



To: Members of the Local Development Panel  
(Councillors K H Turner (Chairman), S Y Goss (Vice Chairman),  
D Archer, B Heywood, B Maitland-Walker, J Parbrook, I Aldridge  
and T Venner)

Our Ref DS/KK

Your Ref

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Date 23 September 2016

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING  
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OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

**LOCAL DEVELOPMENT PANEL**

**Date: Monday 3 October 2016**

**Time: 2.30 pm**

**Venue: Council Chamber, Council Offices, Williton**

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Yours sincerely

A handwritten signature in black ink, appearing to read 'Bruce Lang'.

**BRUCE LANG**  
Proper Officer

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## LOCAL DEVELOPMENT PANEL

Meeting to be held on Monday 3 October 2016 at 2.30 pm

Council Chamber, Williton

### AGENDA

1. Apologies for Absence

2. Minutes

Minutes of the Local Development Panel held on 25 November 2015, to be approved and signed as a correct record – **SEE ATTACHED.**

3. Declarations of Interest

To receive and record any declarations of interest in respect of any matters included on the Agenda for consideration at this Meeting.

4. Public Participation

The Chairman to advise the Committee of any Agenda items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

5. Housing Land Availability Report

To consider the Report No. WSC 107/16, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **SEE ATTACHED.**

The purpose of the report is to inform the Panel of the Housing Land Availability Report, which contains information on the development and availability of land for housing within the West Somerset Planning Area. The report also contains information and statistics relating to the housing completions during the reporting period April 2015 to March 2016.

6. Adoption of the West Somerset Local Plan to 2032 (WSLP)

To consider the Report No. WSC 108/16, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **SEE ATTACHED.**

The Council is now in receipt of the Inspector's Report which confirms that the Plan can be legally adopted by West Somerset Council subject to the main modifications outlined in his Report (which were consulted upon). At this stage the Council cannot make substantive changes to the WSLP to 2032, it can either adopt the Plan with the main modifications or choose not to adopt.

7. West Somerset Local Plan to 2032: Additional Modifications consultation

To consider the Report No. WSC 109/16, to be presented by Councillor K Turner, Lead Member for Housing, Health and Wellbeing – **SEE ATTACHED.**

As a result of the Examination process of the Local Plan to 2032, from the Submission at the end of July 2015 to the resolution of Full Council to consult

on the Proposed Modifications in May of this year, there have been a number of amendments suggested to elements of the content of the local plan document. 19 Additional Modifications were consulted on and attracted a number of representations as covered in Section 4.4 of this report.

**COUNCILLORS ARE REMINDED TO CHECK THEIR POST TRAYS**

**LOCAL DEVELOPMENT PANEL****Minutes of the Meeting held on 25 November 2015  
at 2.30 pm****Present:**

Councillor K H Turner (Chairman)  
Councillor S Y Goss  
Councillor B Maitland-Walker  
Councillor R Thomas (substitute)

Councillor I Aldridge  
Councillor B Heywood  
Councillor J Parbrook  
Councillor T Venner

**Members in Attendance:**

Councillor M Chilcott  
Councillor G S Dowding  
Councillor K Mills  
Councillor A Trollope-Bellew

Councillor M Dewdney  
Councillor R Lillis  
Councillor C Morgan  
Councillor R Woods

**Officers in Attendance:**

Tim Burton, Assistant Director Planning and Environment  
Martin Wilsher, Principal Planning Officer (Policy)  
Toby Clempson, Principal Planning Officer (Policy)  
Nick Bryant, Planning Policy Manager  
Gill Littlewood, Planning Policy Officer  
Krystyna Kowalewska, Meeting Administrator

**LD14 Apologies for Absence**

An apology for absence was received from Councillor D Archer; Councillor R Thomas attended as his substitute.

**LD15 Minutes**

(Minutes of the Local Development Panel held on 28 July 2015 – circulated with the Agenda).

**RESOLVED** that, subject to moving Councillors D Archer and T Venner to those listed as 'Present' and indicating that Councillor A Trollope-Bellew attended the meeting as a substitute for Councillor K Turner, the Minutes of the Meeting of the Local Development Panel held on 28 July 2015 be confirmed as a correct record.

**LD16 Declarations of Interest**

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

<b>Name</b>	<b>Minute No</b>	<b>Description of Interest</b>	<b>Personal or Prejudicial</b>	<b>Action Taken</b>
Cllr I Aldridge	All Items	Williton	Personal	Spoke and voted
Cllr S Goss	All Items	Stogursey	Personal	Spoke and voted
Cllr K H Turner	All Items	Brompton Ralph	Personal	Spoke and voted
Cllr C Maitland-Walker	All Items	Carhampton	Personal	Spoke and voted
Cllr J Parbrook	All Items	Minehead	Personal	Spoke and voted
Cllr C Morgan	All Items	Stogursey	Personal	Spoke
Cllr A Trollope-Bellew	All Items	Crowcombe	Personal	Spoke

In addition, Councillor Trollope-Bellew declared an interest as a landowner in Crowcombe.

#### **LD17 Public Participation**

Agenda Item 6 – West Somerset Local Plan to 2032 Interim Release of Sites

Faye Barringer-Capp spoke on behalf of Carhampton Parish Council and raised concerns and observations relating to the site at land adjacent to Garlands, Withycombe Lane, Carhampton (CAR6). She requested that Members of the Panel reject this site as it was unsuitable for housing on the grounds that it would exacerbate the flooding problems in Carhampton, and highlighted various reasons as to why the access was unsuitable.

Phil Gannon spoke on behalf of Old Cleeve Parish Council in respect of two sites - land east of Washford Mill, Washford (WAS4); and land and south of A39 between Halscombe House and Blenheim House, Washford (WAS5). He informed the Panel that the parish council objected to the late inclusion of the sites as no prior consultation had taken place and gave reasons as to why the sites were unsuitable for housing development, which included flooding, no gas supply, Cleeve Abbey would be threatened, few employment prospects or tourism benefit. Mr Gannon also highlighted that there was an error in the wording of SHLAA ref. CHC1, contained within Appendix A of the report, and that the word 'not' should be deleted.

#### **LD18 West Somerset Authority Monitoring Report (AMR) 2012-2014**

(Report No. WSC 164/15, circulated with the Agenda.)

The purpose of the report was to inform the Panel of the new Authority Monitoring Report (AMR), which provides direct focus on the implementation of development plan policies in the emerging West Somerset Local Plan to 2032.

The Planning Policy Officer presented the report, summarising the key issues contained within. It was reported that the AMR would be updated annually and published on the West Somerset Council's website. One of the indicators being measured within the AMR related to new dwellings which was on the increase and site visits would be undertaken annually to obtain accurate figures. It was emphasised that the AMR contained indicators and data that provided a baseline to assess performance against, and it also supported the Local Plan at the examination stage.

Clarification was provided that the population figures related to the Local Planning Area and did not include statistics about the Exmoor National Park Authority area.

The recommendation was proposed and seconded.

**RESOLVED** that the report be noted and it be endorsed as a basis for monitoring the emerging Local Plan.

**LD19      West Somerset Local Plan to 2032 Interim Release of Sites**

(Report No. WSC 174/15, circulated with the Agenda.)

The purpose of the report was to identify the need for and, scope to, recognise an interim release of sites that would form part of the emerging Local Plan to 2032, including the Sustainability Appraisal of the sites considered.

The report was presented in detail by the Principal Planning Officer (Policy) – Martin Wilsher who advised on the concerns raised by the Planning Inspector. He informed on how the 9 sites were selected for their suitability for residential development, which were assessed by an independent panel using four criteria – availability, suitability, achievability and viability; and their decisions were contained in the recommendations of the report. He further advised that the Local Plan and any sites considered had to be subject to a Sustainability Appraisal, and this had been independently carried out and completed, with the exception of some issues relating to ecology and these would be presented to the Panel in due course. The Principal Planning Officer (Policy) responded to the questions and concerns raised by the public speakers, and provided assurance that the land put forward had been nominated by the landowner or in the knowledge that the landowner was happy for the land to be developed.

The Planning Policy Manager clarified that, if the Panel were minded to approve the recommendations of the report, it would still be for the Local Plan Inspector to determine if they were appropriate for inclusion and at this point, public consultation would be undertaken on all the sites put forward for consideration as part of the Examination process.

A lengthy debate ensued and various questions and issues were raised by Members. The main points of discussion focussed on:

- The method and timescales on how the sites were selected and nominated, and the composition of the independent panel.
- Concerns as to why some sites were not suitable for housing.
- Matters of concern pertaining to planning issues would be addressed at the appropriate time via the planning process.
- The Infrastructure Delivery Plan and the Community Infrastructure Levy.
- Photographic evidence would be useful to obtain a better understanding of the sites' locality.
- There appeared to be some discrepancy about one of the sites being available for development and it was confirmed that this matter would be investigated.

The officers advised that it was important to seek to address the issues raised by the Inspector and it was explained that the sites identified as potential allocations for consideration would be assessed robustly through the examination process. The Panel was informed of the proposed way forward in order to have a sound Local Plan document. During the examination process anyone expressing an interest could make representations on the appropriateness of the sites and there would be a more formal opportunity for the community to comment; and officers felt that this was an appropriate route for the Plan to move forward, and advised Members that everything would be subject to scrutiny.

Councillor S Goss proposed the recommendations which were duly seconded by Councillor B Heywood.

On being put to the vote the recommendations were LOST (votes were cast 5 against and 3 for). In order for the Local Plan to progress through the examination process, it was agreed to vote on the sites separately and to give consideration to further alternative/additional sites in Stogursey and/or Crowcombe. There was no further debate and it was

**RESOLVED (1)** that the (SHLAA) sites listed below be endorsed and that further consideration be given to identify sites in Stogursey and Crowcombe, and it be recommended to Full Council that they form part of the proposed amendments to the submitted West Somerset Local Plan to 2032, so that they can be forwarded to, and considered by the Inspector through the examination process. The sites comprise:

1. land at Minehead & Exmoor Caravan Park, Minehead (MIN4)
2. land at Liddimore Farm, Watchet (WAT9)
3. land south of Little Luke Farm, Shurton Lane, Stogursey (SGR3)

**RESOLVED (2)** that formal recognition of these sites by the Council would act as a tacit acceptance of the suitability of sites. Without such a recognition, the Council would be unable to argue that these are "deliverable" before such time as a subsequent Site Allocations Development Plan has been adopted.

**LD20 Consideration of Potential Amendments to the West Somerset Local Plan in response to matters raised by the Examination Inspector in Initial Correspondence**

(Report No. WSC 175/15, circulated with the Agenda.)

The purpose of the report was to consider the wording of potential changes to the Plan's policies for forwarding to the examining Inspector in respect of the compliance issues which he has identified.

The Planning Policy Manager presented the item and provided Members with the background information. Subject to approval, the provisional amendments to the Plan, as set out in the report, would be used to prepare the Council's submission for the Examination hearing in the new year. He then reported in detail on the proposed amendments to the Local Plan and emphasised that they were not formal changes to policy as some may be subject to public consultation.

Members then asked a series of questions relating to heritage asset issues and how these would affect the predicted number of dwellings on specific sites; the requirement for low-density housing on the Williton site; and whether the review of existing policies was necessary and budgeted for.

Councillor B Maitland-Walker proposed the recommendation of the report which was seconded by Councillor T Venner.

**RESOLVED** that it be recommended to Council to endorse the potential amendments to the submitted West Somerset Local Plan policies set out at Appendix 1 to the report, so that these may be forwarded to be considered by the Inspector through the examination process.

**LD21 West Somerset Local Plan to 2032 Update on the Implications of Recent Statistical Projections on the Objectively Assessed Housing Need**

(Report No. WSC 176/15, circulated with the Agenda.)

The purpose of the report was to inform the Panel of the findings of the recently commissioned studies dealing with future population and household projections and their implications for West Somerset and the emerging Local Plan to 2032.

The Principal Planning Officer (Policy), Martin Wilsher presented the report and provided detailed background information. He advised that the report addressed the issues raised by the Planning Inspector with regard to the Objectively Assessed Housing Need (OAN) which underpinned the housing requirement figure. He drew Members' attention to the conclusions of the review contained within the report, advising that the requirement to provide 2.900 new dwellings would not be revised as the long-term housing delivery had remained consistent over a long period.

During the debate the following main points were raised:

- The housing requirement for Hinkley Point construction workers and the impact on the local housing market.
- The development plan process would be under continual review and updated accordingly.
- Members congratulated the officers for their work in preparing the report.

