



## **HIF Banwell Bypass and Highways Improvements Project**

# **Response to matters associated with Banwell Football Club**

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## Revision History

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# 1 Introduction

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## 1.1 Purpose

- 1.1.1 Consultation responses have been received by the Local Planning Authority (LPA) in relation to the planning application ref 22/P/1768/R3EIA associated with the North Somerset Council's proposals for the Banwell Bypass and Highway Improvements ("the Scheme").
- 1.1.2 This document seeks to respond to matters raised by and associated with Banwell Football Club. In particular, the following themes have been identified in responses to the LPA consultation:
- a) Like-for-like replacement and reprovision
  - b) How the Scheme includes provision for replacement playing fields and is supporting Association Football
  - c) Open Space Assessment and policy tests
- 1.1.3 The remainder of this document provides comments in response to the above matters in turn.
- 1.1.4 Where appropriate, North Somerset Council has provided separate responses to individual responses that involve representations about the Banwell Football Club and associated impacts. These typically involve matters specific to landowners, or comments on specific policy or procedural points raised by organisations such as Sport England. Where relevant, appropriate cross references in those separate responses are made to this document that deals with general matters associated with the planning application and Banwell Football Club.

## 2 Response to matters raised

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### 2.1 How the Scheme includes provision for replacement playing fields and is supporting Association Football

- 2.1.1 The Design and Access Statement at 1.2.10 details the planning permission which is sought for 'Environmental mitigation and enhancement measures in connection with the Banwell Bypass and the Southern Link', including "(d) replacement land to mitigate the impact of the scheme on Banwell Football Club".
- 2.1.2 Sections 1.5.20 to 1.5.23 of the Planning Statement confirms the proposals seek to replace the playing fields that would be unavoidably and directly impacted by the scheme. 3.1.17 to 3.1.19 then sets out the proposals for the replacement playing fields with appropriate cross reference to the Open Space Assessment in support of the application, and then 5.2.20 of the Planning Statement deals with the relevant guidance, policy tests and associated approach proposed to be taken to help ensure compliance.
- 2.1.3 The replacement playing fields and associated land required therefore forms part of the application proposals and is included within the red line boundary plans. Whilst separate to the planning application, that land will also fall within the Compulsory Purchase Order.
- 2.1.4 The replacement playing fields will help ensure the operation of the football club is not adversely impacted by the proposed development. How the reprovision would be like-for like and in accordance with relevant guidance and planning policy is addressed later in this document. Furthermore, measures during construction are addressed in the next section of this document dealing with the approach to reprovision.

- 2.1.5 Subject to land acquisition, it is intended that, consistent with the current leasing arrangement on the land to be acquired, the replacement land would also be leased to the football club (with North Somerset Council owning the freehold). Terms are yet to be agreed.
- 2.1.6 Improvements to ancillary facilities at the football club have been identified in the North Somerset Local Football Facility Plans and North Somerset Playing Pitch Strategy. It is outside of the scope of the proposed Scheme and any associated Compulsory Purchase Order to propose development involving those ancillary facilities. However, it should be noted that the proposed scheme would not compromise the ability of the club to deliver those improvements.

## 2.2 Like-for-like replacement and reprovision

### Quantity

- 2.2.1 As part of the original planning application, the Open Space Assessment set out that the area of land to be acquired by the Scheme from Banwell Football Club was 25,680 square metres. Development Management Policy DM68 which applies to the application requires that alternative provision must be made which, in terms of quantity, must be at least equivalent in terms of size. It was therefore intended that 25,708 square metres of replacement land would be provided (via 'Option 1, land east of Banwell Football Club', as described in the Open Space Assessment).
- 2.2.2 However, since the application was made it has been necessary (in response to consideration of ongoing engagement and consultation responses) to create an easement strip for the existing landowner along the southern boundary of the replacement land. This will avoid the remainder of the landowner's field being 'land locked'. A separate easement is also proposed to maintain environmental fencing in the future. Furthermore, engagement with Banwell Football Club has involved discussions around the land to be taken as part of the scheme and the requirement to ensure that the replacement provision is at least as useful in terms of playing pitch provision.

