WRAXALL AND FAILAND PARISH COUNCIL

Minutes of a discussion between Parish Councillors, which took place remotely on Zoom at 7.30pm on Sunday 18th October 2026.

Present: Councillors Parsons (Chairman), Malpas, Robinson, Sandeman and Sheppard

Parish Clerk: Monika Ward

1. To invite public speaking.

No members of the public had requested to speak.

2. To receive any apologies for absence.

Apologies had been received from Councillor Payne.

3. To review and agree additional comments for submission on planning appeal 6014506 in relation to planning application 25/P/2599/OUT, Land West of Flax Bourton Road, Failand.

Members unanimously agreed to submit the following response:

Wraxall and Failand Parish Council continues to **STRONGLY OBJECT** to the proposed development of up to 200 dwellings and associated facilities on land west of Flax Bourton Road, Failand (application reference 25/P/2599/OUT), and respectfully requests that the Inspector dismisses the appeal.

The Parish Council submitted a detailed objection to the original planning application, together with a subsequent addendum in March 2026. Copies of these representations are provided at Appendices 1 and 2 respectively. The Parish Council maintains its previous objections, insofar as they remain applicable under the current National Planning Policy Framework (NPPF), and requests that they are considered alongside this appeal representation.

This representation has been prepared in response to the Appellant's Statement of Case and the additional information submitted during the course of the planning application. It does not seek to repeat the Parish Council's original objection in full, but instead focuses on the principal matters that remain in dispute, having regard to the revised National Planning Policy Framework (NPPF) and the latest available technical and consultation evidence.

Development Plan and Spatial Strategy

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Development Plan therefore remains the starting point for assessing the principle of the proposed development.

The appeal site lies outside the defined settlement boundary of Failand, within the designated Green Belt, and is not allocated for residential development. The proposal therefore conflicts with the adopted spatial strategy, including Core Strategy Policies CS14 and CS33, which seek to direct development towards appropriate settlements and restrict residential development in the countryside.

The Wraxall and Failand Neighbourhood Plan is also relevant to the assessment of the proposal, particularly its provisions concerning the character of the Parish, the protection of its rural environment and the suitability of new development. The Parish Council's original objection identifies the relevant policy conflicts, which remain material to the determination of this appeal.

It is acknowledged that North Somerset cannot currently demonstrate a five-year housing land supply and that the revised NPPF provides support for housing development in certain circumstances, including on Grey Belt land. These considerations affect the weight to be attached to conflict with the adopted spatial strategy. However, they do not remove the requirement for the proposal to satisfy the relevant national policies governing development within the Green Belt.

Accordingly, whilst the housing land supply position is a significant material consideration, the proposal remains in conflict with the adopted spatial strategy. Whether that conflict can be outweighed depends, in particular, on the application of the relevant Green Belt policies and the overall planning balance.

Green Belt – NPPF Policies GB6, GB7 and TR3

The appeal site lies within the designated Bath and Bristol Green Belt. Policy GB6 establishes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight must be given to any harm to the Green Belt, including harm arising from inappropriate development and any other harm to its openness. Very special circumstances will not exist unless the potential harm to the Green Belt, together with any other harm resulting from the proposal, is clearly outweighed by other considerations.

Policy GB7 identifies forms of development which may be regarded as not inappropriate in the Green Belt, including development on Grey Belt land where the specified requirements are satisfied. The Appellant relies principally on Policy GB7(1)(g), arguing that the proposal falls within this exception. However, the requirements of that policy are cumulative and failure to satisfy any one of them would mean that the proposal continues to represent inappropriate development in the Green Belt under Policy GB6, thereby requiring very special circumstances to justify planning permission.

The adopted Development Plan also contains policies restricting development within the Green Belt, notably Core Strategy Policy CS6 and Development Management Policy DM12. However, these policies predate the introduction of the Grey Belt provisions and do not fully reflect the current national policy framework. Accordingly, whilst they remain relevant, the assessment of whether the proposal constitutes inappropriate development is principally informed by Policies GB6 and GB7 of the NPPF.