Councillor J Parbrook proposed the recommendations which were duly seconded by Councillor B Maitland-Walker.

**RESOLVED (1)** that the content and conclusions of the report and the contents of the various studies referred to within it be noted.

**RESOLVED (2)** that it be confirmed to the Inspector examining the West Somerset Local Plan to 2032 that the Local Development Panel considers the evidence used in determining the Objectively Assessed Housing Need for the local planning authority area, and the housing requirement figure planned for within it, remains the same as that which was included in the Submission Draft.

The meeting closed at 5.10 pm.

Report Number: WSC 107/16

## West Somerset Council

### Local Development Panel – 3<sup>rd</sup> October 2016

#### WSC Housing Land Availability Report 2016

This matter is the responsibility of Cabinet Member Keith Turner, Housing, Health & Wellbeing Portfolio Holder

Report Author: Gill Littlewood, Planning Policy Officer

#### 1 Purpose of the Report

- 1.1 The purpose of this report is to inform the Panel of the Housing Land Availability Report, which contains information on the development and availability of land for housing within the West Somerset Planning Area. The report also contains information and statistics relating to the housing completions during the reporting period April 2015 to March 2016.

#### 2 Recommendations

- 2.1 Members are requested to note the attached report and endorse it as an integral part of the Council's on-going evidence base for identifying land supply and monitoring housing development and completions.

#### 3 Risk Assessment

##### Risk Matrix

Description	Likelihood	Impact	Overall
<b>Risk:</b> Risk of a Housing Land Availability Report not being published annually and completion figures not being submitted to DCLG when required.	Unlikely (2)	Minor (2)	Low (4)
<b>Mitigation:</b> The weekly planning lists produced by Development Management are regularly monitored to create a register/database of all permissions for new dwellings. The status of these are updated with information from Building Control, and annual site visits undertaken in March/April.	Rare (1)	Negligible (1)	Low (1)

## **4 Background and Full details of the Report**

- 4.1 The Housing Land Availability (HLA) Report details information relating to development and availability of land for housing within the West Somerset Planning Area. It identifies land supply, and provides a variety of statistics on housing completions for the latest monitoring period.
- 4.2 The West Somerset Draft Local Plan sets a housing target of 2,900 new dwellings between April 2012 and March 2032. Section 2 of the attached report compares this figure against progress to-date. At the end of March 2016, 405 dwellings had been completed (since April 2012), with 117 under construction, 321 with valid planning permission but not yet commenced, and a further 2,003 either awaiting the completion of a Section 106 agreement or having been allocated as a Strategic Site in the Local Plan. This leaves an uncommitted residue of just 54 dwellings.
- 4.3 During the last monitoring period (April 2015 – March 2016) 99 dwelling were completed; 78 of which were market housing and 21 affordable. Section 3 of the report breaks these total down by Parish. Section 9 gives further statistics relating to these completions figures – Greenfield/Brownfield; type of dwelling (house, bungalow, flats, new build, conversion, subdivision); and whether located on an allocated site or windfall.
- 4.4 The report will be published annually as part of the Council's on-going monitoring programme. DCLG also requires data on housing completions to be submitted annually, by mid-September following the monitoring period.

## **5 Links to Corporate Aims / Priorities**

- 5.1 This Report links to Key Theme 1: Our Communities. It provides a basis for assessing the availability and affordability of homes for local people to both buy and rent.

## **6 Finance / Resource Implications**

- 6.1 None identified.

## **7 Legal Implications (if any)**

- 7.1 None identified.

## **8 Environmental Impact Implications (if any)**

- 8.1 None identified.

## **9 Safeguarding and/or Community Safety Implications (if any)**

- 9.1 None identified.

## **10 Equality and Diversity Implications (if any)**

- 10.1 None identified.

## **11 Social Value Implications (if any)**

11.1 None identified.

**12 Partnership Implications (if any)**

12.1 None identified.

**13 Health and Wellbeing Implications (if any)**

13.1 None identified.

**14 Asset Management Implications (if any)**

14.1 None identified.

**15 Consultation Implications (if any)**

15.1 None identified.

**16 Scrutiny Comments / Recommendation(s) (if any)**

16.1 Not applicable.

**Democratic Path:**

Information report for noting by members of the Local Development Panel only.

**Reporting Frequency: Annually**

**List of Appendices (delete if not applicable)**

Appendix A	WSC Housing Land Availability Report. March 2016.
Appendix B	
Appendix C	

**Contact Officers**

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**West Somerset Council**  
**Housing Land Availability Report**  
**March 2016**



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## 1. Introduction

This document contains information on the development and availability of land for housing within the West Somerset Council Planning Area, and forms part of the Council's on-going evidence base, identifying land supply, development and completions by housing type across the Planning Area. Annual monitoring of the effectiveness of the Council's Plans will help to identify priorities as to where policies and objectives need strengthening, maintaining or changing in any future plan review.

The period between 1 April and 31 March has been used as a basis for monitoring, unless otherwise stated. Information has been gathered through a combination of desk based assessment, together with on-site investigation for certain matters such as 'Completions'. Comparative figures have also been included from previous monitoring periods in order to identify trends over a medium timeframe.

The following information has been gathered for monitoring purposes:

- Approvals
- Commitments
- Sites under construction
- Completions

Monitoring is undertaken on a yearly basis and assists in the provision of a consistent base line assessment of housing land within the whole of the West Somerset Planning Area. This monitoring report supersedes any information contained in previous monitoring reports.

If you require any further information, or have any queries, please contact:

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## 2. Housing Land Availability against Local Plan Housing Target

	Dwellings
A. Local Plan Housing Target (April 2012 – March 2032)	2,900
B. Completions (April 2012 to end March 2016)	405
C. Under construction	117
D. With planning permission (but not commenced)	321
E. Sites of 10 or more dwellings awaiting completion of Section 106 agreement	108
F. Local Plan Strategic Sites (without planning permission)	1,895
G. Uncommitted residue against Core Strategy Housing Target Proposed figure {A - (B+C+D+E+F)}	54
H. Average annual completion rate, April 2012 to end March 2016 {B ÷ 4}	101
I. Average annual completion rate required, April 2016 to end March 2032 to meet Core Strategy Housing Target {(A-B) ÷ 16}	156
J. Average annual completion rate required to meet Core Strategy Housing Target {A ÷ 20}	145 <sup>1</sup>

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<sup>1</sup> Following the Examination stage of the West Somerset Local Plan to 2032 and subsequent Modifications consultation, the delivery rate is now stepped with 122dpa for the period 2012/13 – 2017/18 and 155dpa for the period 2018/19 – 2031/32.

### 3. Housing Figures by Parish

#### Private Development

Code	Parish	Number of dwellings			
		Not Started	Under Construction	Completed in 2015/16	Completed Since April 2012
01	Bicknoller	4			2
02	Brompton Ralph				2
03	Brompton Regis				
04	Brushford		1	16	20
05	Carhampton	5	15		2
06	Clatworthy				3
07	Crowcombe		1	1	6
09	Dulverton	1		1	5
10	Dunster	32	14		
11	East Quantoxhead				
12	Elworthy	4	2		
16	Holford			2	1
17	Huish Champflower	3			
18	Kilve	1	1		
21	Minehead	85	31	36	144
24	Nettlecombe				1
26	Old Cleeve	4		1	8
28	Sampfod Brett	3	1		2
30	Skilgate				
31	Stogumber	3	1	2	10
32	Stogursey	37	1		5
36	Upton	4			
37	Watchet	57	11	17	56
38	West Quantoxhead			1	3
39	Williton	15	2	1	53
41	Withycombe		2		2
<b>Private Housing Total:</b>		<b>258</b>	<b>83</b>	<b>78</b>	<b>325</b>

## Affordable Development

Code	Parish	Number of dwellings			
		Not Started	Under Construction	Completed in 2015/16	Completed Since April 2012
01	Bicknoller				
02	Brompton Ralph				
03	Brompton Regis				
04	Brushford				
05	Carhampton	1	20		2
06	Clatworthy				
07	Crowcombe				5
09	Dulverton				
10	Dunster	11			
11	East Quantoxhead				
12	Elworthy				
16	Holford				
17	Huish Champflower				
18	Kilve				
21	Minehead	25	5	9	42
24	Nettlecombe				
26	Old Cleeve				
28	Sampford Brett				
30	Skilgate				
31	Stogumber				
32	Stogursey				2
36	Upton				
37	Watchet	24	8		2
38	West Quantoxhead				
39	Williton	2		12	27
41	Withycombe				
<b>Affordable Housing Total:</b>		<b>63</b>	<b>34</b>	<b>21</b>	<b>80</b>

## Total Summary

	Not Started	Under Construction	Completed in 2015/16	Completed Since April 2012
Private Housing Total:	258	83	78	325
Affordable Housing Total:	63	34	21	80
<b>Grand Total</b>	<b>321</b>	<b>117</b>	<b>99</b>	<b>405</b>

#### 4. Allocated Local Plan Sites (without planning permission)

##### Adopted Local Plan (2006)

	<b>Policy</b>	<b>No of dwellings</b>
Seaward Way, Minehead	H/1	50
Rear of North Street, Williton	H/1	10*
Note: 25 dwellings have been built on part of the original allocation site (ref: 3/39/03/038), the remaining undeveloped area has the potential capacity of 10.		
<b>TOTAL ALLOCATIONS</b>		<b>60</b>

##### Emerging Local Plan (2012-2032)

	<b>Policy</b>	<b>No of dwellings</b>
Land South Hopcott Road, Minehead/Alcombe	MD2	679*
Parsonage Farm, Watchet	WA2	290
Land West & North of Williton	WI2	406
Land South of Periton Road, Minehead (Post 2026)	LT1	360
Land South B3191, Cleeve Hill (Post 2026)	LT1	100
<b>TOTAL ALLOCATIONS</b>		<b>1825</b>

\* Remaining part of site without planning permission

#### 5. Housing Completions 2000 - 2016

<b>Net Annual Total for West Somerset</b>			
	<b>Private</b>	<b>Public (inc housing association)</b>	<b>TOTAL</b>
2000 - 2001	Earlier information not readily available	Earlier information not readily available	85
2001 - 2002			143
2002 - 2003			103
2003 - 2004			180
2004 - 2005			119
2005 - 2006			190
2006 - 2007			222
2007 - 2008			122
2008 - 2009			109
2009 - 2010			55
2010 - 2011			40
2011 - 2012			81
2012 - 2013	64	3	67
2013 - 2014	51	33	84
2014 - 2015	132	23	155
2015 - 2016	78	21	99

## 6. Breakdown of Sites with Planning Permission by Area

The breakdown of completion figures since 2012 are shown in the final column.

	<b>Not Started</b>	<b>Under Construction</b>	<b>Completed in 2015/16</b>	<b>Completed Since April 2012</b>
Minehead (Private)	85	31	36	144
Minehead (Affordable)	25	5	9	42
<b>Minehead Total</b>	<b>110</b>	<b>36</b>	<b>45</b>	<b>186</b>
Watchet & Williton (Private)	72	13	18	109
Watchet & Williton (Affordable)	26	8	12	29
<b>Watchet &amp; Williton Total</b>	<b>98</b>	<b>21</b>	<b>30</b>	<b>138</b>
Rural Remainder (Private)	101	39	24	72
Rural Remainder (Affordable)	12	21	0	9
<b>Rural Remainder Total</b>	<b>113</b>	<b>60</b>	<b>24</b>	<b>81</b>
West Somerset LPA (Private)	258	83	78	325
West Somerset LPA (Affordable)	63	34	21	80
<b>West Somerset LPA Total</b>	<b>321</b>	<b>117</b>	<b>99</b>	<b>405</b>

## 7. Sites with planning permission for 10 or more dwellings (Gross)

Status of site is either Not Started (N/S) or Under Construction (U/C)

<b>Application Number, Site Description and Developer</b>	<b>Status</b>	<b>Number of dwellings permitted</b>	<b>Number of dwellings completed</b>
3/05/13/006 Erection of 25 new build dwellings and 10 barn conversions, Townsend Farm (Hilary Close), Carhampton. Hastoe Housing Association	U/C	35	0
3/10/15/001 Erection of 54 new build dwellings, Higher Marsh Farm (Castle Fields), Dunster Marsh Strongvox	U/C	54	0
3/21/15/034 Erection of 42 new build dwellings, Ellicombe Close (Ellicombe Gardens), Alcombe, Minehead Strongvox	U/C	42	20
3/21/13/120 OA Erection of up to 71 new build dwellings, Hopcott Road, Minehead Williams Partnership	N/S	71	0
3/32/07/008* Erection of 59 new build dwellings, Paddons Field, Farrington Hill Lane, Stogursey Strongvox	U/C	59	24

Note: Development on the Paddons Field site is 'stalled' following completion of Phase 1 plus, all of the affordable housing element of the overall proposal. This was due to the financial collapse of the original developer following the onset of the recession in 2008. The remaining undeveloped part of the site has since been purchased by Strongvox.