- 2.2.3 As the easements impact on the replacement land, it is proposed that additional land is acquired in order to ensure that the Banwell Football Club receives an area equivalent to what is being taken by the scheme (which is not impacted by the easements).
- 2.2.4 As such, an additional 2,464 square meters of replacement land is now proposed to be acquired along the eastern boundary of the replacement land, to accommodate the easements.
- 2.2.5 In addition, an easement area of 508 square metres is being deducted from the replacement land area, which represents a change to ensure access from the Eastermead Lane to adjacent agricultural land to the east.
- 2.2.6 For clarity, by virtue of this change, the area of replacement land for 'Option 1, land east of Banwell Football Club' as was initially set out in the Open Space Assessment, will now comprise 28,680 square metres as part of this application.
- 2.2.7 The scheme also now proposes the inclusion of an additional 4,884 square metres of land, south-west of Banwell Football Club, in order to accommodate an equivalent number of playing fields. This change is in response to further discussions with Banwell Football Club about the scope of their existing land (to be acquired by the scheme) to accommodate pitches. This change is considered be acceptable in order to ensure the replacement land is of the same or greater usefulness, as well as size. That aligns positively with Development Management Policy DM68.
- 2.2.8 For clarity, by virtue of these changes, the total area of replacement land is now 33,564 square metres. The planning application is being amended accordingly to reflect this.
- 2.2.9 The change is illustrated on updated red line boundary plans submitted as part of the application documents, provided alongside this document. It is proposed that the Compulsory Purchase Order will also reflect this change.

## Quality

- 2.2.10 In accordance with their own playing fields guidance, Sport England has stressed that “there should be ‘like-4-like’ replacement sport pitches” in their consultation response to the Local Planning Authority. North Somerset Council agrees with this assertion and intends to re-provide the land being taken in the same condition. This accords with Policy DM68 which requires that the replacement land should be at least equivalent in terms of usefulness, attractiveness and quality.
- 2.2.11 Banwell Football Club currently makes use of agricultural land. Part of this land is being acquired for the Scheme. This is land that is not drained although the grass is cut.
- 2.2.12 Whilst this land will be replaced as part of the proposals, any development and/or formalisation of Football Association quality pitches is outside the scope of the re-provision, as it would constitute a significant enhancement to the current situation (which is a matter for Banwell Football Club). However, it should be acknowledged that the re-provision / replacement land seeks a grant of planning permission for the use of the playing fields as part of the application.
- 2.2.13 The Open Space Assessment at section 6.1.5 states “as there is no parking provision on the land being acquired by the Scheme, no parking provision is considered necessary on any replacement land.” Whilst North Somerset Council is aware through ongoing engagement with the football club that informal parking takes place on part of the area of existing land around the edge of the pitches the proposals do not prevent this continuing on the replacement land but no formal permission for parking is being sought.
- 2.2.14 The replacement land will be just as accessible from the club house and facilities (in fact it may be more convenient).
- 2.2.15 This should therefore be considered as like for like replacement land in terms of Sports England requirements and acceptable alternative provision in terms of Policy DM68.



## Timing

- 2.2.16 As is considered in the Open Space Assessment in support of the application, the Sport England Playing Field Guidance (SEPFG) and the NPPF states that replacement land should be provided in advance of any loss (save in exceptional circumstances). This is also a requirement of Policy DM68 which requires replacement land to be available for use before the existing facility is lost.
- 2.2.17 Since the application was submitted, North Somerset Council understand the likely phasing and nature of construction in this area would mean that the football club would experience a loss of the land required before re-provision for a period of approximately 12 months. This is required in order to help ensure the replacement land is at least as good as the land being lost and involves works being undertaken to underground the overhead lines and clear existing buildings (dilapidated hay-barns). The costs would be covered by North Somerset Council as part of the Scheme.
- 2.2.18 Given the fact that there are clearance works to do on the replacement land, the proposals could fall into the 'exceptional circumstances' provisions of the SEPFG (and NPPF) and therefore be suitable for transitional arrangements. However, Policy DM68 requires the re-provision before the land is taken. In this regard North Somerset Council intend to work with Banwell Football Club to find a solution to help the club ensure it can continue to enjoy similar or better arrangements during construction and operation of the Scheme at no cost to the football club. There are alternative pitches nearby (of better quality) which have been used by Banwell Football Club before and which would provide suitable temporary arrangements until the permanent solution is delivered. The Council has recently been engaging with Banwell Football Club in relation to this and will continue to do so in order to agree details.
- 2.2.19 An appropriate planning condition can be applied to ensure that reasonable alternative temporary facilities are in place before any work which prevents Banwell Football Club's use of the land for football is carried out on the Banwell Football Club land required for the scheme.

## 2.3 Open Space Assessment and policy tests

- 2.3.1 Concerns have been expressed about the site selection process. The Open Space Assessment, which was submitted with the planning application, explains the approach.
- 2.3.2 Section 4.4 of the Open Space Assessment clarifies that based on information supplied by Banwell Football Club, and considering the policy test set out in Table 1 of the same document, a high-level appraisal was undertaken of seven different land parcels in the local vicinity. Those were arrived at taking into account the need to address the relevant policy tests set out in the Open Space Assessment, and meet the needs of the football club. Of those seven land parcels, four were discounted, and three were carried forward as shortlisted options for more detailed assessment against the open space policy criteria.
- 2.3.3 North Somerset Council can clarify that it considered three options as reasonable alternatives only, namely the three shortlisted options subject to the Open Space Assessment. For completeness, the Open Space Assessment provides the contextual background to option identification, considering a longer list by virtue of the options put forward by Banwell Football Club as part of discussions around land acquisition and replacement land, including receipt of their “This is who we are...” report.
- 2.3.4 As such, Section 2.2.1 of the Open Space Assessment explains that there is one preferred relocation site for replacement pitches (the proposed solution), two alternative potential sites (all three are assessed in detail in the Open Space Assessment) and four options not considered appropriate as set out in the “This is who we are...” report.