The revised NPPF retains the underlying approach to Grey Belt development established by the previous Framework, including the requirement for development to be located in a sustainable location. The Appellant considers that the proposal satisfies all four requirements of Policy GB7(1)(g). However, whilst the Parish Council does not seek to dispute that the site may constitute Grey Belt or that there is an evidenced unmet housing need, it maintains its fundamental objection that the proposal fails to satisfy the sustainable-location requirement under limb (iii), having particular regard to Policy TR3.

Sustainable Location – Policy GB7(1)(g)(iii) and TR3

Policy GB7(1)(g)(iii) requires development to be located in a sustainable location, having particular regard to Policy TR3. The latter recognises that opportunities to promote sustainable transport will vary between urban and rural areas and that locations may be made sustainable through planned improvements. Nevertheless, the fundamental requirement remains to limit the need to travel, particularly by private car, and provide a genuine choice of transport modes.

The Appellant argues that Failand represents a sustainable location for the proposed development, relying on its proximity to Bristol, existing bus services and local facilities, together with proposed improvements to pedestrian and cycle connections, relocated bus stops and a mobility hub. It also places weight on the proposed flexible retail/café/community unit, which it suggests could accommodate a convenience-led shop and improve the overall sustainability of the village.

However, Failand is a small rural settlement with a limited range of services and facilities. It lacks a primary school, healthcare facilities and a comprehensive range of everyday shopping, employment and other services. Consequently, residents must travel to larger settlements to meet many of their day-to-day needs. The introduction of up to 200 additional dwellings would substantially increase the population of the village without inherently changing these underlying characteristics.

Whilst the proposed transport improvements and mobility hub may provide some benefits, they do not overcome the underlying limitations of the location. In particular, the existence of a bus service and potential cycle connections does not, in itself, demonstrate that these would provide realistic and attractive alternatives to private car travel for the range of journeys generated by a development of this scale. Similarly, the proposed commercial unit is flexible in its intended use and does not guarantee the provision of a convenience shop. Even if such a facility were delivered, it would not address the absence of education, healthcare and other essential services within Failand.

The concerns regarding the sustainability of the location are strongly supported by the Highway Authority's latest published consultation response, dated 7 July 2026, which maintains its recommendation of refusal under Policies DM25 (Pedestrian and Cycle Access) and DM27 (Bus Accessibility Criteria). Significantly, notwithstanding the additional transport evidence and proposed mitigation submitted by the Appellant, the Highway Authority expressly concludes that the site is not in an appropriate location in terms of sustainable transport opportunities and that the development would be heavily reliant on private vehicles for everyday journeys.

This position is reinforced by Active Travel England's formal objection dated 15 July 2026. Active Travel England identifies the limited accessibility of education, employment, healthcare and retail destinations, together with deficiencies in the available walking and cycling connections. It considers that the development would generate substantial reliance on private car travel, notwithstanding the sustainable transport measures proposed by the Appellant.

The Parish Council strongly endorses the concerns raised by the Highway Authority and Active Travel England. Their continued objections are particularly significant in the application of Policy GB7(1)(g)(iii), as they relate directly to the accessibility and

sustainability of the location, rather than simply matters of detailed highway design or junction capacity. Notwithstanding the proposed mitigation, both consultees maintain substantive objections which directly challenge the Appellant's assertion that the site is, or can be made, sustainable for development of this scale. The detailed transport evidence is considered further in Section 3.

Accordingly, the proposed development has not been demonstrated to satisfy the sustainable-location requirement of Policy GB7(1)(g)(iii), having particular regard to Policy TR3. As the requirements of Policy GB7(1)(g) are cumulative, the proposal cannot benefit from the Grey Belt exception and must therefore be regarded as inappropriate development in the Green Belt under Policy GB6. Substantial weight must be afforded to that harm, and very special circumstances would be required to justify planning permission.

