

Fact Sheet Summary and Update August 28 2018

West of England Joint Spatial Plan pertaining to SDL 7.6 - Churchill and Langford
Not Legally Compliant, Unsound, Unsustainable and Undeliverable.

Introduction

Churchill and Langford Residents Action Group (CALRAG) is a team of some 40+ residents across a broad demographic including professionals in engineering (all relevant branches), surveying, the environment, archaeology, planning, accountancy, law, IT, events organisation and many more who have come forward to offer assistance. We have 651 individual local supporters who have actively requested to be kept informed.

This document refers to the impact on Churchill and Langford, adjacent to and within the 'setting' of the Mendip Hills Area of Outstanding Natural Beauty (AONB).

1. Summary

The JSP and JTS Proposal for the land adjacent to Churchill and Langford villages:

The proposal keeps changing: It was for a 2.3-mile ribbon development of 2,800 houses, a new dual carriageway running through the middle of these houses and a spur road circling around the historic site of Windmill Hill. The villages are 8 miles (not 3-4 as set out in the JSP documents) from Weston-S-Mare and 15 miles from Bristol. A large proportion of the residents commute to Bristol. It is now a smaller site rather than a ribbon development.

1.1. Consultation There has been no real consultation by North Somerset Council regarding the JSP Publication Document during the 'consultation' period 22nd November 2017- 10th January 2018. All reports (both previous and current) by independent professional organisations and responses from local residents have been ignored throughout – evidenced by the lack of any changes to the plan. This has led to proposals for our villages that are unsustainable, undeliverable, destructive, and backward-looking being submitted to the Secretary of State, but they are also proposals that have missed the opportunity to be positive, informed, creative and forward-thinking. (Detail 2.1. page 2) The level of opposition to JSP and Local Plan is unprecedented.

1.2. Is the Government jumping the gun on the Planning Inspectorate? Ministry of Housing, Communities & Local Government March 2018 paper notes: The Government will commit to: *"Taking the Housing Infrastructure Fund Forward Funding bids for Enabling Infrastructure for M5 – A38 Strategic Development Locations through to co-development – the next stage of the competitive HIF process"*. The JSP/JTS has not been through the democratic process or past the Planning Inspectorate, yet money appears to be being committed to the infrastructure for the M5/A38 corridor – in other words, our villages. (See 2.12 page 4)

1.3. Why unsustainable?

1.3.1. The proposals cannot deliver the necessary employment; Churchill and Langford villages are 9 miles from Weston-S-Mare not 3-4 miles as noted in the JSP.

1.3.2. Houses will be built where employment opportunities will always be very limited.

1.3.3. Two cars will be necessary per household, as there is no public transport, rendering the houses unaffordable.

1.3.4. Commuter numbers to Bristol will rise by thousands of cars per day in a city that is already struggling with poor air quality.

- 1.3.5. Local roads/lanes will become further congested with increased costs of repair to come out of local council budgets.
- 1.3.6. The proposed new development will wholly destroy one of North Somerset's greatest assets, The Mendip Hills AONB, the countryside and villages beside and views from it.

2. Detail:

2.1. Consultation Process: Why was it flawed?

Residents were utterly shocked/horrified when they realised the enormity of the Joint Spatial Plan (JSP) proposals and that there were no alternatives suggested and that they were much worse than the 2016 consultation to which CALRAG and Churchill & Langford Parish Council had strongly objected.

