



HOUSE OF COMMONS

LONDON SW1A 0AA

020 7219 4198

22 October, 2020

Dear Robert,

Land Adjacent to Brookfield Walk, Clevedon, BS21 6YG 20/P/0605/R3

As I indicated last week, I am now writing to set out in greater detail my objections to the planning decision of North Somerset Council to build on green belt land adjacent to Brookfield Walk in Clevedon in my constituency. This is the only piece of green belt that exists in Clevedon East ward.

Let me again reiterate that there is widespread support for a much needed extension to Baytree School which already provides an excellent service for some of the most needy and vulnerable children in North Somerset and which clearly requires additional space for expansion. This objection obviously relates to the specific site in question not the principle of expanding the school. The experience of the pandemic has caused many people to re-evaluate the importance of open spaces in our lives and the public land adjacent to Brookfield Walk, including its ancient orchard, has been a lifeline to many of my constituents, young and old.

Public spaces like this, which have long been prized by families for providing a safe play environment for children, by those who regularly walk their dogs in this area and by residents who value a green space around their homes, have taken on added importance in recent times including as a safe area in which to exercise. I had hoped that North Somerset Council would appreciate the value of such amenities to the local population, particularly in the sort of difficult period that we are currently experiencing. The events of recent months has made it even clearer what the loss of such an asset would mean to the potential health and welfare of those who live in the surrounding parts of Clevedon. Many of the councillors who were elected last year to North Somerset for the first time made the protection of the environment a key issue. Whether or not they are willing to protect such a valuable green space will be seen as a key test of the sincerity of their commitment.

The Green Belt is hugely important in safeguarding our countryside from encroachment, one of its five defined purposes. Once these beautiful and valued spaces are lost they will never be recovered so we should see ourselves as their stewards, protecting them for future generations.

The Rt Hon Robert Jenrick MP

We must also recognise that many of our other Green Belt areas in North Somerset, such as those in Long Ashton, Pill and Portishead, could come under greater threat by the setting of any precedent to this site in Clevedon.

As a Government we have attached great importance to Green Belts including the function of safeguarding the countryside from encroachment, one of the five defined purposes. In an era when we are, quite rightly, becoming more aware of environmental issues, the protection of the Green Belt has risen up the political agenda. It is not a case of "nimbyism" by local residents. If we lose these sites the whole community is impoverished. We should not regard these beautiful spaces as ours to give away but should see our duty as protecting them for future generations.

As you are, naturally, well aware, appropriate permissions and restrictions affecting Green Belt development are set out in paragraphs 143 to 147 of the National Planning Policy Framework.

Proposals affecting the Green Belt

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

144. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

145. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

(a) buildings for agriculture and forestry;

(b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

(c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

(d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

(e) limited infilling in villages;

(f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

(g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

· not have a greater impact on the openness of the Green Belt than the existing development; or

· not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

146. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

(a) mineral extraction;

(b) engineering operations;

(c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

(d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

(e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

(f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

147. When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

North Somerset Council considered a number of different potential sites for the potential expansion and set them out in detail. Two of the sites for the expanded facilities of Baytree school were in Green Belt while eleven of the proposed sites were not. North Somerset Council appear to argue that their ownership of the land, which would reduce the cost of the project, was a prime reason to build on Green Belt sites. I would maintain that this financial consideration is not one of the exceptions set out in National Planning Policy.

The expansion of Baytree school is a matter of urgency from an educational perspective but this proposal does not conform with National Planning guidelines and this specific option should be rejected. Over £1 million of council tax-payers money has already been spent on this consultation and it would be a pity to waste further time and resources.

There are a number of other issues where I believe North Somerset have behaved incorrectly. They maintain that this area of Green Belt land was always held for future development purposes. I believe there is no evidence to support this and, indeed, that there is considerable evidence to the contrary.

The land has continued to be categorised as public open space, in addition to the protection provided by its Green Belt status. The land continues to be enjoyed by the community as a public open space and is also required to remain as a public open space in order to meet the requirements of North Somerset Council's own stated policies, namely that an adequate amount of public open space should be available as close as possible to their own homes.

It is worth remembering the history of this land. When the housing estate was being designed in 1975, one of the requirements was to have an adequate play area between Kingston Avenue and the new estate. This requirement for this play area is detailed within the chief development control officers letter ref 1241/75.

In the original agreement between Fitch Lovell and Woodspring Council (the predecessor authority to North Somerset) for the Brookfield Walk housing development (dated 1975), the land at the rear of the development was clearly labelled as 'public open space'.

In section 3 of the same document there was a requirement to drain the storm and surface water via a pumping station as the water cannot drain by gravity (due to the development being level, and in places below, the water line of the blind Yeo river, this includes all ditches and soakaways).

In 1979 when the next two phases of Hither Green were being designed the chief development control officer wrote back to concerned residents of Kettering Grove and Brookfield Walk and confirmed the land to the rear of the properties will remain as a public open space and also confirmed "white land is land shown to remain in its present open use". This is detailed within the chief development control officers letter ref 3177/79.