Furthermore, if the development is found to be inappropriate under Policy GB6, the substantial harm arising from its inappropriateness would be compounded by the significant loss of Green Belt openness. The site currently comprises predominantly open agricultural land, and the introduction of up to 200 dwellings, together with associated roads, parking areas and infrastructure, would result in a substantial and permanent change to its open character. Whilst the precise layout and scale of development are reserved matters, the proposed development would inevitably introduce a significant amount of built form onto land which is currently largely undeveloped. The proposed landscaping and open space would not negate this fundamental loss of openness. In accordance with Policy GB6, substantial weight must be given to the resulting Green Belt harm in the assessment of whether very special circumstances exist.

Policy S5(1)(j)

The Appellant has also referred to Policy S5(1)(j) of the NPPF in the context of the acknowledged unmet housing need. However, Policy S5(5) expressly provides that the provisions of Policy S5(1) do not apply to development within the Green Belt. Accordingly, Policy S5(1)(j) is not applicable to the appeal proposal and cannot provide an alternative basis for granting planning permission. The proposal must instead be assessed against the relevant Green Belt provisions of the NPPF, with the overall planning balance considered separately.

This represents a distinction from the approach under the previous NPPF, whereby the application of Green Belt policies was required to provide a strong reason for refusing development before the presumption in favour of sustainable development was disapplied. Under the revised NPPF, Policy S5(5) expressly excludes development within the Green Belt from the provisions of Policy S5(1), without requiring that additional assessment. Where development constitutes inappropriate development under Policy GB6, the relevant test is therefore whether very special circumstances exist, having regard to the harm to the Green Belt, any other harm and the benefits of the proposal.

Policy HO7 – Housing Need and Delivery

Policy HO7 of the NPPF requires substantial weight to be given to the benefits of delivering housing, particularly where there is an identified unmet need. The Parish Council acknowledges the contribution that up to 200 dwellings, including affordable housing, would make towards addressing housing needs within North Somerset and accepts that these benefits attract substantial weight in the determination of the appeal.

The Appellant's Design and Access Statement (6 May 2026) indicates that 40% of the proposed dwellings would be affordable housing. There are concerns that the inherently unsustainable location could present particular difficulties for households on lower incomes, people with disabilities or additional needs, and those without access to a private car. The absence of schools, healthcare and a comprehensive range of shops within Failand would necessitate regular journeys beyond the village, potentially imposing additional transport costs and practical difficulties on these households and increasing the risk of social isolation. These concerns reinforce the importance of ensuring that the proposed development is situated in a genuinely sustainable location, with realistic and accessible alternatives to private car travel.

Highways and Sustainable Transport

The Parish Council maintains its objection to the proposed development on highway and sustainable transport grounds, as detailed in its original representation and subsequent addendum. Whilst the Appellant has submitted further transport evidence and proposed additional mitigation measures, significant concerns remain regarding the accessibility of the site by sustainable modes of transport and the implications of introducing up to 200 dwellings in this location.

Of particular significance is the Highway Authority's consultation response dated 7 July 2026, which maintains its recommendation of refusal under Policies DM25 and DM27. Active Travel England has also maintained its objection to the development, raising substantial concerns regarding the accessibility of everyday destinations by walking, cycling and public transport. These are material objections from the relevant statutory consultees and reinforce the Parish Council's longstanding concerns regarding the suitability of the site for development of this scale.

It is acknowledged that the proposed pedestrian and cycle improvements, bus stop enhancements and mobility hub would provide some improvements to existing provision. However, the provision of additional transport infrastructure does not necessarily demonstrate that future residents would have realistic and attractive alternatives to private car travel. The effectiveness of these measures must be assessed in the context of the journeys that residents would need to undertake, particularly given the absence of key services and facilities within Failand.

Walking and Cycling Accessibility

The Parish Council's objection is not simply that walking and cycling connections require improvement, but that there are very limited opportunities to access the services and facilities needed for everyday life by these modes of transport. Failand has no primary school, healthcare facilities or meaningful range of employment and shopping opportunities within reasonable walking distance. Consequently, residents must travel beyond the village to meet many of their everyday needs. The proposed pedestrian improvements cannot overcome the fundamental problem that there are few destinations within practical walking distance of the development.