- 2.1.1. **West of England Combined Scrutiny Panel 24th October 2017:** *“O&S considered it important that all public consultation on the Plan from this point implies that there would be further consultation was noted carefully and where appropriate changes were to be made to the Plan to reflect public views”.*
- 2.1.2. **North Somerset free-sheet Winter Focus, delivered on 8th November 2017:** *“Consultation for the JSP opens on Wednesday 22nd November 2017...”*
- 2.1.3. **Report to North Somerset Council Executive 14th November 2018,** [4.3] *“No local consultation events will be held in relation to the JSP Publication version. However, given the potential implications of the proposed Strategic Development Locations, four drop-in events will be held at Nailsea, Backwell, Banwell and Churchill as part of the new Local Plan process. This will assist with our understanding of local issues, opportunities and concerns should these locations be taken forward as detailed allocations”.*
- 2.1.4. **Executive Committee meeting minutes 14th November 2017,** having heard the considerable serious concerns reported from the morning ‘briefing’ resolved, *“that the draft Joint Spatial Plan (JSP) attached at Appendix A to the report be published for consultation under regulations 19, 20 and 35 of the Town and Country Planning Regulations 2012.*
- 2.1.5. Mr Reep’s report for Executive meeting 17th April 2018 No. 3.1 *“A pre-commencement document for the new Local Plan was published in June 2016 and a ‘generating ideas’ consultation undertaken between 22nd November 2017 and 10th January 2018 specifically on the emerging Strategic Development Locations identified in the JSP.”* Very clear that that the consultation was not on the JSP?
- 2.1.6. **Members of NSC Scrutiny Panel (07 February 2018) as noted by a member of the public**
 - 2.1.6.1. *“We have a real issue because as a council we have not had a real opportunity to comment or scrutinise. To not have looked at more sustainable options for growth is a dereliction”.*
 - 2.1.6.2. *“Why did we bother consulting if the contents of the Plan have already been approved to progress to submission?” “The plan is a waste of time. We’re kidding ourselves about getting all the necessary infrastructure. We have got it wrong”. “I think that we all totally disagree with it”.*
 - 2.1.6.3. The minutes of the SPED 4.1 refer: **Consultation** *“Publication document 22nd November 2017 -10th January 2018. They even go on to say, “In parallel with the consultation on the Publication document, consultation was undertaken with the communities affected by the strategic development location proposals as part of the*

'Generating Ideas' to feed into the Local Plan 2036. Clearly there is confusion in the Officers' minds as well.

2.1.6.4. Referring to the above draft SPED minutes, The JSP was noted as being approved by full council yet three councillors and the relevant minutes of the Executive tell us that it was approved solely by the Executive of just 7 councillors none of whom represent these villages. (see also 2.1.16 below)

2.1.6.5. "Officers [attending the SPED meeting 7 February 2018] acknowledge that the most recent consultation was not an opportunity to make fundamental changes since the high-level strategy had already been agreed"" SPED Councillors further noted, *"Despite objections raised by stakeholders, the strategy had not materially changed."* This reflects the views of local people that the public consultation was misleading and of little value.

2.1.7. NS Council is ignoring the concerns of its own councillors: (Minutes of the Extraordinary meeting of The Executive 14 November 2017)

"In discussing the report the following issues were raised: the challenge in delivering the required housing numbers and the damaging impact this would have on the character of the area; the need for appropriate infrastructure and good transport links to be in place in advance of the delivery of housing numbers, ...concerns regarding the proposal for Garden Villages, particularly at Churchill, and the importance of local consultation particularly in those areas most affected by the Strategic Development Locations; the need to review Green Belt boundaries, particularly to the south of Bristol, as part of the Local Plan process to provide additional flexibility and offer a more acceptable solution..." In spite of the extensive list of concerns the draft JSP was approved for 'consultation'.

2.1.8. There are numerous other documents and reports which all refer to the JSP Publication Document as being out for 'consultation' November '17 to January 2018

2.1.9. When residents turned up to the 'drop in' in Churchill they were livid to be presented with a fait accompli. No sign of any JSP forms – the JSP didn't feature. The Local Plan 2036 forms were to hand which assumed that the JSP had been adopted.

2.1.10. Residents received letters from NSC on 22nd November – the first day of the consultation about selling their land. The letters spread fear as they were labelled CONFIDENTIAL (as unsolicited, there is no obligation for confidentiality) and encouraged them to meet the appointed agents, Cushman Wakefield.

2.1.11. The Joint Transport Plan has been amalgamated into the JSP which effectively means that the final stage of the consultation process on the JTS has not taken place either.