<b>Application Number, Site Description and Developer</b>	<b>Status</b>	<b>Number of dwellings permitted</b>	<b>Number of dwellings completed</b>
3/37/08/036 Conversion of commercial units into 10 dwellings, The Mill, Anchor Street, Watchet Anchor St Ltd	N/S	10	0
3/37/13/035 Erection of 73 new build dwellings, Doniford Road (Channel View), Watchet Summerfield	U/C	73	0
3/39/15/003 Erection of 1 new build dwelling and 9 barn conversions, Bridge Farm, Bridge Street, Williton Trustees of Wyndham Estate	N/S	10	0

### **8. Sites of 10 or more dwellings awaiting completion of Section 106 Agreement**

<b>Application Number and Site Description</b>	<b>Number of Dwellings</b>
3/21/15/014 OA Residential development. West of Caravan Club, Hopcott Road, Minehead	80
3/32/14/004 Residential development. 16 Castle Street, Stogursey	12
3/26/14/025 & 3/26/14/026 Residential development. The Nursery Site/North Huish Lane, Washford	16
<b>Total</b>	<b>108</b>

### 9. Statistics relating to completions 1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016

<b>Total no of dwellings completed (net gain)</b>	<b>99</b>	<b>100%</b>
<b>Greenfield</b>	<b>45</b>	<b>43.7 %</b>
Barn Conversions	2	1.9 %
New Dwellings	43	41.7 %
Private	34	33.0 %
Housing Association	9	8.7 %
<b>Brownfield</b>	<b>58</b>	<b>56.3 %</b>
Conversion of Buildings	31	30.1 %
Private	31	30.1 %
Housing Association	0	-
Increase due to subdivision	4	3.9 %
Private	4	3.9 %
Housing Association	0	-
New Dwellings	23	22.3 %
Private	11	10.7 %
Housing Association	12	11.7 %
Demolition/Losses	-4	-3.9 %

Percentage of dwellings on Greenfield sites: **43.7 %**

Percentage of dwellings on Brownfield sites: **56.3 %**

Demolition/Losses: **-3.9 %**

#### Notes:

The subdivision of 2 dwellings resulted in 6 dwellings (an increase of 4.)

The 4 losses were a result of 1 demolition as part of a redevelopment, and 3 conversions to other uses.

<b>New Build Dwellings 66 (gross)</b>				
	<b>Private</b>	<b>Affordable</b>	<b>Total</b>	<b>% of Total</b>
Houses/bungalows				
1 bedroom	1	-	<b>1</b>	<b>1.5 %</b>
2 bedrooms	4	4	<b>8</b>	<b>12.1 %</b>
3 bedrooms	22	8	<b>30</b>	<b>45.5 %</b>
4 or more bedrooms	17	-	<b>17</b>	<b>25.8 %</b>
<b>TOTAL</b>	<b>44</b>	<b>12</b>	<b>56</b>	<b>84.8 %</b>
Flats				
1 bedroom	1	9	<b>10</b>	<b>15.2 %</b>
2 bedrooms	-	-	-	-
3 bedrooms	-	-	-	-
4 or more bedrooms	-	-	-	-
<b>TOTAL</b>	<b>1</b>	<b>9</b>	<b>10</b>	<b>15.2 %</b>

<b>Dwellings from Conversions and Subdivisions 37 (gross)</b>				
	<b>Private</b>	<b>Affordable</b>	<b>Total</b>	<b>% of Total</b>
Houses/bungalows				
1 bedroom	-	-	-	<b>0 %</b>
2 bedrooms	1	-	<b>1</b>	<b>2.7 %</b>
3 bedrooms	1	-	<b>1</b>	<b>2.7 %</b>
4 or more bedrooms	5	-	<b>5</b>	<b>13.5 %</b>
<b>TOTAL</b>	<b>7</b>	<b>0</b>	<b>7</b>	<b>18.9 %</b>
Flats				
1 bedroom	14	-	<b>14</b>	<b>37.8 %</b>
2 bedrooms	10	-	<b>10</b>	<b>27.0 %</b>
3 bedrooms	6	-	<b>6</b>	<b>16.2 %</b>
4 or more bedrooms	-	-	-	-
<b>TOTAL</b>	<b>30</b>	<b>0</b>	<b>30</b>	<b>81.1 %</b>

<b>Total Dwellings</b>			
	<b>Private</b>	<b>Affordable</b>	<b>Total</b>
New build (gross)	45	21	<b>66</b>
Conversion / Subdivisions (gross)	37	-	<b>39</b>
Sub Total	82	21	<b>103</b>
Losses			<b>-4</b>
<b>Total (net)</b>			<b>99</b>

#### Location and type of dwelling 1<sup>st</sup> April 2015 – 31<sup>st</sup> March 2016

	<b>Allocated Sites</b>		<b>Windfall</b>	
<b>Total no of dwellings completed (net gain)</b>	<b>0</b>	<b>0 %</b>	<b>99</b>	<b>100.0 %</b>
<b>Minehead</b>	-	-	<b>45</b>	<b>45.5 %</b>
Greenfield	-	-	35	35.4 %
Brownfield	-	-	10	10.1 %
<b>Watchet &amp; Williton</b>	-	-	<b>30</b>	<b>30.3 %</b>
Greenfield	-	-	4	4.0 %
Brownfield	-	-	26	26.3 %
<b>Rural Remainder</b>	-	-	<b>24</b>	<b>24.2 %</b>
Greenfield	-	-	6	6.1 %
Brownfield	-	-	18	18.1 %



*Report Number: WSC 108/16*

## **West Somerset Council**

### **Local Development Panel – Monday 3<sup>rd</sup> October 2016**

#### **Adoption of the West Somerset Local Plan to 2032 (WSLP)**

**This matter is the responsibility of Councillor K Turner, Lead Member for Housing, Health and Wellbeing**

**Report Author: Nick Bryant, Planning Policy Manager**

#### **1 Executive Summary / Purpose of the Report**

- 1.1 The 'plan-led' system establishes that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise. As such, preparing local plans and keeping them up-to-date is an important function carried out by Local Authorities.
- 1.2 The current West Somerset District Local Plan is now largely out-of-date. The assumptions and the evidence base upon which it relied were intended to operate until 2011 and many of its policies, and specifically the wordings of these policies are now inconsistent with the National Planning Policy Framework (NPPF). The weight that can be attached to the adopted Local Plan policies is generally quite limited.
- 1.3 Work on a replacement West Somerset Local Plan to 2032 (WSLP to 2032) commenced in 2009. The Plan has involved over this time from being a very strategic document to one which now includes some detailed development policies as well as specific site allocations to meet long-term housing requirements.
- 1.4 An examination of the WSLP to 2032 was held between Monday 14<sup>th</sup> and Tuesday 22<sup>nd</sup> March 2016. Through this examination a number of proposed modifications emerged which, as members will recall, were agreed by Full Council on 11 May 2016. These modifications were considered necessary for the Plan to be found sound and capable of adoption it must be 'positively prepared', 'justified', 'effective' and 'consistent with national policy' and have now been confirmed by the Inspector. Modifications were subject to a six week consultation period which ran between the 3 June and 15 July 2016.
- 1.5 The Council is now in receipt of the Inspector's Report which confirms that the Plan can be legally adopted by West Somerset Council subject to the main modifications outlined in his Report (which were consulted upon). At this stage the Council cannot make substantive changes to the WSLP to 2032, it can either adopt the Plan with the main modifications or choose not to adopt.

- 1.6 Upon adoption, the WSLP to 2032 will comprise a key component in the adopted development plan for the area. There do however, remain areas in which the Council needs to undertake further work in developing policy (as recognised in the Inspector's Report). As such, work will need to commence shortly on a review of the WSLP to 2032, with a view to the preparation of a singular local plan with Taunton Deane as a precursor to the proposed merger.

## **2 Recommendations**

- 2.1 Full Council is recommended to:

- a) adopt the WSLP to 2032 incorporating the main modifications

## **3 Risk Assessment**

This Report represents a purely procedural stage in plan-making. No known risks have been identified with adopting the Plan. Whilst the Plan is subject to a six-week legal challenge period, the Council has taken steps through its preparation to minimise the likelihood of a successful challenge being possible.

## **4 Background and Full details of the Report**

- 4.1 The 1947 Town and Country Planning Act introduced the requirement for Local Authorities to prepare development plans; a requirement which remains enshrined in law through subsequent legislation up to the present day. The 'plan-led system' as it is referred to, establishes that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.2 In the West Somerset Planning Area the development plan is made up of a series of Development Plan Documents (DPDs). The Minerals and Waste plans are prepared and maintained by Somerset County Council as the authority responsible for such matters. The current development plan is comprised of the following:
- West Somerset District Local Plan (2006)
  - Somerset Waste Core Strategy (2013)
  - Somerset Minerals Plan (2015)
- 4.3 The current West Somerset District Local Plan is time expired insofar as the projection data used to underpin the strategy and policies was only intended to operate until 2011. Further, it was prepared prior to the introduction of the National Planning Policy Framework and consequently the weight which can be attached to its policies can be quite limited. The extant policies remain effective for Development Management purposes but the weight that can be attributed to individual policies will be dependent on its consistency with national policy as set out in the NPPF. Work on a replacement West Somerset Local Plan began in 2009 and over the course of its development it has changed quite considerably in terms of its scope.
- 4.4 The WSLP to 2032 was subject to extensive public consultation prior to its submission to the Planning Inspectorate and Secretary of State in July 2015. This included several public exhibitions held across the Planning Area and wider public consultation at 'Issues', 'Options', 'Preferred Strategy' and 'Revised Preferred Strategy' stages. The Draft Plan was formally published for a six week formal consultation period in early 2015.

- 4.5 The Inspector, Brian Cook, was appointed to consider the soundness of the Plan in-line with the provisions of Section 182 of The Framework, namely whether the document as submitted is 'positively prepared', 'justified', 'effective' and 'consistent with national policy'.
- 4.6 Examination hearing sessions of the WSLP to 2032 were held between Monday 14<sup>th</sup> and Tuesday 22<sup>nd</sup> March 2016. Through the examination stage a number of proposed modifications emerged which, as members will recall, were agreed by Full Council on 11 May 2016. These modifications were considered necessary for the Plan to be found sound. Modifications were subject to a six week consultation period which ran between the 3 June and 15 July 2016.
- 4.7 The Inspector has taken comments on the main modifications into account before issuing his Inspector's Report which is appended at Appendix A. The Inspector's Report confirms that subject to the main modifications the Plan is sound and capable of adoption.
- 4.8 The changes proposed to the Plan are relatively minor in nature and can be summarised as:
- Modifications to policies SV1, SC1 and OC1 to assist their clarity and consistency with one another and inconsistency with national policy;
  - Providing additional detail and clarification as to how housing land supply requirements have been identified. This includes reflection of the Hinkley C Project's impact upon housing requirements and introducing a stepped rate of housing delivery;
  - Re-writing of the policy relating to the provision of adequate gypsy and traveller pitches to ensure consistency with national policy;
  - Deletion of the proposed employment allocation at Williton which is neither deliverable nor consistent with national policy; and
  - A series of amendments to ensure that the Plan's approach to the historic environment and protected landscapes (the Quantock Hills AONB and Exmoor National Park) is consistent with national policy.
- 4.9 Officers will prepare an updated version of the WSLP to 2032 which subject to Full Council agreement, will be adopted as part of the development plan for the area. It incorporates the main modifications as well as some more minor changes to the Plan itself. Importantly, it should be noted that members cannot at this point make substantive changes to the WSLP as the Regulations do not allow for this; the choice is to adopt the Plan or not. The additional modifications put forward through the consultation are considered through a separate Report to this meeting (Agenda Item 7).
- 4.10 Beyond the adoption of the WSLP, the Council will need to consider how best to review policies in the Plan, particularly in view of the Inspector's findings at 147. This is a matter which may be most sensibly progressed through the preparation of a singular development plan document for the current planning areas of West Somerset and Taunton Deane.
- 4.11 The Taunton Deane Core Strategy and Taunton Town Centre Area Action Plan are both to be the subject of an up-coming plan review by Taunton Deane Borough Council. Whilst there is not a current up-to-date Local Development Scheme for either Taunton Deane or West Somerset Councils, there is a clear need to update the project plans

informing future policy work in both areas. It is proposed that a new joint LDS be progressed for both Councils in advance of the proposed merger, this will set out a project plan outlining future policy activities, most probably centred on a new singular Local Plan across West Somerset and Taunton Deane.

