works are planned to address this existing problem, far more extensive works must be factored into the plans for SDL 7.6 if it is to be taken forward.

- K.53 **Objective 5a access to sustainable transport.** We question why there is no mention here of the more remote SDL’s. 5.39 of WED009 (page 110) states:

“While many of the transport infrastructure improvements particularly at the SDLs are expected to help reduce the need for residents to travel by private car on a day to

*day basis infrastructure improvements include specific schemes such as widening of Wolvershill Road at Banwell, a new junction at the M5 and bypasses at Banwell Bypass and Sandford/Churchill. It is expected that the provision of improvements of this type may limit the potential for modal shift to occur in the West of England and therefore the significant positive effect expected in relation to SA objective 1b: **air quality** and SA objective 5a: **sustainable transport** is likely to be combined with a minor negative effect over the medium and long term.*

K.54 We have discussed elsewhere in this document the confusing nature of the transport debate, with the M5 Junction 21a having, at some points, been ruled out and, at others (as here), ruled in. However, this comment appears to take the combined JSP of all WE councils and give a view of the sustainability argument as a package, using positives in one area to off-set against negatives in another. Churchill SDL 7.6 is undoubtedly one of the negatives and ought to be looked at in isolation, not as part of a wider package. If it is not justifiable in its own right, it ought not to be taken forward. Full stop.

K.55 Whilst ED 009C is slightly more realistic about Churchill SDL 7.6 when referring to objective 5a:

“No rail station. Nearest is Yatton. Bus stops mainly on classified roads south and east of existing village. A38 corridor has more capacity than A370, but impacts on local road network.”

WED 009 5.116 (page 129) presents a more confused (and possibly deliberately misleading) approach:

“However, a small number of transport improvements supported by this policy such as new motorway junctions and bypass roads at the M5 and Banwell Bypass and Sandford/Churchill respectively, may limit the potential to encourage people to undertake journeys by more sustainable modes on a regular basis.

K.56 To CALRAG, this is yet another example of the down-playing of the realistic impact of the evidence, so as to justify a pre-determined, ill thought through decision without 'keeping an open mind'. Whilst CALRAG does all it can to keep an open mind itself, it is comments like this that generate significant tension in this debate.

K.57 **Objective 5b Reduce non-renewable energy consumption and ‘greenhouse’ emissions, and provide opportunities to link into existing heat networks.** Churchill SDL is located approximately 16 miles from Bristol, which will be the main centre of employment for Churchill SDL 7.6. The fact that Churchill SDL 7.6 will be a dormitory town for Bristol runs contrary to Garden Community principles but is a reality.

K.58 It would appear that the likely increase in vehicle movements has been assessed across the whole West of England JSP area - including in the cities and towns where vehicle movements are likely to be much lower, if not zero – and then averaged out on a "per household" basis. This gives a hugely misleading figure, particularly for remote SDLs such as Churchill SDL 7.6.

K.59 The vehicle movements generated by each individual SDL should thus be reassessed to give a realistic picture. By way of example of the possible outcome for Churchill

SDL 7.6, a recent planning application for a 4-bed house very close to the area outlined for Churchill SDL7.6 was recently assessed at 6-7 vehicle movements daily.

- K.60 Suffice to say that carbon emissions will increase significantly if Churchill SDL 7.6 is given the go-ahead, as there will be a need for every house to have at least one, if not two, cars in order to access town centres and employment and generally access local amenities.
- K.61 We draw attention to WED009B Addendum to the **Consolidated Sustainability Appraisal Report Conclusions 1.7** (page 2), which states

“The proposed changes would result in a small number of changes to the sustainable transport and wider transport schemes provided as mitigation for the scale of development at the Strategic Development Locations in the JSP. The proposed changes include removal of the requirement for the new M5 junctions at the Churchill and Nailsea SDLs While individually, these amended transport schemes might have effects on SA objectives4e loss of productive land; due to the large number of transport mitigation schemes already contained in the JSP, the likely significant effects identified for Policy 6 (strategic Infrastructure Requirements) and the relevant SDL policies, as well as the overall cumulative effects of the JSP would not change.”

It seems extraordinary that, against the backdrop of the M5 Junction 21a being ditched (or so it seems), one of the justifications for Churchill SDL 7.6 (and Banwell SDL 7.5) was to enable improved transport links to Bristol Airport. Not only has half of the transport infrastructure now gone, but the Airport has written to us to indicate that links to the south are **not** their priority. They indicate that improved connection with Bristol is what they want most.