The assertion at paragraph 3.43 of the Appellant's Transport Statement of Case that the site is located within a range of facilities accessible by active travel modes is strongly disputed. The facilities identified at paragraph 3.30 comprise principally the Failand Inn, Honey &

Ginger Café and Village Hall. Whilst these provide some local amenities, they cannot reasonably be regarded as providing the range of services required to meet either the existing residents' everyday needs, let alone those required by a further 200 dwellings. The Appellant's assessment places considerable emphasis on the proximity of these facilities without adequately addressing the absence of schools, healthcare, comprehensive shopping and employment opportunities, which would necessitate regular journeys beyond Failand.

Furthermore, at paragraph 4.14 of the Transport Statement of Case, the Appellant itself acknowledges that walking and wheeling are unlikely to form the primary modes of travel for journeys beyond Failand. This is a significant concession given the limited range of services and facilities within the village. The Appellant seeks to address this through the proposed flexible retail/café/community unit, but there is no guarantee that this would operate as a convenience shop. Even if such a facility were provided, it would not overcome the absence of schools, healthcare, employment and other essential services. The proposed development would therefore remain dependent on journeys beyond the village for many everyday needs.

Cycling presents equally significant difficulties. Whilst the Appellant identifies a wider range of destinations as being within cycling distance, geographical proximity does not necessarily equate to practical accessibility. The roads connecting Failand with surrounding settlements are characterised by a combination of heavy traffic, narrow carriageways, steep gradients and limited dedicated cycling infrastructure. Clevedon Road (B3128) is a busy road carrying substantial traffic and provides an unattractive environment for less confident cyclists. To the south, Belmont Hill towards Flax Bourton is steep, with bends and limited provision for cyclists, particularly presenting difficulties on the return uphill journey. Other routes, including Oxhouse Lane and the surrounding rural lanes, are generally narrow, unlit and shared with motor vehicles, with limited opportunities for safe separation. Whilst these routes may be used by recreational cyclists, their characteristics make them unsuitable as realistic everyday transport routes for anyone other than the fittest and most experienced cyclists. They cannot reasonably be expected to provide an attractive alternative to car travel for the broad range of residents who would occupy a development of up to 200 dwellings, including families with children, older people and those with limited cycling experience.

These concerns are reinforced by Active Travel England's objection dated 15 July 2026, which identifies significant deficiencies in the Appellant's supporting evidence. In particular, Active Travel England notes that the submitted Route Audit does not assess routes to destinations beyond walking distance, notwithstanding the reliance placed on cycling to access services and facilities outside Failand. It also identifies that the suitability of connections to the National Cycle Network has not been adequately assessed and that many of the routes would be inappropriate for cycling when considered against LTN 1/20. Active Travel England further questions the evidence regarding likely active travel and public transport trip generation, distribution and assignment. Although its objection refers to the previous NPPF, the underlying principles concerning accessibility and sustainable transport remain reflected in the revised NPPF, particularly Policy TR3.

The Appellant's Transport Statement of Case does not satisfactorily resolve these concerns. At paragraphs 3.35–3.40, Rappor relies on the proximity of National Cycle Routes 33 and 334 and a potential improved connection through Ashton Hill Plantation. However, these routes are not immediately accessible from the development, being identified by the Appellant as lying within approximately 2km of the site. Accessing them would therefore

require residents first to negotiate the intervening rural road network, with the limitations identified above. The proximity of the National Cycle Network cannot be treated as equivalent to the site having direct access to a safe and convenient cycle route. Furthermore, Rappor acknowledges that the existing public right of way through Ashton Hill Plantation is not a formal cycle route and relies on a feasibility study undertaken in 2021 to demonstrate the potential for improvements. The Appellant offers a financial contribution towards these works, with further details to be provided through its Proof of Evidence. This falls short of demonstrating that a suitable, safe and deliverable cycling connection would be available to future residents. Moreover, improvements to one connection with the National Cycle Network would not necessarily overcome the wider limitations of the surrounding rural road network or provide suitable cycling routes to the full range of everyday destinations.