## **5 Links to Corporate Aims / Priorities**

- 5.1 The WSLP to 2032 will deliver outcomes against three of the four key themes identified in the Council's Corporate Strategy, namely; 'People, 'Business and Enterprise' and 'Our Place'.

## **6 Finance / Resource Implications**

- 6.1 The WSLP to 2032 introduces new policies and allocations which will boost the Council's supply of deliverable housing land. This will generate significant receipts in the form of New Homes Bonus and planning obligations which can be used to help fund essential infrastructure.

## **7 Legal Implications**

- 7.1 Upon adoption the WSLP to 2032 will be subject to a six week legal challenge period. As part of the statutory development plan the WSLP will be the starting point for planning decisions.

## **8 Environmental Impact Implications**

- 8.1 Under the Strategic Environmental Appraisal Directive (2004) the Council is obliged to consider the effects of certain plans and programmes on the environment. A Sustainability Appraisal (SA) was prepared to support the Draft Plan, this sets out all likely significant effects on the environment as well as economic and social factors and mitigation measures. The proposed changes outlined in this Report will need to be subject to an addendum to the published SA.

## **9 Safeguarding and/or Community Safety Implications**

- 9.1 A development management policy setting out how safety should be considered in the design of new developments is included within the Draft Plan.

## **10 Equality and Diversity Implications**

- 10.1 The Draft Plan was accompanied by an Equalities Impact Assessment (EqIA).

## **11 Social Value Implications**

- 11.1 None identified.

## **12 Partnership Implications**

- 12.1 The WSLP to 2032 itself will be delivered in partnership with a range of key stakeholders, these include, but are not limited to; local communities, developers and landowners and infrastructure providers.

**13 Health and Wellbeing Implications**

13.1 Policies in the WSLP to 2032 have taken account of health and well-being implications. The Plan includes policies that will ensure the provision of land for community facilities and the encouragement of walking and cycling and active lifestyles.

**14 Asset Management Implications**

14.1 None identified.

**15 Consultation Implications**

15.1 None, the Local Plan has been subject to numerous rounds of consultation since work on the Plan commenced in 2009.

**16 Scrutiny Comments / Recommendation(s)**

16.1 Not applicable.

**Democratic Path:**

- **Scrutiny / Corporate Governance or Audit Committees – No**
- **Cabinet/Executive – No**
- **Full Council – Yes**

Reporting Frequency :  **Once only**    **Ad-hoc**    **Quarterly**  
 **Twice-yearly**    **Annually**

**List of Appendices (delete if not applicable)**

Appendix A	WSLP Inspector's Report
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**Contact Officers**

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# Report to West Somerset Council

by **Brian Cook BA (Hons) DipTP MRTPI**  
an Inspector appointed by the Secretary of State for Communities and  
Local Government

**Date 14 September 2016**

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

**REPORT ON THE EXAMINATION INTO WEST SOMERSET LOCAL PLAN TO 2032**

Document submitted for examination on 31 July 2015

Examination hearings held between 14 and 22 March 2016

File Ref: PINS/H3320/429/1

## Abbreviations Used in this Report

AA	Appropriate Assessment
AONB	Area of Outstanding Natural Beauty
DCLG	Department for Communities and Local Government
DtC	Duty to Co-operate
ENPA	Exmoor National Park Authority
HMA	Housing Market Area
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
OAN	Objectively assessed need
PPG	Planning Practice Guidance
SCI	Statement of Community Involvement
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Northern Peninsula Strategic Housing Market Assessment

## Non-Technical Summary

This report concludes that the West Somerset Local Plan to 2032 provides an appropriate basis for the planning of the District providing a number of main modifications are made to the plan. West Somerset Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted.

All of the main modifications to address this were proposed by the Council but where necessary I have amended detailed wording and/or added consequential modifications where necessary and I have recommended their inclusion after considering the representations from other parties on these issues.

The main modifications can be summarised as follows:

- The relationship between policies SV1, SC1 and OC1 is ambiguous making them ineffective and inconsistent with national policy. **MM2, MM3** and **MM12** address these soundness issues;
- **MM4** does not alter policy but does provide required information about the assumptions underlying the way that the 5 year housing supply has been calculated to aid understanding of this issue in future development management procedures.
- Land allocated at Williton for employment is not deliverable and submitted policy EC6 is not sufficiently flexible and enabling to be consistent with national policy. **MM14** and **MM15** respectively address these soundness issues.
- The following are required to ensure that the Plan correctly interprets and therefore is consistent with national policy for the historic environment: **MM6 to MM11, MM20** and **MM21**;
- The remaining main modifications are required to ensure that the submitted Plan policies are effective and/or consistent with national policy.

## Introduction

1. This report contains my assessment of the West Somerset Local Plan to 2032 in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. The National Planning Policy Framework (the Framework) at paragraph 182 makes clear that to be sound a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local authority has submitted what it considers to be a sound plan. The basis for my examination is the submitted draft plan (SD4) dated July 2015. This is the same as the document published for consultation in January 2015 (CD1).
3. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (MM). In accordance with section 20(7C) of the 2004 Act the Council requested (ED65) that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
4. The main modifications that are necessary for soundness all relate to matters that were discussed at the examination hearings. Following these discussions, the Council prepared a schedule of proposed main modifications and carried out a sustainability appraisal of them. Both have been subject to public consultation for six weeks. I sought the Council's views on a number of matters arising (ED66) and the Council responded as requested (ED67). I have taken account of both the consultation responses and the further views of the Council in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of these amendments significantly alters the content or, as appropriate, the objective of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that has been undertaken. Where necessary I have highlighted these amendments in the report.
5. Throughout my report references to documents in the evidence base are included in the body of the text in ( ) while references to other documents such as the Planning Practice Guidance (PPG) are given as footnotes. References to passages of the National Planning Policy Framework are given as 'Framework paragraph XX'.

## Policies Map

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this

case, the submission policies map comprises the set of plans identified as Submission Draft Figures and Proposals Map Amendments as set out in SD5.

7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
8. These further changes to the policies map were published for consultation alongside the MMs [<https://www.westsomersetonline.gov.uk/Planning---Building/Planning-Policy/Local-Plan-to-2032/WSLP-to-2032-Proposed-Modifications>].
9. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in Submission Draft Figures and Proposals Map Amendments and the further changes published alongside the MMs incorporating any necessary amendments identified in this report.

## **Assessment of Duty to Co-operate**

10. Section s20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation.
11. The Council has set out how it considers it has co-operated with the prescribed and other bodies in the preparation of the Plan in a statement dated December 2014 (SD17) and its Matter 1 hearing statement (ED34/1). In addition to providing more evidence about the specific involvement and contribution of elected members in the process, this also provided further information in regard to the duty in the period up to formal submission of the Plan for examination.
12. Two points have been taken by those making representations.
13. The first is raised by Exmoor National Park Authority (ENPA) and relates to provision being made within West Somerset for a proportion of the market housing need arising in ENPA. I will come to these matters in due course but, in short, the particular characteristics of ENPA mean that it is very difficult for the planning authority to make provision within the ENPA boundaries for the market housing need arising therein. ENPA explain that other councils within the housing market area (HMA) are willing to accommodate some of that housing need and ENPA have made the same request to West Somerset. The total number of market houses for which provision in West Somerset is sought is 186 (ED25/2).
14. The Council does not consider that it can agree to this request for reasons that I shall come to later. There is however quite considerable evidence, much of it provided by ENPA, that this has been a topic of active discussion and engagement between the partner authorities in the HMA over a considerable period. This continues as the other planning authorities bring forward their

local plans and compile their evidence bases which include a joint housing topic paper and the commissioning of a joint update of the Northern Peninsula Strategic Housing Market Assessment (SHMA) to assess the implications of the 2012-based household projections published in February 2015 by the Department for Communities and Local Government (DCLG).

15. Also included as Appendix 4 to the ENPA hearing statement (ED25/2) is a statement of common ground concerning the HMA and the objectively assessed need (OAN) for housing. This has been signed on behalf of North Devon Council, Torrington District Council and ENPA. It has not been signed by the Council for the sole reason that the housing OAN is not agreed; the Council considers it to be considerably higher.
16. To conclude on this point, there is no evidence to suggest that the Council has failed to engage constructively, actively and on an on-going basis to maximise the effectiveness of the Plan. Rather, there is evidence that the Council and ENPA have been unable to agree on one particular matter. As the PPG makes clear the duty to co-operate is not a duty to agree. Failure to do so cannot therefore amount to a failure to comply with the duty.
17. The second is raised by the Home Builders' Federation (ED33/1) and some individual development companies. The essence of this point is that co-operation on the steps to secure housing delivery is premature since the calculation of the housing OAN is not clear and it cannot therefore be determined that the housing needs of the HMA will be met in full as required by the Framework and confirmed by case law. In particular this applies to the affordable housing element within the HMA. Furthermore, until there is a housing OAN for the HMA, the required co-operation with the Local Enterprise Partnership to ensure successful delivery of policies for economic growth cannot be evident.
18. Dealing with these in turn, there is considerable evidence that the Council and others within the HMA have co-operated fully to determine the housing OAN; the statement of common ground referred to above is an obvious example. A concern that the determined OAN is not justified and/or is not reflected correctly in the amount of housing for which the Plan makes provision is valid but is an issue of soundness. Contrary to the contention, there is adequate evidence (SD17) that the Heart of South West Local Enterprise Partnership has been engaged with the Somerset Growth Plan informing the Strategic Economic Plan of the Heart of South West Local Enterprise Partnership.
19. I consider that the evidence supports a conclusion that the duty imposed on the Council by s33A of the 2004 Act has been complied with.

## **Assessment of Soundness**

### ***Preamble***

20. The circumstances in which the Plan has been prepared are unusual if not unique. While not identifying the measure being used, the Council confirmed in its opening statement at the hearing sessions that West Somerset is the smallest council in England (ED55). This leads to a challenging resource position for the Council to which it responded in 2014 by entering into a formal partnership with Taunton Deane Borough Council to provide services. While

the hearing sessions were taking place, at their respective full council meetings both authorities committed to continuing this arrangement. They also undertook to authorise and prioritise the development of a high level transformation business case that would test three sequential options, the second of which is one team supporting a merged council (ED58). Following Full Council meetings on 26 July (Taunton Deane Borough Council) and 7 September (West Somerset Council), the two Councils have agreed, in principle, to commence work on the creation of a new Local Authority arising out of the merger of the two existing authorities. The outcome of this decision and its implications for future plan-making across the combined area will emerge as the process evolves

21. Some two thirds of the Council area lies within the Exmoor National Park which has its own planning authority. The Plan area is thus smaller than the area of the Council. At around 27,000 people the population of the Plan area is, by any measure, very low.
22. West Somerset will, nevertheless, host one of the largest infrastructure projects to ever take place in this country if and when the Hinkley Point C nuclear power plant is constructed. While the Development Consent Order has been granted and considerable ground and other works have been put in place, at the time of the hearing sessions EDF Energy had yet to make the final investment decision or indeed give any firm indication when it would be made. The Council has however had to plan for the consequences of the project which could see some 25,000 temporary jobs created over the construction period peaking at around 5,600 (ED55). This was meant to be in 2016 (ED58, #4.2) which self-evidently has not occurred. The implications of the inevitable uncertainty created by the absence of the final commitment to the project are discussed later. At the time of writing, that uncertainty has not been resolved. While EDF Energy has now made the final investment decision to go ahead with the project, the UK government has not and has deferred a decision to the autumn of 2016.
23. Preparation of the Plan began in 2009. In the period between then and submission there have been two general elections leading to, first, a Coalition Government and, then, a Conservative party administration. In 2012 the Framework was published, there have been a host of Written Ministerial Statements and important court judgements and, at the time when the hearing sessions took place, the Housing and Planning Bill was passing through its parliamentary stages. All of these have affected the planning landscape within which the Plan has emerged. The implications of both the Housing and Planning Bill and an outstanding court of appeal judgement for the Plan policy addressing the provision of affordable housing (a key issue for the Plan) were still unknown when the hearing sessions took place.
24. The Plan started out as a core strategy to be followed by site allocations and development management development plan documents. The Council has confirmed that no other such documents will now be prepared (ED4, #1.4). The Plan is not and, without significant alteration, cannot become a local plan for the area as envisaged by Framework paragraph 153 (emphasis added). The Council tacitly acknowledges that the Plan is not fully compliant with the Framework in this regard (ED4, #1.4).