- K.62 So this leaves the remaining bypass infrastructure – and associated destruction of the countryside - being justified solely to facilitate the construction of Churchill SDL 7.6 and Banwell 7.5. There is no 'growth corridor' as has been glamorously suggested. And, if the Banwell Bypass were to be built in isolation - rather than as a package of works in conjunction with the Sandford & Churchill Bypass - the resulting strain on the existing infrastructure (with increased traffic flow and the moving of pinch points further along the network) would quickly become unbearable. The considerable adverse effects on villages north of Banwell has not been considered or assessed in any of the TEW documentation.

Garden Village Principles – Ideology v Reality

- K.63 In terms of what is proposed to be delivered within Churchill SDL 7.6, WED200 [North Somerset Local Plan 2036 Issues and Options Consultation document](#) (pages 43 and 44) paint a utopian picture, summarised as follows:

“Embraces best practice....The design and character will be deeply rooted in the rural locality with cues taken from the surrounding landscape, local heritage asset..”

Sadly, the current developments at Churchill (Crest Nicholson / Bellway Homes etc) do not support this point of view. The houses are unattractive and out of keeping with the surrounding landscape. Residents are concerned about this and feel that the above statement is little more than a soundbite.

K.64 The summary goes on to state:

"The village will be physically separated from Langford and Churchill."

"It will include its own primary schools, market square/village green and local centre which will serve the wider area."

K.65 Again, these do not look like a reality from the WED documentation or the NS Local Plan 2036. They appear to be further unsubstantiated statements. Page 28 of the NS Local Plan Issues and Options consultation page 28 describes Garden Villages as,

"... free-standing new settlements with their own distinctive sense of identity, rather than extensions to existing built up areas. They will be high quality, be attractive and well designed and provide their own community facilities."

Residents greatly fear that without specific Garden Village funding from Homes England, the development proposed at Churchill SDL 7.6 would be built piecemeal in plots, by developers, with no cohesion and no attention to building in the vernacular to suit local historic and environmental surroundings; no affordable housing due to the abnormal building costs, minimal infrastructure due to cost/benefit imbalance; a reliance on (already stretched) local services in Churchill and surrounding villages adding to already congested local lanes.

K.66 Residents feel that a plan for such large-scale development should require a specific Development Corporation to have the funding in place to ensure that the proposals as set out in the documentation are delivered appropriately and in line with those Garden Community principles to which the TEW documents frequently refer.

K.67 Local residents' fears in this regard appear to be confirmed by the staggered timescale of the proposed construction with little - if any - reference to such infrastructure requirements that would be necessary to sustain a 'free-standing' Garden Community that is so far from centres of employment of leisure facilities.

Conclusion

K.68 For the reasons set out above, there is now a significant legal obstacle to the progress of the JSP: it would not be lawful to adopt the plan on the basis of a defective SEA.

K.69 CALRAG submit and will continue to submit during the Examination hearings (no doubt alongside other objectors) that the SA work has failed to have regard to reasonable alternatives contrary to Regulation 12(2)(b) and Schedule 1, paragraph 8.

K.70 Moreover, it has failed to have regard to significant environmental effects, contrary to Regulation 12 and Schedule 1, notably paragraph 6.

L. (WED 010) – UPDATED HABITATS REGULATION ASSESSMENT

General comments and need for 'Appropriate Assessment'

- L.1 The first point to note here is the very clear fact that Churchill consistently appears to be sited in Banwell in the documentation, and vice versa. This does not inspire confidence in the Assessment overall. The Assessment is a remarkably vague account and it is impossible to justify or to demonstrate the proposed mitigation measures as effective. A further assessment should be sought, independent of the Local Authorities, as set out below.
- L.2 The HRA and Updated HRA conclude that there are a number of *“likely significant effects”* arising from various policies of the JSP including the selection of SDLs (Policy 7). However, the suggested mitigation is woefully insufficient in detail or specification to come to any conclusion that the development would not result in any adverse effects on the integrity of the site.
- L.3 Our concerns are as follows:
- L.3.1 The CJEU Judgement (*People Over Wind and Sweetman v. Coillte Teoranta* C-323/17) confirms that mitigation measures cannot be taken into consideration in the HRA screening process and a conclusion that there is a likelihood of significant effects obliges the West of England Authority to undertake an Appropriate Assessment (under the Conservation of Habitats and Species Regulations 2017 (as amended), notably Regulation 63).
- L.3.2 The test at the ‘Appropriate Assessment’ stage is whether the project *“will adversely affect the integrity of the European site”* (Regulation 63(5)). A precautionary principle must be adopted *“when the likelihood of significant effects cannot be ruled out on the evidence available, it must be assumed that a risk of significant effects may exist”* (para 4.6 HRA and Para 1.13 Updated HRA).
- L.3.3 The Updated HRA does not meet that legal requirement (even as now clarified by the CJEU Judgment):
- L.3.3.1 there is a lack of robust baseline evidence
- L.3.3.2 the mitigation measures proposed are insufficiently defined, precise or measurable and therefore preclude the West of England Authorities from concluding on the precautionary basis that certain SDLs *“would not adversely affect the integrity of the European site”*. Constant reference is made to the *“need for assessments”* and *“work is underway.”* No baseline evidence exists and all proper and robust assessment is deferred.
- L.3.4 This echoes a disturbing trend in the consultation process (including as set out in other sections of this document). The Updated HRA represents another example of the West of England Authorities (North Somerset Council presumably in respect of Churchill SDL 7.6) seeking retrospectively to justify the original methodologically unsound selection of the Churchill SDL in spite of the