- 2.3.5 For clarity, the “This is who we are...” report details one preferred option (which ultimately the Open Space Assessment agrees is the preferred option for the purposes of replacement land) and four alternatives, which have been disregarded by North Somerset Council.
- 2.3.6 The reasons for the discounting the four Banwell Football Club suggested options that didn’t make the shortlist, which was subject to the Open Space Assessment, are detailed in the “This is who we are...” report. An extract of the appraisal table is provided in Figure 1. In summary, reasons spanned a range of size, land type, car parking, need for welfare facilities, freehold/leasehold and severance issues.
- 2.3.7 North Somerset Council has satisfied itself that the Banwell Football Club appraisal information was sufficient to inform its decision making in discounting those options in light of the Open Space Assessment. For example, it considered the key tests pertinent to quality, quantity, location and access of replacement land.
- 2.3.8 Further work by North Somerset Council following receipt and careful consideration of the “This is who we are...” report led to the identification of an additional two alternative options, which formed the shortlisted options alongside the preferred option in the Open Space Assessment. Those were identified through internal workshops held for the purpose of helping ensure all reasonable steps were taken to identify and consider possible and reasonable options including but not limited to those suggested by Banwell Football Club.

Figure 1 Extract from "This is who we are" report (produced by Banwell Football Club)

		Location in relation to bypass	Approx size of plot	Land Type	Car Parking	Need for additional Welfare	Freehold / Leasehold	Comments	RAG Status
Option 1	[REDACTED] Land north of Eastermead Lane	Inside bypass route	10 acres	Agricultural Freehold could be CPO by North Somerset	Access to extended parking close to Clubhouse achievable	Organic extension to existing Clubhouse and changing facilities	Land could be rented from North Somerset Council	Installation of one way system utilising Riverside for entry and Eastermead Lane for Exit	Optimal solution
Option 2	Agricultural Field 'deeper' into Somerset levels	Outside bypass route	15 acre field could be divided to provide 'lost' 10 acres	Agricultural Freehold could be CPO by North Somerset Council and then 'gifted' to BFC	New Access would be required from bypass	Yes - solution would be too far from clubhouse facilities	Land could be CPO by North Somerset and 'gifted' to Banwell FC or Parish Council	This option would fragment the club which we are keen to avoid.	Challenging option - would require infrastructure spend
Option 3	'Orchard' alongside Riverside	Inside bypass route	approx 10 acres	Agricultural Freehold could be CPO by North Somerset	Using existing access route from Riverside - would require extension of existing car park	Yes - facilities would be alongside / shared with existing four pitches on leased land	Land could be rented from North Somerset Council	We are uncertain of the current status of this land and trees	A natural consolidation of land and facilities
Option 4	Land off Catworthy Lane and Solar Farm	Outside bypass route	Approx 20 acre field could be divided to provide 'lost' 10 acres	Agricultural Freehold could be CPO by North Somerset Council and then 'gifted' to BFC	New Access would be required from Banwell - Sandford road. Existing road / access exists to houses & business units	Yes - solution would be too far from clubhouse facilities	Land could be CPO by North Somerset and 'gifted' to Banwell FC or Parish Council	Existing road could be utilised. This option would fragment the club which we are keen to avoid.	Most challenging option - would require infrastructure spend
Option 5	Old Pig Field Over Bow Bridge	Inside bypass route	approx 10 acres	Agricultural Freehold could be CPO by North Somerset	New Car Park off Moor Road required	Yes - solution would be too far from clubhouse facilities	Land could be CPO by North Somerset and 'gifted' to Banwell FC or Parish Council	Existing road could be utilised. This option would fragment the club which we are keen to avoid. Most dangerous option as no safe pedestrian footpath in place	Most challenging option - would require infrastructure spend

## 3 Conclusion

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- 3.1.1 The Open Space Assessment confirms that the proposed replacement land is the preferred option for Banwell Football Club as a result of collaborative optioneering, based on it being in a favourable location and meeting the necessary policy tests.
- 3.1.2 North Somerset Council has demonstrated that the quantum and quality of playing field reprovision will equate to that which will be lost and complies with policy.