25. Nevertheless, in July 2015 a Written Ministerial Statement about local plans was published and was accompanied by a letter from the Secretary of State to the then Chief Executive of the Planning Inspectorate; both are available on the DCLG web site. The latter included the following: *"In order to maintain plan-making progress and to recognise the cost and time to a council prior to submitting a plan, it is critical that inspectors approach examination from the perspective of working pragmatically with councils towards achieving a sound Local Plan"*. As clear statements of the Government's approach both the letter and the Written Ministerial Statement should be afforded substantial weight.

### **Main Issues**

26. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified four main issues upon which the soundness of the Plan depends.

#### ***Issue 1 – Whether the spatial strategy and spatial distribution of development is justified.***

27. I have already noted that a large part of the administrative area of West Somerset is within Exmoor National Park. Part of the remaining (Plan) area is within the Quantock Hills Area of Outstanding Natural Beauty (AONB). In accordance with national planning policy development within or affecting the setting of the AONB should be controlled and this acts as a further constraint on spatial options.
28. Transport communications within the Plan area are limited. There is a heritage railway running between Minehead and Bishops Lydeard but this appears to offer limited opportunities for commuting within and certainly outside of the Plan area. The area is linked to the M5 Motorway at Bridgwater by the A39 and at Taunton by the A358. These two roads meet in Williton before the A39 proceeds to Minehead and beyond. Railway bridges limit headroom on the A358 while there are several places on the A39 where two heavy goods vehicles are only able to pass with difficulty, if at all.
29. Some two thirds of the Plan area's population lives in Minehead/Alcombe, Williton and the historic port of Watchet (ED55). These three settlements are the principal service centres in the Plan area. The population is ageing with over 15% being in the over 75 cohort (ED55).
30. This is the background to the development of the spatial strategy.
31. Strategy development began in 2009 in the context of the then regional spatial strategy (CD24). Six strategy options were put forward for consideration. Three were not taken forward. These were:
- Less development in the larger settlements with a wide degree of dispersion including to settlements with few or no facilities.
  - No significant development in Minehead with substantial development instead being focussed elsewhere closer to the M5 corridor.

- Concentration of the bulk of the regional spatial strategy requirement in a single new eco-village/new settlement.
32. The three that were taken forward were:
- Concentrate development at the three main settlements.
  - Concentrate development at four main settlements including an upgrade of Stogursey.
  - Dispersal of development including allocations at the larger villages.
33. The assessment of the three strategy options taken forward followed a standard sustainability appraisal approach. There is in fact very little difference between options 1 and 2 with the latter simply being a development of the former in the context of the Hinkley Point C development which would be near-by. The option would have enabled Stogursey to develop as a higher order settlement to provide for the housing accommodation that would be required. This did not attract local community support however given the substantial improvements in local community and transport infrastructure that would be implied.
34. The first of the three listed above was selected and represents a continuation of the previous strategy followed in the local plan adopted in 2006 and covering the period 1991 to 2011 (SD14). In summary, this option is said to perform *"...very strongly as part of the SA and it is the strategy that best maintains and strengthens the current service role of West Somerset settlements"* (SD14, page 10). It is also clear that this strategy option attracted most public support (EB7, #35).
35. Nevertheless, the preferred strategy on which the Plan is based was determined by 2010 in the context of the then emerging regional spatial strategy. The SA itself is dated and key elements on which it relies, such as the Strategic Flood Risk Assessments (SFRA) (EB12 & 13), are also dated (the SFRAs were issued in 2009 and 2010 respectively) and possibly out-of-date. For example, neither SFRA can include the climate change allowances issued by the Environment Agency in September 2013 and then withdrawn and replaced in any event in February 2016. There is no evidence that the strategy has been revisited and re-appraised in the light of this or any of the significant changes in planning policy since it was determined as the most appropriate.
36. There is therefore a concern that the chosen strategy is not based on the most up-to-date evidence. However, very little comment was received on the strategy at pre-submission consultation. In particular, no alternative strategy was promoted and supported by robust evidence. In the context and circumstances outlined in the Preamble I do not find that surprising. Of more concern was whether the policies developed would deliver the strategy; that is an issue to which I shall return. Therefore, on the basis of the evidence I consider the spatial strategy and the spatial distribution of development being pursued to be the most appropriate for the future sustainable development of West Somerset.

**Issue 2 – Whether the objectively assessed needs for which the Plan makes provision are derived from robust evidence**

*Housing – The HMA*

37. The Northern Peninsula HMA was first identified as a character area in 2004 in work undertaken for the South West Housing Body (EB1, #ES1.1). It was one of 12 sub-regional housing markets into which the region was divided. It covered North Devon, North Cornwall, parts of West Somerset and all of Exmoor National Park. It was described thus: *“rural in character with a settlement pattern based on villages and market towns, which vary in size and function. With no major centres of employment, the area is better described as comprising a series of local markets, all of which are subject to significant influence of in-migration and second home purchase”*. At the hearing sessions it was characterised as the area that remained after the boundaries of the other 11 had been determined.
38. In October 2007 Housing Vision was commissioned to conduct a SHMA. That report is document EB1.
39. Following reorganisation of local government in the area and the establishment of Cornwall as a unitary authority the former district council area of North Cornwall was taken out of the Northern Peninsula HMA and absorbed into the Cornwall HMA. There is no evidence before this examination that this decision was informed by an analysis of the factors that the PPG advises should be taken into account when defining housing market areas<sup>1</sup>. However, I understand that the Inspector examining the Cornwall Local Plan has accepted that the HMA including the ‘transferred’ former North Cornwall area is appropriate.
40. The reduced Northern Peninsula HMA is being used by the ENPA for its emerging local plan and by North Devon Council and Torridge District Council in the preparation of their emerging joint local plan (ED25/2, Appendix 4, #1.4). I recognise therefore that my conclusion in respect of the HMA in what is the first of the local plans within it to come forward for examination will have implications for each authority.
41. At several points in the evidence base the HMA is characterised as polycentric (ED25/2, Appendix 4, #1.2 for example). However, it could equally be described as comprising a number of smaller HMAs with three such being recognised within West Somerset alone (ED34/2, #2.1.3 to 2.1.5). However, the Council explained at the hearing session that the key and unifying factor

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<sup>1</sup> Paragraph 011 Reference ID: 2a-011-20140306

across the HMA as a whole was its demographic profile. The ageing population that results both from the nature of the in-migration to the area (which is typified by both those taking early retirement and those in the 45 to 64 age group coming to work in the area – possibly from home – before retiring) and the ageing of both that and the existing population is an important influence on house prices and changes in those prices and the consequent structure of the housing market.

42. On that basis and in the absence of any cogent evidence to the contrary I agree that the Northern Peninsula HMA is the appropriate one for the purposes of Framework paragraph 47.

#### *Housing – The OAN*

43. It is important to note that none of those making representations on the Plan have provided an alternative OAN figure. In addition, only one of the representations made on the pre-submission Plan queried the basis of the calculation contending that in a number of respects, such as adjusting for market signals and economic forecasts, the advice in the PPG had not been followed. However, further work has been commissioned by the Council since those representations were made although this point was pursued briefly at the hearing sessions.
44. Since the original SHMA (EB1) was prepared a further seven documents have been issued (ED25/2, Appendix 4, Table 1). However, only two of these have been in the form of a SHMA for the HMA as a whole (EB3 and EB21). Document EB21 was issued in December 2015 and takes account of the 2012-based household projections released in February 2015. It is therefore this assessment that is of most relevance to this issue since, in accordance with the PPG, these provide the starting point for the assessment of the OAN<sup>2</sup>.
45. Dealing first with market signals, the relevant SHMA makes allowance for what it describes as 'market signals', namely vacant dwellings, second homes and homes occupied by non-residents (EB21, #5.9). However, the PPG says that when considering 'appropriate' market indicators relevant signals may include land prices, house prices, rents, affordability, rate of development and overcrowding<sup>3</sup> (emphasis added).
46. The Council accepted at the hearing sessions that not all of the market signals as defined and listed in the PPG had been taken into account. However, the Council considers those factors that have been used to be the most appropriate for the HMA. No evidence from others was given to explain why this conclusion is incorrect or what the effect would be on the OAN if the example market signals listed in the PPG had been used instead or as well.

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<sup>2</sup> Paragraph 015 Reference ID: 2a-015-20140306

<sup>3</sup> Paragraph 019 Reference ID: 2a-019-20140306

47. Turning now to economic forecasts, these do not form part of the analysis in Document EB21. They are however taken into account in the overall OAN for the HMA as indicated in the statement of common ground (ED25/2, Appendix 4, Table 2). The requirement for economic growth in North Devon and Torridge derives from work as set out in the footnotes to that Table. That for West Somerset derives from the implications of the Hinkley Point C project (EB7, #45 to #47). I am satisfied therefore that economic data has been taken into account in assessing the OAN.
48. The OAN for the HMA is calculated at 19,412 dwellings (ED25/2, Appendix 4, Table 2). This represents the full objectively assessed need for market and affordable housing in the HMA; the first stage set out in the Framework paragraph 47, bullet 1 process. As I understand it, this is a figure derived from aggregating the assessments for each of the constituent planning authorities. However, each assessment was undertaken by the same consultant, Housing Vision, applying what was confirmed at the hearing session to be the same methodology. No criticism was made of the approach taken to the demographic data but, as explained above, the extent to which the treatment of other factors is appropriate is difficult to judge on the evidence put forward. However, it would not be appropriate for me to come to a view on the figure for the HMA as a whole. During the examinations of the other plans within the HMA other evidence may be brought forward on these matters that was not available to me. There is however no evidence before me to conclude that the calculated OAN for West Somerset is not of the right order.
49. The proportion of the calculated OAN of c19,400 homes for which West Somerset needs to plan is 2,105 dwellings. This includes the unadjusted demographic requirement, the uplift for vacant and second/holiday homes, the affordable homes backlog and the economic growth (Hinkley Point C) requirement.
50. The Council does not accept this as the appropriate figure on which the Plan should be based. The reasons are set out in detail (ED34/2, #2.2.9) but may be summarised as a concern over the reliability of the national-level data used to make projections in a small area that is subject to particular local factors and a reluctance to plan for an implied annualised construction rate well below the long term average of about 118 dwellings per annum since 1976 (EB7, Table 5).
51. From the evidence it does not appear therefore that the Council is challenging the way the OAN has been calculated. Rather, it is using its judgement about particular local factors to 'over provide' at stage 2 of the Framework paragraph 47, bullet 1 process. No evidence was put forward that this would be inconsistent with the policies set out in the Framework.
52. On that basis, I see no reason to disagree with the Council's assessment that the Plan should make provision for the development of 2,900 homes over the Plan period. This is reflected in the Plan's vision which would therefore be achieved. Whether the vision and strategic objective to make a step change in the provision of affordable housing will be achieved will depend on the strategy and the policies developed to implement it.

53. Finally under this sub issue I shall deal with the concern raised by ENPA and referred to in my assessment of the duty to co-operate. Put simply, ENPA wish the Council to make provision for a part of its market housing need; some 186 dwellings that ENPA considers attributable to the West Somerset part of the Park. However, it does not suggest that the 2,900 dwellings for which the Plan makes provision should be increased. I understand this to be because this is already far in excess of what ENPA considers the OAN for West Somerset to be. ENPA therefore sees no reason why some of this excess cannot be used to accommodate its market housing requirement. It therefore seeks changes to the wording of both the justification text of the Plan and to that in an evidence base document to confirm that; it does not seek a change to the policy itself.
54. As I understand it, the Council does not agree to the request because it considers 2,900 dwellings to be the appropriate provision for the Plan area. To accommodate an additional 186 market homes would require an uplift of the Plan's housing provision by some 286 dwellings to allow for the 65:35 market: affordable housing split required on development sites. This would add a further 14 or so dwellings per annum to what it regards as an already challenging annualised build rate.
55. These do not appear to me to be issues or suggested changes that go to the soundness of the Plan. The evidence suggests that, overall, provision is being made in the three local plans for a greater quantum of housing than simply meeting the OAN would require (ED25/2, Appendix 4, Table 3). As I understand it both the emerging North Devon and Torridge Local Plan and the West Somerset Local Plan over-provide against the OAN; North Devon and Torridge to accommodate 196 dwellings arising from the need in ENPA attributable to that plan area and West Somerset for the reasons set out above. It is for other examinations rather than this one to test whether the assumptions made by ENPA and the other two councils in preparing their respective local plans are robust.
56. Towards the very end of the period for consultation on the proposed main modifications a further set of household projections were published (ED66). The Council does not consider that these have any material effect on the Plan (ED67). This is because, as set out above, the Council has reservations about the reliability of both the 2012-based and 2014-based projections for West Somerset and is, in any event, planning for a figure which far exceeds that implied by either of those projections. In view of the non-material difference between the two sets I see no reason to disagree with the generality of that analysis. There is therefore no effect on the forgoing assessment.