2.1.12. Clearly there was NO intention of a consultation on the JSP (Publication Version), or of taking any notice of residents' views.

2.1.13. Environmental Impact Assessment has not been carried out. More informed residents want to know why a comprehensive study has not been carried out before spending vast sums on offering landowners deposits for their land?

2.1.14. Residents particularly want to know how much it is costing both North Somerset Council Tax payers and the Government simply to justify this bonkers, unsustainable and destructive scheme. An FOI request was submitted but concluded that no money had been spent until May 2017. **We know that this is no longer accurate as Councillors will debate the purchase of options on land in Churchill on 25th September – a meeting to which the public and press are to be excluded. QED large sums of money are being spent on options on land that has not been through the Public Examination and thus a huge gamble with tax payers' money.**

- 2.1.15. Cllr Ashton has said on Radio Bristol Thursday February 15th 2018, *“Most of the land outside Green Belt in North Somerset is owned by speculators/developers or has options on it – pretty much all of it and they would object to land being built in the Green Belt whilst their land is still up for...”* He didn’t finish. He is not accurate on this. We know of many landowners here who do not fit into this category and will not give up their land without a CPO. Also, importantly, residents need to know how much money has been spent on option/promotion/deposits?
- 2.1.16. The vote to approve the JSP was taken by just 7 councillors:** This decision is probably the largest ever made by NS Council. We believe it should have been put to full council, particularly since none of the Executive represents the villages affected by the JSP. Even if NS Council constitution does not require a full council decision, on moral grounds it should have opened the decision to all council representatives – as made possible in the Localism Act 2011. Also, as carried out by the other three unitary authorities.
- 2.1.17. NS Council is ignoring the responses to the Joint Spatial Plan (JSP) and the Joint Transport Study (JTS). NSC has ignored the CALRAG petition of 4,400 signatures on line and 500 signatures on paper. Not even an acknowledgement.**
- 2.1.18. There is a conflict of interest** since the Chair of the Scrutiny Panel is the Councillor for The Vale – the area which the Executive has refused to investigate as a realistic alternative site.
- 2.2. Detailed maps of the proposed roads and developments pertaining to SDL 7.6 have been requested** from N S Council. The response was that there are none. This is unlikely since landowners have been approached.
- 2.3. Level of opposition to JSP and Local Plan is unprecedented.**
- 2.3.1.** CALRAG team called on all 880 houses in the villages during the JSP consultation period. We made residents aware as impartially as possible so that they could freely give their views to the JSP. There is a small amount of support for affordable housing but this is already being provided within the 260 planning permissions already given for sites of over 25 houses plus an extra 25 that are in the pipeline for outline permission.
- 2.4. A Garden Village scheme must have local support** - a pre-requisite for government funding.
- 2.4.1.** Incredibly, for villages of 880 homes and approx. 2,000 residents we did not find ANY. This is backed up by our 4,200+ signature petitions – online and paper.
- 2.4.2.** North Somerset Council is ignoring opposition from all professional bodies. Even Highways England suggest the Churchill site should be revisited in favour of sustainable alternatives which we all know exist but NSC refuse to acknowledge.
- 2.5. We are definitely not NIMBYs.**
- 2.5.1.** We understand that more houses are needed and have our fair share of significant development in our villages already. Please see our document ‘An Alternative Solution; A Different Perspective on our churchilldevelopment.co.uk website.
- 2.5.2.** These villages are set to increase by 33% with the current planning approvals.
- 2.5.3.** ‘Little Venice’, a Crest Nicholson site of 140+ houses is under construction. This has met with huge surface water drainage issues due to the Mendip Hills Aquifer – the largest in the region – hence the new local nick-name for the development!

2.5.4. The planners were warned by a professional resident but ignored the data he had scientifically collected over many years.