Inspectors' exhortation to the Authorities to adopt an open and objective approach.

L.3.5 It is therefore wholly reasonable to contend that the selection of the Churchill SDL is unsound on a Habitat Regulations basis.

Ecology

- L.4 As regards the two Horseshoe Bat species, both the Churchill SDL 7.6 development and the proposed Bypasses will sunder flyways which connect the 2 SACS - on Mendip and further on around Brockley. European objectives cannot be met here.
- L.5 Reference is made to the Horseshoe Bat around the south of the existing village and the link to Windmill Hill. Other woodland exists to the north. No evidence is provided as to how North Somerset Council can safeguard the species from the impact of the Garden Village. The onus is on them to prove this, and the TEW certainly does not do so.
- L.6 Reference is also given to the need to protect other S41 species such as the Common Toad, Hedgehog, House Sparrow, Brown Hare, Skylark and other species and insects, together with habitat in the area such as species rich lowland meadows, wet woodland, traditional orchards and reed beds.
- L.7 It is surprising that WED004 does not make any reference to the need to comply with EU Habitats Regulations. We call upon North Somerset Council to confirm the criteria for testing the proposals against this and to confirm how the SEA and subsequent Environmental Impact Assessment and Habitats Regulations Scoping and Assessment will address this.
- L.8 For this current assessment, the Precautionary Principle is supposed to apply. We suggest that such a lack of evidence of successful mitigation should itself be sufficient reason not to proceed with Churchill SDL 7.6.

Mendip Hills Area of Outstanding Natural Beauty:

- L.9 Absent from any detailed review or assessment throughout the course of the consultation on the JSP is the proximity of the Banwell and Churchill SDLs to the Mendip Hills AONB.
- L.10 It would appear from WED004, the so-called "*Justification of the requirements for the 12 Strategic Development Locations 7.6 Churchill Garden Village*", the proximity to the Mendip Hills AONB receives no mention at all, suggesting that it was given no consideration whatsoever in the original selection of Churchill SDL 7.6.
- L.11 In respect of the Consolidated Sustainability Appraisal (CSA), we are very concerned by flawed assumptions that have been adopted without any evidence base. The very consequence of the protection of the Green Belt by the selection of the Churchill SDL is the development on much more sensitive greenfield land at a location in the open countryside of the Mendip Vale and alongside the Mendip Hills AONB. This echoes the above mentioned fundamental failure to give proper weight to the proximity of Churchill SDL 7.6 to the AONB.
- L.12. The Countryside and Rights of Way Act 2000 (CRoW) confirmed the significance of AONBs. S.85 places a statutory duty on all relevant authorities to have regard to the

purpose of conserving and enhancing natural beauty when discharging any function in relation to, or affecting land within an Area of Outstanding Natural Beauty. Potential development proposals outside of the boundaries of AONBs that may have an impact within the designated area are also covered by the 'duty of regard'.