The Appellant also relies, at paragraphs 4.19–4.21 of its Transport Statement of Case, on Active Travel England's Rural Design Guide, particularly its support for reducing vehicle speeds within settlements and improving public rights of way. Whilst such measures may provide local benefits, the guidance seeks to promote safe, accessible and attractive active travel routes, including connections to everyday destinations. Improvements to crossings and recreational routes within or around Failand do not, in themselves, demonstrate that residents would have realistic opportunities to access schools, healthcare, employment and other essential services by walking or cycling. Indeed, Active Travel England's formal objection identifies precisely these deficiencies in the proposed active travel network. The Appellant's reliance on the Rural Design Guide therefore does not overcome the substantive concerns regarding the accessibility of the site.

The limitations of the location are particularly evident in relation to education. At paragraph 3.43 of the Appellant's Transport Statement of Case, Rappor acknowledges that the required walking connections to local schools cannot be achieved within the relevant statutory distances. The Appellant instead relies on a financial contribution towards home-to-school transport. However, the Highway Authority's technical response confirms that the requested £1.53 million contribution is calculated to cover anticipated primary, secondary and special educational needs transport costs for a period of just ten years. It expressly identifies that, notwithstanding this contribution, the development would create a significant long-term financial liability for the Council, potentially continuing indefinitely given the absence of any planned schools within safe walking distance.

The need to transport eligible children to schools outside Failand would continue long after the proposed financial contribution had been exhausted, potentially placing an ongoing burden on public resources. Whilst such a contribution may mitigate the immediate financial implications of providing school transport, it does not overcome the underlying absence of accessible educational facilities or provide safe walking and cycling routes to schools. A finite financial contribution cannot, in itself, demonstrate that the development would satisfy the sustainable-location requirements of Policy TR3.

Overall, the Parish Council considers that the Appellant's evidence places too much emphasis on the theoretical availability of walking and cycling routes and the potential for future improvements, rather than their practicality for everyday use. The existence of a route, or its suitability for relatively fit and experienced recreational cyclists, does not establish that it provides a realistic means of transport for ordinary daily journeys.
The concerns raised by Active Travel England remain substantive and have not been adequately addressed. Given the distances involved, the nature of the surrounding road network and the limited range of facilities within Failand, the proposed development has not

been demonstrated to provide genuinely convenient, safe and attractive opportunities for walking and cycling as alternatives to private car travel.

Public Transport Accessibility

Failand is served by the X6 bus service, which provides connections between Bristol and Clevedon. The Appellant proposes new bus stops, improved pedestrian connections and a financial contribution of £350,000 towards increasing the daytime service frequency from 30 to 20 minutes. Whilst these measures would improve existing provision, the availability of a bus service does not, in itself, establish that the site represents a sustainable location for development of this scale. The relevant consideration is whether public transport would provide a realistic and attractive alternative to private car travel for the range of everyday journeys generated by up to 200 dwellings.

The Highway Authority's consultation response dated 7 July 2026 maintains its objection under Policy DM27, although it indicates that this could be overcome through suitable bus stop infrastructure, crossing improvements and financial contributions. However, compliance with the specific requirements of DM27 would not necessarily demonstrate compliance with the wider sustainable transport objectives of Policy TR3. The X6 provides connections along a particular corridor, whereas residents would need to access a wider range of destinations, including schools, healthcare, employment and shopping facilities. Furthermore, the proposed financial contribution does not, in itself, establish that the enhanced service frequency would be maintained throughout the lifetime of the development.

In particular, the X6 is principally a Bristol–Clevedon service and does not provide a direct connection to Nailsea, which is the nearest town to Failand offering a comprehensive range of shopping, healthcare and other everyday services. Residents wishing to access these facilities in Nailsea would therefore remain dependent on private vehicles or indirect public transport journeys involving interchange. Whilst increasing the frequency of the X6 service from every 30 minutes to every 20 minutes would improve connections along the Bristol–Clevedon corridor, it would not improve direct accessibility to Nailsea, where many of the services required by future residents are located. The Parish Council therefore considers that the proposed improvements would do little to reduce reliance on private vehicles for journeys to the nearest town and its essential facilities.

