

This document is the **Appellant's Statement of Case** (August 2026), prepared by Marrons on behalf of **Hill Residential Ltd.** (pp. 1, 4) It supports an appeal against the non-determination of an outline planning application by **North Somerset Council** (p. 4) regarding land west of Flax Bourton Road, Failand (LPA Reference: **25/P/2599/OUT**) (pp. 1, 4).



The Proposal

- **Development:** Phased construction of up to **200 dwellings** (p. 4).
- **Amenities:** Landscaping, open space, and a **flexible retail/café/community unit** (p. 4).
- **Affordable Housing:** A commitment to delivering **45% affordable housing** (up to 90 homes) (p. 42).



Reason for Appeal

The application was submitted in December 2025 (p. 4). The appellant is appealing on the grounds of **non-determination** (p. 13) because the Council failed to progress the application to a local decision or committee within the agreed or statutory timelines (pp. 12-13).



Key Arguments for the Appellant

- **Housing Shortfall:** The Council cannot demonstrate a five-year housing land supply (pp. 13, 23). Its supply is historically acknowledged at **2.79 years**, creating an acute, unmet need for housing (p. 23).
- **Policy Compliance:** The site sits within a sustainable location outside the formal settlement boundary (pp. 40, 45). While it technically sits in the countryside, national planning policies take precedence due to local policy inconsistency and housing shortages (p. 40).
- **Resolved Matters:** Issues concerning **flood risk** and **ecology** (including impacts on Special Areas of Conservation) have been resolved with no standing objections, subject to planning conditions (pp. 11, 32).
- **Ongoing Negotiations:** Technical responses are underway to resolve remaining queries regarding **highways modeling** and **economic contributions** (pp. 29, 33).



Proposed Procedure

The appellant requests that the appeal be heard via a **Public Inquiry** (pp. 13, 46). This format is justified due to the complex nature of the five-year housing land supply, highway infrastructure modeling, and the substantial local public interest surrounding the development (pp. 13, 46).