2.6. The biggest single environmental asset in North Somerset is the Mendip Hills AONB.

2.6.1. This will be blighted for ever by a council who have even ignored Michael Gove's policy for the Environment.

2.6.2. The CPRE has submitted a forceful response against the proposed JSP for this location.

2.7. A petition of 4221 signatures submitted to North Somerset Council

2.7.1. This asks North Somerset Council to rethink their proposals for Churchill and Langford villages (SDL 7.6)

2.7.2. The petition was accompanied the letter to Cllr Nigel Ashton and all councillors on 23rd March 2018 because local people are so incredibly angry that they are not being listened to and wish to be heard.

2.7.3. The petition is in addition to the large number of responses that the JSP has received from Churchill and Langford villages.

2.8. Previous meetings with NSC have come to naught.

2.8.1. Since November 17 CALRAG has been willing to meet with NSC on the condition that they will give some indication that they are willing to take into consideration the overwhelming responses from the villagers that we represent. No such undertaking has been even acknowledged. However, we did meet, were talked at and although Richard Kent offered to meet with us again we see little point as no notice has been taken of any of the points that we have made at any of the council meetings which he attended. It was a mere tick box exercise.

2.9. Is the Government involved in potentially pre-empting the Planning Inspectorate?

2.9.1. **Outline of interim housing package for the West of England** [Ministry of Housing, Communities & Local Government March 2018] paper notes: *The Government will commit to: "Taking the Housing Infrastructure Fund Forward Funding bids for Enabling Infrastructure for M5 – A38 Strategic Development Locations through to co-development – the next stage of the competitive HIF process"*.

2.9.2. The JSP/JTS has **not** been through the democratic process or past the Planning Inspectorate, yet money appears to be being committed to the infrastructure for the M5/A38 corridor – involving these villages. We reiterate point 2.8 above.

2.9.3. **An open letter (attachment below) was written from CALRAG to the leader of the Council, Nigel Ashton**, on 23 March 2018 outlining in detail the concerns of residents. The letter has not been acknowledged.

2.10. Unsustainable and undeliverable

2.10.1. The proposal is for a 2.3-mile ribbon development of 2,800 houses, (or updated version) a new dual carriageway running through the middle and a spur road circling around the historic site of Windmill Hill. This is a poor proposal for new homes.

- 2.10.2. **North Somerset Council has chosen to ignore the unsustainability of the plans** – there is virtually no employment and almost no public transport here. New housing development should be employment-led. Thatchers have been quoted as employment source. The new development currently under construction in Sandford will more than satisfy their future employment needs.
- 2.10.3. Churchill and Langford are 8 miles from Weston-S-Mare and 15 miles from Bristol – not 3-4 miles as in the JSP documents. A large proportion of the residents commute to Bristol, there is negligible local employment and high unemployment in Weston-S-Mare. A very small number commute to Weston-S-Mare.
- 2.10.4. **The JSP makes limited mention of public transport.** New road building is a retrograde step. Better, more comprehensive, efficient public transport should be central to all plans for the future of North Somerset, especially since the majority of people work in Bristol.
- 2.10.5. The owner of the land allocated for the industrial section near Churchill has made it clear in his response that he is not prepared to sell his land.
- 2.10.6. **NSC is disregarding the professional, independent reports in response to the JSP** for this area.
- 2.10.7. The BNP Paribas report (JSP and Joint Transport Study (JTS) documents) states that this area is the least sustainable of all Strategic Development Locations
- 2.10.8. *'The Banwell and Churchill developments will not provide much, if any, affordable housing, never mind contribute towards the new roads, schools and community facilities promised by the authority'* summary by local expert of the BNP Paribas report commissioned by the four Unitary Authorities.
- 2.10.9. The Report by Atkins to the West of England Partnership indicates that the proposed junction 21a M5/A38 link will be very expensive to build – the most expensive individual project that they examined, and will pose environmental devastation which will be hard to mitigate.
- 2.10.10. M5 Junction 21A to A38 dual carriageway, according to Highways England can only safely be built for traffic travelling to and from the south. Access by traffic travelling to and from the north would not be possible as J21a would be too close to J 21. South-facing only does not help traffic commuting to Bristol. South facing fails to provide a new route through to the north. All Junction traffic going to or coming from the north is precluded. It can only accommodate traffic entering from the south or proceeding southwards.
- 2.10.11. Amendments could be made to M5 Junction 21 which would increase its capacity.
- 2.10.12. It should be noted that traffic density on the A370 and the A38 are similar yet the A370 is much closer to the M5 and a significant length of the A370 is already dual carriageway into Bristol. Another east/west link originating from Junction 20 and linked to the A370 is contained within the present JSP proposals.
- 2.10.13. Power cables line the route of the proposed Churchill Garden Village dual carriageway limiting where houses can and cannot be built.
- 2.10.14. We would like to refer to the current substantial civil engineering difficulties being experienced by the developer, Crest Nicholson. Water flowing outwards from the Mendip Hills Aquifer contributes a high ground water level in the countryside within SDL 7.6 (Churchill). The JSP itself acknowledges that substantial civil engineering works may be necessary to deal with this. Details are available.