### *Employment*

57. The Plan notes (SD4, #2.7) that the two main sources of employment in West Somerset are agriculture and tourism with Hinkley Point power station also being a significant employer. As a consequence of the age profile of the population, social care is also a growing employment sector. Watchet, Minehead/Alcombe and Williton provide the main employment and service centres although since the Plan was submitted the closure of the paper mill at Watchet has been announced and has taken place with the loss of about 175 local jobs.

58. The Council commissioned a three stage employment land review (EB8 to EB10). The Stage 2 Report (EB9) presents a view of the potential for economic growth and an assessment of the future need for employment space. The latter follows a traditional model of converting baseline employment forecasts into employment floorspace forecasts before estimating future employment land requirements on an essentially 'B' Use Class basis.
59. The report is dated March 2010. It was therefore issued after the deep recession of 2008/9. This is not mentioned in the 'economic outlook' section. Moreover, much of the analysis appears to be based on modelling and growth scenarios developed in the early to mid-2000s to inform regional spatial planning. I therefore consider this part of the evidence base both dated and out-of-date and agree with those at the hearing sessions who felt that looking at employment provision on a 'B' Use Class basis no longer reflected the world of employment either today or in the future.
60. In some respects, this is reflected in the Stage 2 Report which notes that the economy of West Somerset is characterised by micro-businesses employing 10 people or fewer and representing 88% of the workplaces which equates to 34% of the employment base (EB9, #4.16). The economic vision for the Plan (SD4, #5.1) includes developing a thriving and varied local economy aided by the provision of super-fast optical broadband access which will enable more people to work close to or in their homes. It also anticipates that the Hinkley Point C project will have been completed having brought a considerable economic stimulus to the area.
61. An important consequential strategic objective is to create an aspirational, enterprising and entrepreneurial culture within West Somerset. This is unlikely to lead to a significant demand for employment land in the traditional sense which the Stage 2 Report puts at no more than 5ha in any event (EB9, #5.21). Of equal if not more importance to the achievement of the vision and this strategic objective is having the right policy framework in place; this is explored under the next issue.

#### *Conclusion on this Issue*

62. For the reasons set out above, I consider the figure of 2,900 dwellings to be justified by the evidence. Whether that represents the OAN as the Council considers it to be or a figure beyond that if the other authorities in the HMA are correct seems to me immaterial. It is the figure for which the Council is planning and is the most likely to deliver affordable housing in the numbers required. In view of the structure of the employment sector the traditional approach of making areas of land available for development is less appropriate and it is reasonable for the Council not to follow it.

### ***Issue 3 - Whether the Plan's policies will implement the strategy, deliver the objectively assessed development needs and provide a five year supply of housing against requirements***

#### *General*

63. The key Plan policies are SC1, SV1 and OC1. This nest of policies gives effect to the spatial strategy and creates the policy framework for the delivery of sustainable development and particularly affordable and other housing and

employment generating uses. In order to be effective and consistent with national planning policy it is important therefore that they are consistent with each other, do not overlap and act positively to deliver the required development. As submitted, they do not achieve these soundness tests.

64. The intention is for policy SC1 to be supportive of development in and on the edge of the three main settlements and encouraging of development in the named primary and secondary villages. In achieving the latter, policy SV1 is intended to maintain or create balanced communities that will enable these villages to thrive. Policy OC1 addresses development everywhere else in the Plan area including those settlements not categorised as primary or secondary villages and is generally supportive of all development other than market housing not required by a worker who needs to live in the countryside.
65. As submitted both policy SC1 and OC1 address development in the open countryside; this is therefore confusing. Moreover, while clause 4 of policy SC1 and bullet 1 of policy OC1 appear to deal with the same issue, the wording is slightly different; this is also confusing. While policy OC1 begins with the words 'residential development' it is obvious from both bullet 2 and the justification that it is intended to apply to all development proposals; the wording is therefore ambiguous. Finally, the way 'open countryside' is defined in the preamble to policy OC1 is inconsistent with that given in bullet 1 of the policy justification; this too is confusing. The Council has put forward a number of changes to these two policies (**MM2** and **MM12**) which will resolve these issues and ensure that in this regard the Plan meets the 'effective' test of soundness.
66. Still with policy OC1, as submitted, bullet 1 and the supporting justification is phrased in terms almost identical to those in the now replaced Planning Policy Statement 7 *Sustainable Development in Rural Areas*. This approach has not been carried forward in the Framework or the relevant paragraphs of the PPG and on a first read the Plan appears potentially inconsistent with national policy. However, the Council explained that in the particular circumstances of West Somerset it was justified to examine the economic and functional case for development in the open countryside so as to prevent the proliferation of isolated buildings, especially dwellings. On the evidence, I have no reason to disagree with that assessment which is not inconsistent with the Framework and Framework paragraph 55 in particular. No changes to policy OC1 are therefore required for soundness in this regard.
67. Representations have been made that the modification to policy OC1 would make it unsound; I do not agree. Framework paragraph 55 is quite clear that new isolated homes in the countryside should be avoided unless there are special circumstances. It then gives some examples of those circumstances which cannot be an exhaustive list and does not preclude local planning authorities setting their own if justified by the evidence. The Council's approach to the conversion of traditionally constructed buildings is justified in the particular circumstances of West Somerset. Furthermore, the modified policy has to be read together with policies EC8 and EC9 which deal with tourism development to appreciate the full policy framework.
68. Returning to policy SC1, many of those making representations understood the definitions of 'limited development' and 'small-scale development' given in

the justification to be overly restrictive as applied to housing development. The Council explained that this was not the intention; that was to achieve a manageable rate of change over time. Given national planning policy and the need for the primary and secondary villages to make an important contribution towards housing supply in the Plan area the Council's intention must be correct. However, using the word 'maximum' does not allow that interpretation and, in any event, is unnecessary as application of policy SV1 would allow balanced communities to be maintained. **MM3** will modify the definitions in the justification and will more clearly express the Council's intention for the policy. **MM3** also makes clear that the number now given for each named village refers to the settlement rather than the parish.

69. Those making representations on the main modifications expressed concern about this change feeling that it could inhibit the ability of some settlements to grow and thereby preserve important local facilities. However, I consider these concerns to be misplaced and to be reading 'about' as still imposing an upper limit on new development. Read with policy SV1 that would not be the practical application of policy in my judgement.

#### *Housing - Affordable housing*

70. The Council has always been clear that its biggest concern is not so much the OAN *per se* but the composition of it and the finding of the original SHMA that the need for social housing would amount to about 60% of the total need over the Plan period (EB7, #50).
71. In essence, the approach of the Plan is to achieve affordable housing on development sites in a ratio of 35:65, affordable: open-market housing. The Council recognises that this will not deliver the amount of affordable housing required but the general consensus at the hearing sessions was that this approach was, nevertheless, realistic. As I will come to later when addressing housing land supply, historic build rates are consistent and almost entirely uninfluenced by plan requirements. There is simply no evidence that imposing an uplift to the OAN in order to help meet identified affordable housing needs would have any practical effect.
72. Nearly 50% of the total housing provision is however proposed on three strategic sites. A significant proportion of the affordable housing requirement will therefore need to be delivered from them. A finding of the Strategic Housing Viability Assessment is that if the required affordable housing threshold is to remain the priority for these sites there would be no residual balance to support the cumulative costs of other policy requirements or a margin to absorb adverse market changes (EB4, page 47, Recommendation 1). Having said that, some participants were more optimistic about the affordable housing that might come forward on these sites pointing to the role of the Homes & Communities Agency in some developments in Minehead.
73. At the time of the hearing sessions the strategy and policy framework for the delivery of affordable housing was nevertheless uncertain for two reasons. First, policy SC4 as submitted was not then in accordance with national planning policy as it stood at that time and, second, the Housing and Planning Bill could have an impact on the scale of affordable housing that might be delivered. These are now dealt with in turn.

74. Although I understand this not to be the Council's preferred approach, policy SC4 as submitted limits the requirement for provision of affordable housing to sites of 11 or more dwellings or, exceptionally, 6-10 dwellings in specific settlements or circumstances. This approach follows that set out in the Written Ministerial Statement of 28 November 2014 and the associated guidance in the PPG. This was however successfully challenged in the court<sup>4</sup> in July 2015. The court ordered that the policies in the Written Ministerial Statement must not be treated as a material consideration in development management and development plan procedures and the relevant paragraphs in the PPG were removed. However, on 28 September 2015 the Secretary of State was granted leave to appeal that judgement with the case being heard in the Court of Appeal on 15 March 2016, that is, while the hearing sessions were taking place.
75. On 11 May 2016 and therefore after the close of the hearing sessions but before the main modifications were approved by full council for consultation the Court of Appeal allowed the appeal by the Secretary of State. In effect, the Written Ministerial Statement and the advice in the PPG were reinstated. In this respect, submitted policy SC4 accords with national policy and no modification is required. Since each of the three bullets within criterion 3 of the policy is phrased to apply whatever the current standard is at the time of any planning proposal I do not believe that any can be said to be 'out-of-date' and not reflective of national policy as contended by a respondent to the main modifications consultation.
76. The Housing and Planning Bill was enacted on 12 May 2016. It provides a statutory framework for the delivery of starter homes. There are different views about the effect this will have on the number of affordable homes that will be delivered since the Act requires that planning permission could only be granted if specific requirements relating to starter homes were met (see for example ED32/3, Appendix A).
77. Affordable housing delivery is a matter that the Council will wish to keep under careful review. However, modifications to the Plan already discussed, particularly those relating to that part of the Plan area outside the three main settlements, will assist in the delivery of this much-needed housing type.

#### *Housing in total*

78. As already stated above, the Plan allocates specific sites for slightly less than 50% of the overall housing requirement during the Plan period. This is primarily because the Plan started life as a core strategy through which it would have been inappropriate to allocate non-strategic sites. Again as explained above, no further development plan documents are now to be brought forward. The outcome therefore is that just over 50% of the housing
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<sup>4</sup> *West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government* [2015] EWHC 2222 (Admin)

provision will have to come forward on sites that are, as yet, unidentified in the Plan.

79. On past evidence the Council is clearly confident that what are in effect windfall developments will continue to come forward in the required numbers (EB7, #81 to #84). However, that is the antithesis of the plan-led approach enshrined in the first of the 12 core planning principles set out in Framework paragraph 17.
80. This matter was raised in my initial letter to the Council (ED3, #37) and my second letter seeking clarification of the process by which the suggested interim (early) release sites might be brought forward for consultation (ED7, #8 to #11). A number of additional sites were ultimately approved by Full Council in December 2015 (ED15, ED16, ED18 and ED19) having a combined capacity of about 245 dwellings. These were not subject to any consultation at that stage, the intention, at that time, being for that to take place as part of the consultation on the proposed main modifications that would be required in due course. They were however subject to a sustainability appraisal process with the outcomes (ED18a) informing the decisions of full council. That process did not identify any 'showstoppers' in respect of any of the sites approved.
81. The interim (early) release sites were selected from the SHLAA Update Report (EB5) where they are referenced as set out in the following text. Some of the sites selected (WAT9 and part of MIN30/MIN41) were discussed during the hearing sessions under Matter 6 since they were also put forward as additional sites at pre-submission consultation. These three and MIN4 and MIN5 are all within or in close proximity to the contiguous built-up areas of Watchet and Minehead/Alcombe respectively. In that respect, their development would be in accordance with the Plan strategy and policy SC1. Their combined capacity is in the order of at least 185 dwellings. Stogursey is defined as a primary village under policy SC1. The identified early release site has a capacity of some 60 dwellings. Whether this site would or would not be in accordance with the strategy and policy SC1 would depend on the rate and phasing of development and thus compliance with the 'limited development' criteria of policy SC1 and the terms of policy SV1.
82. Other sites were also put forward by landowners and/or developers to be considered if further land for housing needed to be identified in the Plan. These were also discussed under Matter 6. To the extent that matters were in contention, the three allocated sites (MD2, WA2 and WI2) were also discussed under Matter 5.
83. I shall deal with the allocated site and the two put forward on land at Watchet quite briefly. The allocated site (WA2) is, together with other land, wholly under the control of the Trustees of the Wyndham Estate. Uncontested evidence was given at the hearing sessions that master planning of the site and surrounding area had shown that the mixed-use development proposed could be accommodated while avoiding any effect on the setting of the heritage assets present. Development could be kept below the ridge line thus mitigating any landscape impact. No evidence was presented to suggest that this allocation should not be endorsed.