The Appellant also relies on the Department for Transport Connectivity Tool, arguing that the site compares favourably with other rural settlements. However, the Transport Statement of Case (paragraphs 3.12–3.27) acknowledges that proximity to the existing X6 service is the largest contributor to the site's connectivity score. A relatively favourable ranking against other rural locations does not demonstrate that the development would provide convenient and practical alternatives to private car travel for everyday journeys. Policy TR3 requires the Connectivity Tool to be considered alongside other quantitative and qualitative evidence. In this case, the limited range of local facilities, deficiencies in walking and cycling connections and the Highway Authority's continued concerns regarding car dependency demonstrate the limitations of relying on the connectivity score alone.

Highway Safety and Capacity

In addition to the concerns regarding sustainable transport, the proposed development would generate a substantial increase in traffic on the surrounding highway network. Flax

Bourton Road is a relatively narrow rural road, with sections affected by on-street parking and limited opportunities for vehicles to pass comfortably. The introduction of up to 200 dwellings would significantly increase traffic movements along this route and through its junction with Clevedon Road, raising concerns regarding highway safety and the suitability of the existing infrastructure to accommodate development of this scale.

The Parish Council also requests that the Inspector considers viewing the Flax Bourton Road/Clevedon Road junction during a weekday morning or evening peak period as part of any site visit. The existing difficulties experienced by drivers negotiating this junction, including the interaction of turning movements and through traffic, are relevant to understanding its operation in practice. Such an observation would complement, rather than replace, the traffic modelling and highway safety evidence before the inquiry.

The Appellant's Transport Statement of Case acknowledges that further assessment and mitigation are required at several junctions, including locations where traffic modelling indicates that capacity would be exceeded under future scenarios. Whilst the Appellant maintains that the additional impacts would not necessarily be severe, further technical work and potential financial contributions are being considered to address outstanding concerns. The adequacy and deliverability of any proposed mitigation must therefore be established before the highway impacts can be regarded as satisfactorily addressed.

The Highway Authority has also identified outstanding matters concerning the detailed design of the proposed access arrangements and associated pedestrian and cycle infrastructure, including the need for further Road Safety Audit work. These matters are particularly important given the nature of the surrounding roads and the additional traffic generated by the development. The Parish Council maintains its concerns regarding highway safety and considers that the outstanding technical issues must be satisfactorily resolved before the Inspector can conclude that the development would provide safe and suitable access for all users.

Landscape Character and Visual Impact

The proposed development would result in the permanent loss of a substantial area of open agricultural land forming part of the rural setting of Failand. Whilst the site is influenced by the adjoining settlement and surrounding roads, it nevertheless provides a clear transition between the existing built-up area and the wider countryside. The introduction of up to 200 dwellings would fundamentally alter this relationship and substantially extend the developed form of the village beyond its existing western edge.

Following the submission of the planning application in December 2025, and after the Parish Council had submitted its original objections, the Appellant submitted a revised Landscape and Visual Appraisal (EDP, May 2026). This updated assessment acknowledges that the development would result in adverse landscape and visual effects. At paragraph 7.6, it identifies moderate to major/moderate adverse effects on the character of the site at Year 1, with adverse effects remaining at Year 15. Paragraphs 7.8–7.9 also identify substantial adverse visual effects for residents along Flax Bourton Road and users of nearby public rights of way, some of which would persist notwithstanding the proposed landscaping.
Whilst the proposed landscape strategy would provide additional planting, public open space and other environmental benefits, these measures would principally soften and screen the development rather than prevent the permanent change in the character and appearance of the site. The identified adverse effects must therefore be afforded appropriate weight in the

overall planning balance, having regard to Core Strategy Policy CS5 and Development Management Policy DM10.

Inadequate Infrastructure Provision

Whilst the Appellant's Statement of Case does not specifically address the adequacy of existing infrastructure or the implications of the proposed development for local utilities and drainage networks, these matters remain a significant concern to the Parish Council. The Parish Council considers that the ability of existing infrastructure to accommodate up to 200 additional dwellings, and the nature, extent and deliverability of any necessary improvements, are very important considerations in determining the acceptability of the proposal. Given the significance of these concerns, the relevant section of its original objection below has been reproduced to ensure that these matters remain clearly before the Inspector and are given appropriate consideration in the determination of the appeal.