- 2.10.15. SDL 7.6 is remote from centres of employment (Weston-S-Mare is inaccurately placed as 3-4 miles from Churchill it is in fact 8-9 miles). Thus, as a dormitory town, perversely increasing carbon emissions. This will make it impossible for NS Council to reduce carbon emissions by 50% by 2035.
- 2.10.16. **Air quality in Bristol is already a serious concern.** 2,800 new houses at Churchill, 5-6,000 commuters, most likely travelling to Bristol daily by car, this will have a serious impact on Bristol's pollution.
- 2.10.17.

2.11. **Bristol Airport**

- 2.11.1. Bristol Airport has stated that it does not require a dual carriageway link from the M5 motorway from south of the airport as part of its expansion plans, yet this need is emphasised in the JSP. The Airport needs better transport infrastructure to Bristol and from the north of its site.
- 2.11.2. *"Any external discussion with regard to a possible M5 junction 21a is not directly linked to potential airport growth, but rather to motorway capacity and its relationship with both existing development and proposed (JSP) strategic development sites (including possible village by-passes)",* Bristol Airport email to CALRAG.
- 2.11.3. At a public meeting (Rural Business Forum), a question was put to the Airport Official on the perceived need for improved access from a new junction 21a. The response was that this doesn't matter to them. They are interested in providing a better link into Bristol and the north of the site particularly when the tolls are removed on the Severn bridges.
- 2.11.4. **The M5 to A38 dual carriageway is purely to access the land for the garden village (New town).** It will take hundreds of millions of pounds to build a road that is not needed by Bristol Airport (clear written statement) and will be far more costly than estimated due to flooding issues.

3. Environmental Impact

3.1. SDL 7.6 contains prime agricultural land.

3.2. The damning independent Report by Atkins to the West of England Partnership has been ignored: the report clearly highlights the detrimental impact that the proposed M5 J21a to A38 corridor would cause to the Mendip Vale (Churchill, Langford and Congresbury villages) has been ignored. The report gives this proposal the highest possible rating for negative impact, *"It will have an overall significant impact which will be difficult to mitigate"* (W of E Joint Transport Study, Appendix A. p68/69).

3.3. The Green Belt immediately south west of Bristol is strangling the city's growth. This small area (just 2% of North Somerset's green belt) is mainly poor quality agricultural land, and according to a recent survey, of no archaeological interest. The new South Bristol Link road built runs through it, there is a refuse tip and an industrial site. A small, controlled relaxation of the Green Belt in North Somerset could resolve numerous issues.

3.4. A more sustainable alternative location for the houses should be sought, such as The Vale, which was in the original proposals up until Autumn 2016. The reasons given we believe are not well founded and could be described as spurious. Examples given on Radio Bristol 14th February 2018 Landowners in other parts of North Somerset who have options on their land

would be furious; Bristol would locate their Nomination Rights people there and North Somerset would end up by paying for their Adult Social Care.