In Plan 1 (attached to the land transfer deeds from 1979/80), it stated that the land is an amenity area. Also in the deeds was a requirement for the triple row of trees to be planted, maintained and replaced when necessary. These 40 plus year old trees, which are a major feature of the public space would be removed under the plans for the school development. I think this would contradict the requirements of the 1976 approval of the housing development under visual rights. It would also contradict the 1979 approval of Hither Green under visual rights.

There are also considerable doubts about North Somerset's claim to own the land. Deeds in 1980 showing the land transfer to Woodspring measure the area as 2.074Ha. In 1984 part of the land to the rear of Brookfield Walk and Kettering Grove was transferred to Clevedon Town council (this is now known as Millennium Orchard). The transfer of the Orchard reduced the size of the fields by 292Ha, leaving the remaining area belonging to Woodspring at 1.782Ha. This measurement also takes into account the hedgerows and trees, so in reality the available open space is even less than this. NSC maintained that they require a minimum of 2Ha of land for this development. Clearly, the land they appear to actually own is below this.

In the mid 1990's a number of applications for development of this land were turned down, including from Clevedon Rugby Club. Just as with the current application there was considerable concern about highways issues, including pedestrian safety and fears about additional traffic coming in and out of a single point road.

In 1994 the chief planning officer wrote within his letter reference 1774/89 'the planning Department has undertaken a survey of public open spaces in Clevedon and considers there to be a shortage of public open spaces, the land edged in red (*referring to Brookfield Walk fields*) is a prime public open space and the land is capable of sports use'. He denied that proposed application.

I think there is strong historical evidence that Woodspring Council held the land as a community public open space and recognised the green belt. There is no evidence to suggest that the land was ever held for future development and the current Council has been either unwilling, or unable, to answer legitimate questions from local residents on this issue.

The Office Copy Entry at the Land Registry (last updated in 2005) refer to the reserved right from the conveyance deeds from 1981. The detailed land map with these deeds states that the land is an amenity area.

In later years NSC published "North Somerset Replacement Local Plan Written Statement" (page 267). In this NSC lists land which is safeguarded. On the schedule to policy "CF/4-safeguarded sites", site POP2 grid reference 419712, Clevedon, Brookfield Walk is listed as "open space incorporating children play space for the north to north east of Clevedon".

The "Development contributions supplementary planning document" NSC January 2016 (page 61) details how the NSC calculates open space requirements based upon a single person. It works out as follows; 6m² of green neighbourhood public open amenity space for every person. There are approximately 4300 people in the east ward of Clevedon so that's 25800m², which is 6.3ac or 2.3Ha. This area must be within 480m of every house (in a straight line) which is 0.29miles. In NSC Site Allocation Plan updated October 2016 (pg 8 s3.5) it actually states that an LGS site should be within 400m of a settlement. So, after completing the calculation of available open space within the east ward of Clevedon, the conclusion is that there is barely enough green public open amenity space now, let alone if these fields were to go.

In 2016 NSC also listed these fields as a local green space adding further protection to them to that of the green belt status. It is clear that there was a longstanding convention, dating from the origins of the development, that this was the case.

In 2018, coincidentally around the time NSC started to look at sites for school expansion, they removed the LGS status from the fields. This followed their own ground survey testing on what was then regarded as public space. All of this was done with little or no consultation with the public.

In summary, I believe this development does not fall within permitted development on Green Belt, not least because NSC themselves identified viable alternative sites, rejecting them only on cost grounds. The land is a public open space and has been since at least 1976 with NSC itself listing the land as a safeguarded site. NSC's own guidelines require

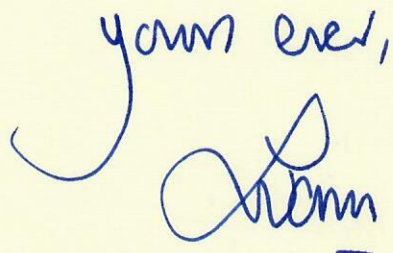
these fields to remain as a public open space to comply with their own Development contributions supplementary planning document which sets out the desired area per local resident.

Local public open spaces and playing fields which are used and are not surplus to requirements should be protected from development by the local authority (which is a requirement of the NPPF-2019).

In addition, it is felt by local residents that during the consultation North Somerset Council did not conduct a proper enquiry reflecting the views and opposition by the community to the proposed development. This is in line with the popularly held view that the outcome was pre-determined. For example, there were no relevant questions in relation to building on the Green Belt and a public open space leading to "skewed" results, despite the 1075 objections, with 650 messages of support. There have also been four Petitions generating thousands of messages in support of retaining the Green Belt. Residents fear they have all been totally ignored by the Council.

There is a Plan B as mentioned in the Executive Decision document CSC43 2019-20 Scheme. An Executive Member, Mark Canniford, pointed to the Churchill A venue site in Clevedon. This has had a planning application approved for a 210 place school going back to 1992 which was never built. It is within walking distance to amenities and it is not in Green Belt land.

I hope that all the above give adequate reasons why I believe the decision by North Somerset Council to develop this last part of our Green Belt in Clevedon should be rejected.

Yours ever,


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