84. The allocated site is within an area described in the sustainability appraisal (SD14) as 'Watchet South' while the early release site and the two other proposed sites are in the 'Watchet East' area. The sustainability appraisal is quite clear that the two areas performed similarly when assessed. The sole reason for the allocated site being chosen is said to be that it was better related to the town centre.
85. One of the non-allocated sites put forward (WAT6) is an extension of that now suggested by the Council as an early release site (WAT9) and would be developed in a comprehensive manner with that site to provide around 200 dwellings. The other is land to the south of Doniford Road/Normandy Avenue and could accommodate about 150 dwellings.
86. Both sites have been subject to quite detailed appraisals and master planning, the results of which have been submitted in evidence. These demonstrate that the various constraints affecting each site such as flood risk, highway connections and access, sites of nature conservation interest and landscape impact are capable of resolution subject to normal development management assessment at full planning application stage.
87. Given that the Plan strategy and policy SC1 envisage development in close proximity to the contiguous built-up area of Watchet, once WAT9 (which is so sited) has been developed both other sites will meet this criterion. I see no reason why all three of the suggested sites should not come forward. All would be in accordance with the Plan strategy and policy SC1 and thus acceptable in principle.
88. Turning now to Williton, the land as allocated in the submitted Plan and that proposed by Summerfield Developments (SW) Ltd would form, when taken together with the submitted Plan employment allocation under policy EC2, an almost continuous development arc to the west, north and east of the town. The sustainability appraisal (SD14) notes that the land to the east, substantially that site now put forward by Summerfield, was discounted because of the difficulty in accessing the services in the High Street and the high probability of flooding, water pollution risk and drainage challenges.
89. Summerfield has submitted in evidence a number of studies including a draft master plan which seek to address the concerns that led the Council to discount this land on the basis of the sustainability appraisal. This shows how the land could be developed in ways that exclude all but essential infrastructure, open space and community playing fields from Flood Zone 3 and provides pedestrian links to the High Street and some other services with a walking time of around 10 minutes. Although a potential access to the A358 is indicated, this appears to be at the conceptual stage at this time and any benefits arising from this can be given only limited weight.
90. No 'in principle' objection was raised by the Environment Agency on flood risk grounds subject to the sequential and exception tests being met and site specific flood risk assessments being carried out in due course. The Plan strategy reflects the sequential and exception test outcomes. In principle therefore, the suggested site would appear to accord with the Plan strategy and policy SC1 being in close proximity to the contiguous built-up area of Williton.

91. Turning now to the site allocated under policy WI2, following representations at pre-submission consultation from Historic England (SD21/2), the Council proposed to delete part of the site allocation to the north of the school and ensure that the part of the allocation to the west closest to the town is retained as a green buffer to protect the Battlegore Cemetery scheduled monument (ED17). The effect of this proposed change would be to detach the small northern allocation and somewhat divorce that part of the western allocation to be master planned for development from the town centre.
92. The allocated land is under the control of the Trustees of the Wyndham Estate. The Trustees accept that the requirement to minimise flood risk means that the land that can be made available for housing would not be contiguous with the existing settlement boundary (ED32/5, #2.2). On the face of it, that would appear to undermine one of the reasons for the Council selecting this area rather than the Summerfield land to the east. However, as noted by the Trustees at the hearing session, although the developable land is proposed to be reduced quite considerably in response to both Historic England and the flood risk issue, the development expected to come forward, some 400 dwellings and 3 hectares of appropriate and compatible non-residential uses, remains unchanged.
93. I agree with the Trustees that the changes proposed by the Council are not justified. They would serve to undermine the master planning process that, on the evidence, requires some development to the north of the school to achieve the housing numbers envisaged (ED32/5, #2.1). Retaining the submitted allocation would allow greater opportunity to achieve a development that delivered the requirement of policy WI2 while protecting the heritage asset. As a whole, the allocated site would then remain in accordance with the Plan strategy and policy SC1. Nevertheless, **MM10** is required to ensure that the development achieves through the master planning process the enhancement of the heritage asset. A consequential change to SD5, Figure 5 (the policies map) is also necessary.
94. The land allocated under policy MD2 at Minehead is acknowledged to be challenging. Ownership of the land is fragmented and, unlike the sites in Watchet and Williton, the Council expects to lead the master planning process. A respondent commenting on the main modifications queried whether this was still the Council's intention but who it is prepared by is not a soundness matter. The topography creates some development issues and flood risk off-site from the development of the land is an issue that needs to be addressed. Nevertheless, the consensus view among participants at the hearing session was that as landowners' expectations of land values became more realistic development would occur. Moreover, the involvement already of the Homes & Communities Agency on land in the area gave confidence that the required affordable housing would come forward.
95. The site off Bratton Lane put forward by Mr Shapland is within the Porlock Road area assessed as part of the sustainability appraisal. The reasons for rejecting development in this area are given as significant negative effects on flooding (as parts are in Flood Zone 3) and significant effects on landscape (since parts of the area are clearly visible from Exmoor National Park).

96. Nevertheless, early release sites MIN4, MIN5, MIN30 and MIN41 now suggested by the Council and that put forward on behalf of several owners and within the boundary of MIN30 and MIN41 are all within the Porlock Road area. Evidence from the Environment Agency is that while parts of MIN30 and MIN41 are within Flood Zone 3, Mr Shapland's site is within Flood Zone 1 and thus acceptable, at least on flood risk grounds (ED21).
97. Turning to visual and landscape impact, ENPA advises that the effect on the National Park from development of the suggested early release sites would be neutral on both landscape character and visual amenity provided that screen planting is retained and/or reinforced (ED25/3, #4.2). In considering the effect on the National Park of Mr Shapland's site, ENPA make essentially the same comments under the 'description and discussion' section but conclude that the effect on both landscape character and visual amenity would be 'moderate adverse' (ED25/6). It is not clear why this different conclusion was drawn or why screen planting, as advocated by those representing Mr Shapland in evidence, could not be employed in mitigation.
98. As I saw during my inspection of the area, the topography of this part of Minehead is complex. It seems to me that development of each of these five sites is broadly in accordance with the Plan strategy and policy SC1 since all are in close proximity to the contiguous built-up area. Whether any could be developed would seem to depend on site specific proposals relating to flood risk, access and landscape and visual impact. These are matters of detail for the development management process; in principle they would all appear to be acceptable.
99. The final area of additional land suggested in the event that more or alternative sites need to be identified is Crown Estate land at Dunster Marsh. Indicative development of the land in three roughly equal phases was submitted in evidence and would provide some 215 dwellings (ED23/6). The development would be on the western side of the settlement and would be an extension of a 54 dwelling phase now under construction. The effect would be to begin to close the gap between the settlement and the eastern side of Minehead.
100. As with the other sites that have been put forward by or on behalf of landowners and developers I have little doubt that this land could be master planned to address any issues in sufficient detail to allow consideration through the development management process. However, Dunster Marsh is defined by policy SC1 as a secondary village with a dwelling total at the start of the Plan period of 183. Development of even phase 1 alone, as was suggested at the hearing session, would be completely at odds with even the more flexible interpretation now given to policy SC1 as a result of **MM3**. Furthermore, the facilities that are available in Dunster are on the other side of the busy A39 and not well related to any significant further development at the proposed site. Development here would not therefore be in accordance with the Plan strategy and policy SC1 and would not be acceptable in principle at this time.
101. Finally, I turn briefly to the development proposed at Minehead and Watchet under policy LT1. Both sites are identified for development post-2026 and, in that regard, are intended to be consistent with Framework paragraph 47,

bullet 3 in indicating broad locations for development at the end of the 11-15 year period. No development capacity is indicated in the Plan.

102. The site at Minehead adjoins the allocated policy MD2 site and is likely to be phased with development of that land given the linkages in highway access terms. That at Watchet is proposed as it offers an opportunity to realign the B3191, the current route of which will be subject to coastal erosion. The Council explained that this was a vital part of the strategic highway network in the event that the A39 was unavailable for any reason. Changes to the policy wording in respect of the safeguarding and enhancement of the Daws Castle and associated heritage assets have been agreed with Historic England (ED57). On the evidence before me I see no reason why either site should not be included within the Plan with the change in **MM11** required for consistency with national heritage policy.
103. To summarise my conclusions on this sub-issue, the submitted Plan proposes some 1,440 dwellings on the three strategic sites (MD2, WA2 and WI2). The early release sites suggested by the Council add a further 185 dwellings or 245 dwellings if the development at Stogursey can come forward in accordance with the Plan strategy and policies SC1 and SV1. Other sites which I have concluded would accord with the Plan strategy and policy SC1 would add a further 250 dwellings across the two Watchet sites, between 190 and 250 dwellings at Williton East and about 55 dwellings at Bratton Lane, Minehead. That adds a further 495 to 555 dwellings. In all therefore, land could be developed in accordance with the Plan strategy and policy SC1 with a capacity of between 2,120 and 2,240 dwellings or between 73% and 77% of the Plan requirement of 2,900.
104. During the hearing sessions evidence was given by those directly involved in the proposed development of all of the above sites except MD2, the four early release sites in Minehead and the site at Stogursey. The four Minehead early release sites have a relatively limited capacity of some 85 dwellings. All confirmed that sufficient appraisal and investigative work had taken place to allow master planning to be relatively well advanced. All confirmed that a start could be expected in not later than 24 months and all confirmed that viability testing gave confidence that, in current conditions, affordable housing provision at 35% could be secured. I do not accept the argument now put forward in response to the main modification consultation that these comments were only given on the understanding that the sites would be allocated in the Plan thus creating the appropriate investment climate. The Planning Inspectorate deals with numerous appeals involving development of unallocated sites pursued in any event in what is perceived to be a situation where there is no five year housing land supply.
105. Ideally these sites should be included as specific allocations in the Plan. That is not however the proposal of the Council for the reasons set out briefly (ED58, section 4) and more fully at the Matter 8 hearing session. In essence, this is a concern at the further delay that would be caused to the adoption of the Plan by the likely requirement to re-open the hearing sessions following consultation on the main modifications if they included a number of additional development sites.

106. I have considered carefully the preliminary views expressed at the hearing session and, since Document ED58 could only be tabled at the hearing session, the more considered points made in response to the publication of the main modifications. I do not believe that the Plan would be unsound as proposed to be modified (or, strictly, not modified in this instance) for the following reasons.
107. First, while the uncertainty that prevailed at the time of the hearing sessions concerning the Housing and Planning Bill and the Court of Appeal judgement has now been resolved, an understanding of their effects and the implications for the delivery of affordable housing in particular will take some time to become apparent. That is an argument for early adoption of the Plan followed by a rapid review once these implications become clear. The future of the Hinkley Point C project remains uncertain at the time of writing.
108. Second, there are advantages in early adoption for those wishing to prepare and complete a Neighbourhood Plan and this was a point made in evidence at the hearing session.
109. Third, while an allocation in a plan is clearly desirable, there is little evidence to suggest that in this case the schemes put forward would be delayed or prevented by not being specifically identified. No insurmountable barriers to development were identified to prevent those sites coming forward. Indeed, all the evidence was to the contrary. Given the strength of the evidence given about the deliverability of each site, it is not clear what additional security will be afforded by allocation in the Plan for those advocating development.
110. Fourth, I consider that development would still be plan-led in the sense that the sites are all in accordance with the Plan strategy and policy SC1. They would not be windfall sites as defined in the Framework Glossary since they would have been specifically identified as available through the local plan process and they would clearly not become available unexpectedly. In the context of West Somerset a residual windfall allowance of some 30% of the total Plan provision would not be inconsistent with Framework paragraph 48.
111. Fifthly, at the hearing sessions the Council has committed to an early review of the Plan to prepare the comprehensive document envisaged by Framework paragraph 153. The Council indicated that this would commence within 18 months to two years. As is clear from the exchange of correspondence (ED62 and ED64) this timescale is now less clear for the reasons set out by the Council. This is unfortunate and I would urge that the review be undertaken as soon as resources permit.
112. With that caveat I nevertheless support the Council's approach subject to the evidence demonstrating that a five year supply of housing land is available now (April 2016). I turn to consider that next.