- 3.5. North Somerset Councillors expressed *“the need to review Green Belt boundaries, particularly to the south of Bristol, as part of the Local Plan process to provide additional flexibility and offer a more acceptable solution...”* (Minutes of the Extraordinary meeting of The Executive 14 November 2017). We look forward to a positive outcome.
- 3.6. Food Security is a key concern. Should we be planning to concrete over prime agricultural land?
- 3.7. Village life is hugely important and is greatly valued because of the community spirit across generations and demographics.
- 3.8. A full environment impact study, the length of the proposed new roads has not been carried out. This should have been done in advance of the proposed JSP.

4. Solutions

- 4.1. **Nothing is set in stone**
- 4.2. **We would like NSC to seize the opportunity to turn a disadvantage into an advantage** and to put North Somerset on the map as a forward-thinking, innovative Local Authority. We have some positive, sustainable ideas which we can share- see An Alternative Solution – A different Perspective. churchilldevelopment.co.uk/documents
- 4.3. A very small proportion just 2%, of North Somerset’s Green Belt, adjacent to the new South Bristol Link road at The Vale could provide a sustainable solution and new initiatives for North Somerset. It could accommodate a large proportion of the housing requirement and negate the need to build a destructive and costly dual carriageway through open countryside adjacent to the Mendip Hills AONB. The Vale could enable new houses could be built where people wish to live, and provide Bristol with the employees that it needs. People could cycle, walk or take the new Metrobus or the train (local station to be reopened) to work. Air quality in North Somerset and Bristol would not be impacted.
- 4.4. North Somerset Council would benefit from the Council Tax of these houses.
- 4.5. An upgraded, forward-thinking transport system between Weston-S-Mare and Bristol is necessary to take commuters off the roads, decrease congestion and reduce carbon emissions. A new light railway or more radical transport solution could link Bristol, The Vale, Bristol Airport, Clevedon and Weston-S-Mare. This link could provide the much needed lifeline between Bristol and Weston-S-Mare that could improve employment prospects in Weston-S-Mare.
- 4.6. A new tech park at The Vale could link to the new buildings of the University of Bristol at Temple Meads via the new Metrobus. It could also connect, via a new transport link to a new government-funded industrial park in Weston-S-Mare and the new University. These integrated employment hubs could increase employment in all locations.

5. Conclusion

- 5.1. We would like NS Council to act on the overwhelming opposition and revisit their JSP proposal for Churchill and Langford. We would welcome working with the Council to produce sustainable, employment-led, infrastructure-ready alternatives and to discuss modern outward-looking public transport proposals.

5.2. The Public Examination is not the place for North Somerset Council to discover that its JSP proposals are

- not legally compliant
- not sustainable
- not sound
- not positively prepared
- not justified
- not consistent with NPPF
- not compliant with the duty to cooperate

5.3. A revised proposal for the JSP, that is supported by local people, should be considered now.

5.4. In short, it appears that the only benefit of the proposal for Churchill and Langford villages is to make money through building on prime agricultural land. In all other respects, it is wrong; it is not what the community requires or wants, it utterly contradicts the JSP's own stated visions of minimising traffic flow, minimising environmental damage, creating self-sustaining communities with jobs close by, achieving higher density developments in urban areas and increasing mass transport facilities. There is an opportunity now to do this.

6. Update 28 August 2018-08-28

6.1. JSP Inspectors have requested more information:

6.1.1. Sustainability Appraisal in which they have asked the LAs to “keep an open mind” We have no confidence in NSC doing this.

6.1.2. Habitat Regulations Appraisal – request by the EU.

6.1.3. The LAs have requested that the date for the Public Examination has now been put back to after May 2019 elections tbc.

6.2. The Issues and Options consultation (pre-cursor to the Local Plan 2036 consultation) and part of the Local Plan 2036 preparations is premature and should not be considered until after the JSP has concluded. This is a huge waste of public money along with the purchase of Land Options above.