The proposed development would place substantial additional demands on infrastructure that already serves the village of Failand. However, the application does not provide sufficient evidence to demonstrate that the necessary upgrades to key infrastructure, including utilities and drainage networks, can be delivered in a timely, coordinated and enforceable manner to support a development of this scale. This raises significant concerns regarding compliance with Core Strategy Policy CS34 (Infrastructure Delivery and Development Contributions), which requires that development is supported by adequate infrastructure and that the necessary improvements are secured to ensure that new development does not place unacceptable pressure on existing services and facilities.

Failand already experiences infrastructure limitations, including utilities capacity and sustainable transport provision. The application fails to demonstrate how essential infrastructure would be upgraded in a timely and enforceable manner to support a development of this scale.

Electricity: The west side of Failand is supplied by 11kV overhead power lines that fault several times a year. A reliable supply for an additional 200 homes will require a significant increase in capacity. As the new homes are reliant on Heat Pumps for heating (there is no gas in Failand). It is unclear from the proposals how this additional capacity will be delivered.

Waste Water: The current sewer network for the West of Failand runs into the field proposed for development and passes into the Belmont Estate, close to Belmont Coombe Cottage. The sewer then runs directly down the centre of Belmont Coombe, connection to the main sewer that runs along Bristol Road to the south of the Belmont Estate.

The current sewer network is at capacity and has recently required remedial work. It will take significant work within the Registered Park & Garden of the Belmont estate (part of the Tyntesfield Plantation) to increase the capacity required for an additional 200 homes.

The Parish Council requests that detailed proposals are developed for the provision of power and sewage to the site before planning is granted, as these projects could have significant impact on the surrounding environment.

Without prejudice to its objection to the principle of development, the Parish Council requests that, should the Inspector be minded to grant planning permission, appropriate conditions are imposed to ensure that satisfactory foul drainage arrangements are secured

and implemented before occupation. In particular, the Parish Council draws attention to the following standard condition used by North Somerset Council:

DFOU02 – Drainage (foul) – full details required

"The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details that have first been submitted to and approved in writing by the local planning authority."

Reason: To ensure that the development is served by a satisfactory system of foul drainage and to prevent pollution of the water environment, and in accordance with Policy CS3 of the North Somerset Core Strategy and Policy DM1 of the North Somerset Sites and Policies Plan (Part 1 – Development Management Policies).

The Parish Council considers that this condition, or an appropriately amended version, should be imposed in the event that planning permission is granted. However, given the concerns regarding the capacity of the existing sewerage network, the Parish Council requests that any condition also adequately addresses the need for, and delivery of, any necessary off-site infrastructure improvements before occupation of the development.

Outstanding Technical Evidence and Mitigation

Notwithstanding the considerable period during which the application was under consideration, the Appellant has proceeded with an appeal against non-determination whilst significant matters relating to highway safety, capacity and mitigation remain unresolved. At paragraphs 5.38–5.40 of its Statement of Case, the Appellant acknowledges that further assessment and mitigation are required in respect of junctions on the surrounding highway network, with additional evidence to be presented through its transport Proof of Evidence.

Whilst technical matters may appropriately be clarified during an appeal, there is an important distinction between clarification and the submission of substantive evidence necessary to demonstrate the acceptability of a development. The outstanding highway matters are not simply minor design details, and their resolution should not be assumed or deferred without appropriate scrutiny. Furthermore, the submission of substantial additional evidence at a later stage may limit the opportunity for interested parties, including the Parish Council, to properly assess and respond to that evidence.

The Inspector is therefore requested to have particular regard to the outstanding nature of these matters and to ensure that any further substantive evidence is subject to appropriate scrutiny, with a reasonable opportunity for interested parties to respond. Unless the outstanding concerns are satisfactorily addressed and any necessary mitigation is appropriately secured, it is our view that the acceptability of the development in highway terms has not been demonstrated.

Overall Planning Balance and Conclusion

The Parish Council acknowledges the significant need for additional housing within North Somerset and the contribution that the proposed development of up to 200 dwellings, including affordable housing, would make towards meeting that need. In accordance with Policy HO7 of the NPPF, substantial weight must be afforded to the benefits of housing

delivery, particularly where an identified unmet need exists. The potential benefits associated with additional public open space, biodiversity enhancements and improvements to local infrastructure are also recognised.