- L.13 The Mendip Hills AONB Partnership produced the Mendip Hills AONB Management Plan 2014-19 as required by the CROW Act on behalf of the joint local authorities and the Plan has been adopted by North Somerset Council, Bath & North East Somerset Council, Somerset County Council, Sedgemoor District Council and Mendip District Council. The Management Plan under paragraph 1.4 sets out a Statement of Significance on the special qualities of the Mendip Hills AONB that create the Mendip Hills sense of place and identity and these include views from the Mendip Hills AONB, settlements of Mendip stone largely confined to the spring line, retaining dark skies and a sense of tranquillity.
- L.14 Natural England's National Character Area (NCA) profile for the Mendip Hills (141) states that the area is 'renowned for its tranquillity and inspirational qualities ...' The NCA further recognises that 'Light pollution from development threatens the extent of the recognised dark skies and out-of-character development is a continuing risk to the essential nature of the area.' Within the NCA Statement of Environmental Opportunity under SEO1 it sets out 'Safeguard inward and outward views and to the distinctive hill line and conserve and enhance the special qualities, tranquillity, sense of remoteness and naturalness of the area'.
- L.15 The National Planning Policy Framework (NPPF) under paragraph 115 sets out that
"great weight should be given to conserving 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 landscape and scenic beauty."
- L.16 4,600 homes are collectively proposed in the JSP for the Banwell and Churchill SDLs. Approval has already been given for the build of approximately 400 additional new homes in Churchill and Sandford as it is. These 5,000 new houses would be visible from the Mendip Hills AONB and have a significant impact on the special qualities that create the sense of place and identity of the Mendip Hills. Views from protected landscape at viewpoints such as iron-age fort of Dolebury Warren, the landscape character of the area and settlements along the spring line, retaining dark skies and a sense of tranquillity must all be considered.
- L.17 We and many others including the Mendip Hills AONB Partnership and CPRE have great concern that the proposed housing quantum and significant infrastructure to support the proposed development in such close proximity to the Mendip Hills AONB will have a significantly negative impact on the tranquillity, sense of remoteness and naturalness of the Mendip Hills AONB. This will result from:
- L.17.1 Road usage - a significant cumulative impact on the road network system around and across the AONB. Routes across the AONB are frequently used as short cuts by through traffic, affecting both tranquillity and the environment of the nationally protected landscape.

L.17.2 Landscape impairment - views from the protected landscape towards the North Somerset Levels and Wrington Vale will be severely affected by the proposed road infrastructure and the substantial new settlements.

L.17.3 Significant light pollution to existing dark skies.

L.18 We draw attention to the European legislation which accords a high level of protection to regions within the West of England and particularly to areas immediately in the Mendip Hills and immediately north of them.

L.19 Nationally AONBs have the highest level of statutory protection under the Countryside and Rights of Way Act 2000, in relation to landscape and scenic beauty (para 115 NPPF). There is no evidence that West of England Authorities, more particularly North Somerset Council, have given “great weight” or indeed any weight whatsoever to conserving the landscape and scenic beauty of the Mendip Hills AONB. We therefore contend that the issue of the proximity of the AONB has not been given proper weight in the selection of the SDLs and in the JSP consultation process to date. There appears to have been a serious statutory failure by North Somerset Council to acknowledge their obligations. On this basis alone, the JSP in respect of the SDLs of Banwell and Churchill is unsound.

Additional commentary– covering the WED004 Criteria

L.20 **Missing Criteria.** With the recent publication of HM Government’s 25 Year Environment Plan (YEP), it is most surprising that the environment will not be assessed against many or all of the principles of that Plan. For example, new principles that ensure that the environment receives a net gain (certainly no net loss) from any proposals, that decision making starts to consider eco-systems services, so that environmental impacts / natural capital are more fully understood. The SEA is silent on how the 25YEP principles will be considered.

L.21 **Criterion 1.** The justification for JSP Criteria 1 which justifies Churchill as a Strategic Growth location is flawed. This is because documents that set out the growth locations in North Somerset explain that this is done through a process of identifying those settlements above 500 dwellings, and then implementing a process that uses feedback from receipt of people’s interest to sell land to developers. We are not given any further information about how that process led to the strategic sites of interest.

L.22 **Criterion 2 – green infrastructure.** Whilst the justification acknowledges the need for green infrastructure, it does not explain the land take requirements to do this properly, how technology within property will be used (e.g. green/living roofing on housing, recycling of grey water). Also, what is intended for mitigation for species and habitats? Recent developments by Crest Nicholson and Bellway Homes have decimated established hedgerows for wild animals. Is there a wish to preserve existing green corridors. This is not explained -the only reference is to create them, (not preserve existing ones).

L.23 **Criterion 7 – Create new footpaths and cycleways.** The justification is so generic for the region that it is meaningless for the local setting. As discussed elsewhere in this document, there is no realistic prospect of a Metrobus or other similar alternative transport option serving Churchill SDL 7.6. We support the creation of footpaths and

cycleways that complement or reinforce existing natural features such as hedgerows to maximise natural wildlife corridors. We support access to the Strawberry line, but with corridors that are of a similar rural nature to the Strawberry line.

L.24 **Criterion 10.** Consideration is needed for wider wildlife corridors across the urban site, not just the areas near Windmill Hill.

L.25 **Criterion 12.** Development near Mendip Hills AONB. The justification says nothing about how the development will respect the local AONB. It leaves this wholly uncertain. Standing from the top of Dolebury Warren Hill Fort, one can see the potential visual impact of a new town. Whilst Windmill Hill will hide a small part of it, the full extent of the town will be seen and the landscape irreversibly changed, particularly with the high-density housing at the centre. Conclusion