However, these benefits must be considered alongside the substantial concerns regarding the location of the development and its wider impacts. Failand is a small rural settlement with limited services and facilities, and the proposed development would result in a significant increase in its size and population. The evidence demonstrates that residents would remain heavily reliant on private vehicles for many everyday journeys, notwithstanding the proposed transport improvements. These concerns are reinforced by the maintained objections of the Highway Authority and Active Travel England.

For the reasons set out in this representation, the Parish Council considers that the proposal fails to satisfy the sustainable-location requirement of Policy GB7(1)(g)(iii), having particular regard to Policy TR3. As the requirements of Policy GB7(1)(g) are cumulative, the development cannot benefit from the Grey Belt exception and must therefore be regarded as inappropriate development in the Green Belt under Policy GB6. Substantial weight must therefore be given to the resulting Green Belt harm.

In these circumstances, planning permission should not be granted unless very special circumstances are demonstrated. Whilst the housing benefits attract substantial weight, they do not justify the introduction of up to 200 dwellings in a location fundamentally unsuited to accommodating development of this scale. Even setting aside the substantial harm arising from inappropriate development in the Green Belt, the site remains in an inherently unsustainable location, where residents would be heavily dependent on private vehicles to access schools, healthcare, employment, shopping and other essential services. The proposed transport improvements and financial contributions cannot overcome the fundamental absence of these facilities within Failand or the limitations of the surrounding transport network.

These are not minor deficiencies capable of being resolved through mitigation, but inherent constraints arising from the location itself. In applying Policy GB6, substantial weight must be given to the harm arising from inappropriate development in the Green Belt and the significant loss of openness. When this harm is considered together with the other identified adverse impacts, including the inherently unsustainable location, landscape and visual harm and unresolved highway concerns, the Parish Council considers that the benefits of the proposal do not clearly outweigh the harm. Accordingly, the very special circumstances necessary to justify inappropriate development in the Green Belt have not been demonstrated.

Should the Inspector conclude that the requirements of Policy GB7(1)(g) are satisfied and that the proposal is not inappropriate development in the Green Belt, this would not, in itself, establish that planning permission should be granted. Policy S5(5) expressly provides that, in such circumstances, proposals should be approved unless the benefits would be substantially outweighed by adverse effects, assessed against the national decision-making policies in the NPPF and applying Policy S5(2). The latter identifies failure to comply with a national policy expressly requiring refusal as a circumstance in which adverse effects are likely to substantially outweigh the benefits. Policy TR6(4) is one such provision, requiring refusal where development would result in a severe adverse impact on the transport network or an unacceptable impact on highway safety, taking account of mitigation. Given the

outstanding highway assessments and unresolved mitigation, the Appellant has not yet demonstrated that these thresholds would be avoided.

Independently of this, the Parish Council maintains that the development fundamentally conflicts with Policy TR3, given its inherently unsustainable location, the absence of accessible services and facilities and the inevitable reliance on private vehicles. These adverse effects, together with the acknowledged landscape and visual harm, must be weighed against the substantial housing benefits.

The Parish Council considers that, even if the Grey Belt exception is satisfied, the benefits of granting planning permission would be substantially outweighed by the identified adverse effects, particularly those arising from the inherently unsustainable location, continued dependence on private vehicles, adverse landscape and visual impacts and unresolved highway concerns. Accordingly, planning permission should be refused under Policy S5(5).

The proposal also conflicts with the adopted spatial strategy for North Somerset, particularly Core Strategy Policies CS14 and CS33, which seek to direct development towards more sustainable locations. Whilst the weight afforded to these policies must reflect their consistency with the current NPPF and the acknowledged housing land supply position, the underlying concerns regarding the scale and location of development at Failand remain relevant to the determination of the appeal.

For these reasons, the Parish Council respectfully requests that the Inspector dismisses the appeal and refuses planning permission for the proposed development.

End of Minutes