*Five year housing land supply at 1 April 2016*

113. The Council has produced three estimates of housing land supply each of which shows that a five year supply can be demonstrated on the assumptions made. Those shown in Document EB7 (#75 to #87) and ED34/4 (#4.3.1 to 4.3.6, Table 4.1) spread the 2,900 dwelling requirement equally over the 20 year period of the Plan (145 dwellings per annum) and apply the buffer

- required by Framework paragraph 47, bullet 2 at a rate of 5% before adding the shortfall in the first years which itself is spread across the whole of the remaining Plan period (the 'Liverpool' method). Having considered the points made at the relevant hearing session, the final assessment (ED58, #4.1 to #4.7, Appendix B) steps the dwelling requirement and spreads the shortfall in the first years across the next five years of the Plan (the 'Sedgefield' method) before adding a 5% buffer.
114. The 450 dwellings assumed to be required as a result of the Hinkley Point C project represents about 16% of the Plan requirement but some 21% of the calculated OAN for the HMA relied upon by the other local planning authorities within it (ED25/2, Appendix 4). The way that this is treated in the calculation of the five year housing supply is therefore important since it has a significant effect on the shortfall in the early years in particular.
115. It was not unreasonable for the Council to spread the requirement evenly across the Plan period in the first instance since the project was supposed to have started by now; indeed, 2016 should have been the peak year for workforce numbers (EB7, #68). That has not in fact occurred and it is right therefore for the Council to review its approach. It now assumes that the requirement will arise from 2018/19, year seven of the Plan. For the first six years therefore the long term annual average of 122 dwellings per annum is assumed with 155 dwellings per annum thereafter.
116. I agree that this approach is justified. As a consequence, the Council also now applies the 'Sedgefield' method to the treatment of the shortfall. This is also justified since the 'Liverpool' approach previously advocated was on the basis that the Hinkley Point C effect was also spread across the Plan period; that is no longer now the case. **MM4** adds an explanation to this effect to the supporting text for policy SC2.
117. The Council also now proposes to add the buffer after adding the shortfall. This is widely held to be the correct approach. The issue therefore is whether it should be 5% as the Council suggests or 20% as some, but not all, those making representations contend.
118. The PPG advises that identifying whether or not there has been a record of persistent under delivery of housing is a matter of judgement. It does however suggest that the assessment is likely to be more robust if a longer term view is taken so that peaks and troughs in the housing market cycle are likely to be evened out<sup>5</sup>. The Council's evidence (EB7, Table 3) is that over the period 1977 to 2011 the annual average rate of completions over the four Structure Plan periods covered has varied from 116 dwellings per annum to 128 dwellings per annum; a modest variation. The requirements against which this delivery must be set, however, has varied from 108 dwellings per
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<sup>5</sup> Paragraph 035 Reference ID: 3-035-20140306

annum to 193 dwellings per annum; a considerably wider range. Over two of the four periods there has been under performance against the target while over the other two there has been an over performance. The most recent (1991 to 2011) is a period of slight over performance, 116 against 108.

119. On the basis of this evidence I see no justification for a buffer of 20% to be added since there is no evidence of persistent under performance.
120. Looking first at the 'demand' side, the Council's calculation of the five year Plan requirement presented at the hearing session ran from April 2015 to April 2020 (ED58, Appendix B). However, it should run from April 2016 to April 2021 and this is what is shown in the main modifications consultation document (Appendix C). This shows actual completions to 2015/16 of 405 against a requirement over the same period of 488 giving a shortfall-to-date of 83 dwellings. The overall dwelling requirement (including the 5% buffer) over the next five years would therefore be 832 dwellings (or 166 dwellings per annum) because that period comprises two years at the long term average rate of development (122 dwellings per annum) and three years at the higher 'Hinkley' rate of 155 dwellings per annum.
121. Turning now to the 'supply' side, the PPG is quite clear about what constitutes a deliverable site<sup>6</sup>. These include those with planning permission and allocations in a local plan. However, the latter is not a prerequisite for a site being deliverable in terms of five year supply as contended by some participants at the hearing sessions (emphasis added). The PPG continues by saying that where there are no significant constraints such as infrastructure to be overcome sites not allocated in a development plan or without planning permission can be considered capable of being deliverable within a five year time-frame. This is entirely consistent with Framework footnote 11. The sites promoted by those making representations are clearly deliverable as defined.
122. What constitutes a developable site is set out in Framework footnote 12 and the PPG <sup>7</sup>. In this respect the evidence in the Strategic Housing Land Availability Assessment (SHLAA) is important and the latest information available (EB5) is reflected in the most up-to-date housing trajectory available (main modifications consultation Appendix C). The evidence given at the hearing session about the development that would come forward on sites that should be included in the Plan is also very important in this context. The sites promoted by those making representations are clearly developable as defined.
123. The Council's housing trajectory and latest assessment (main modifications consultation Appendix C) is drawn from the SHLAA and I have no evidence to suggest that these assumptions will not be delivered for large and small sites with planning permission. Over the period April 2016 to April 2021 this would amount to some 534 dwellings.

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<sup>6</sup> Paragraph 031 Reference ID: 3-031-20140306

<sup>7</sup> Paragraph 032 Reference ID: 3-032-20140306

124. As set out above, I have concluded that sites put forward either by the Council as either allocated or early release sites and by others in Watchet, Williton and Minehead would be in accordance with the Plan strategy and policy SC1. During the hearing sessions clear evidence was given that each was viable and, after allowing a lead-in time of some two years, could each deliver between 25 and 35 dwellings per annum.
125. The Council has assumed a total of 310 dwellings from these sources over the relevant five year period of the Plan. On the basis of the evidence given during the examination I consider this to be a conservative assumption. Not all of the sites that I believe would be in accordance with the Plan strategy if brought forward have been included and for those that have, the assumed annual contribution is less than that suggested by the prospective developer or landowner. Against this, some 50 dwellings have been assumed at the Stogursey site which may or may not be in accordance with policy SC1 as set out above.
126. Added to assumed completions, it can be seen that this figure (some 834 dwellings) is almost equal to the requirement without any account being taken of development on windfall sites.
127. I consider the Council's evidence (EB7, #81 to #84) in respect of the numbers that will come forward on windfall sites as defined in the Framework Glossary to be compelling and thus justified in terms of Framework paragraph 48. The Council assumes some 130 dwellings coming forward from this source; 80 on small sites, 50 on large sites. It may well be that development on large sites would, in reality, be on sites coming forward in accordance with Plan strategy that have already been taken into account. There may therefore be an element of double counting in the Council's analysis. Even so, adding the 80 dwellings on small sites still gives a total 'supply' of some 914 dwellings.
128. At a required rate of 166 dwellings per annum, this would amount to a supply of some 5.5 years. Given the conservative nature of some of the assumptions made by the Council I consider that to be a healthy margin and thus conclude that at 1 April 2016 there would have been a five year supply of deliverable and developable housing land. Moreover, adding the assumed annual small site windfall of 40 dwellings to the capacity of between 2,120 and 2,240 dwellings that I consider could come forward on large sites could bring the 'supply' now to within some 300 dwellings of the overall Plan requirement of 2,900. I see no reason on the evidence to believe that a supply of specific developable sites would not come forward in years 6 to 10 of the Plan as indicated in Framework paragraph 47.

### *Employment*

129. In my initial letter to the Council I raised a concern over the deliverability of the major employment site identified at Williton in policy EC2 in view of the evidence given to me in March 2015 at a hearing into an appeal on land within the allocated site area (ED3, #59). In the light of that evidence and confirmation by the Environment Agency that, given the partial location of the land within the functional floodplain, development of the land would not be consistent with the Framework (ED58, page 4), the Council indicated that it would delete the allocation. **MM14** is therefore necessary to achieve

soundness in this respect and a consequential change to the submitted policies map is required.

130. As discussed under Issue 2, the employment land allocations in the Plan are indicative rather than required to meet a specific quantitative need. It does however emphasise the need to allow for employment opportunities to come forward in association with the mixed-use developments proposed for the three main towns.
131. In that respect, the Council's proposed change to policy EC6 is welcome. It casts the policy in the much more positive and enabling light suggested by participants at the hearing session and several of those making representations at pre-submission consultation. The Council will be able to use appropriate conditions to avoid new dwellings being achieved in unsustainable locations which I understand to be the Council's prime concern and the objective of the submitted policy EC6 wording. **MM15** is therefore required to ensure that the Plan is effective in this regard.

#### *Overall conclusion on Issue 3*

132. The changes to be made by way of main modifications to policies SC1, OC1 and EC6 will set a positive framework for the delivery of the sustainable development required over the Plan period. The evidence shows that housing can come forward on sites that are both deliverable and developable as defined in the Framework. While it would be preferable for all these sites to be allocated in the Plan now, they can and will contribute to a five year housing land supply now. The further delay to a Plan that has already taken a very long time to prepare that would be caused is not therefore justified. The number of other issues that are now uncertain but which will have to be addressed lends further support to the approach of adoption followed by early review proposed by the Council. The main failing of the Plan is the probable inability to achieve the level of affordable housing needed. However, the steps taken by the Council in the prevailing circumstances are pragmatic. This is one area that is likely to be affected by changes in legislation and is therefore a further justification for adoption and early review once the consequences of those changes are better understood.

#### ***Issue 4 - Whether the policies in the Plan are effective and consistent with national policy***

133. In my initial letter to the Council (ED3) I referred to a number of policies that I considered either inconsistent with national policy or likely not to be effective; two of the tests of soundness. The changes to some and the reasons for them have already been discussed in relation to policies SC1, OC1, EC2 and EC6. The others are addressed now.
134. Submitted policies EN2 and CC1 both address developments that would generate energy from, among other things, renewable and low carbon sources. The only substantive difference between the two is that policy CC1 relates to small-scale schemes whereas EN2 relates to 'major' proposals. However, neither term is defined so it is wholly unclear which policy would apply to any particular proposal. **MM1** deletes policy EN2 while **MM17** alters the wording of policy CC1 thus addressing these failings. In doing so, the Council makes clear that the criteria-based support given by policy CC1 does

not relate to proposals for wind turbines since the Written Ministerial Statement issued on 18 June 2015 does not permit criteria-based policies to be included for such developments in local plans. This is therefore recognised as an interim policy stance pending an early review (ED8, #14), thus lending further weight to this approach.

135. While policy SC3 is intended to give effect to Framework paragraph 50, bullets 1 and 2, the latest Annual Monitoring Report (EB24) illustrates the weakness of the policy as drafted. While the percentages of dwellings provided in each category measured is set out in the Annual Monitoring Report, there is no benchmark against which to set it and thus no indication of the success or otherwise of the policy. **MM5** addresses this by an addition to the 'justification' wording.
136. As submitted, policy CF1 is not consistent with Framework paragraph 70 since it implies that it is only recreational facilities whose loss should be replaced. **MM16** rectifies this inconsistency with national policy and has been supported by the Theatres Trust following the main modifications consultation.
137. Submitted policy NH5 introduces without any local justification a threshold of 10 hectares below which the best and most versatile agricultural land would not be protected from significant development. No such threshold is stated or implied in Framework paragraph 112 and, in the West Somerset context, many of the development sites coming forward could therefore not be protected. **MM24** is necessary to bring the policy into consistency with national policy.
138. **MM26** introduces a new policy (NH11) that is required for consistency with national policy and the advice in the PPG. Framework paragraph 115 is clear that great weight should be given to conserving landscape and scenic beauty in the AONB while the PPG makes clear also that this extends to development proposals outside of an AONB but which might nevertheless have an impact upon its setting<sup>8</sup>.
139. The form of words put forward at the main modifications consultation attracted significant objection from the Quantock Hills AONB Service, Natural England and ENPA. The policy wording that is subject of **MM26** is that which derives from the exchange of correspondence with the Council (ED66 and ED67).
140. Similarly, **MM27** reflects the same exchange of correspondence. As submitted, there was a mismatch between the wording of policy GT1, which appears supportive, and the justification which could be interpreted as being negative. Moreover, the Plan gave no guidance as to how any proposal coming forward would be assessed. The changed wording consulted upon was roundly criticised by the National Federation of Gypsy Liaison Groups and

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<sup>8</sup> Paragraph 003 Reference ID: 8-003-20140306

was not consistent with national policy at all. That now put in the Plan by **MM27** is an interim policy pending the identification of specific sites through either the early review of the Plan or the preparation of another, perhaps joint, local plan and further work with other authorities. It is not inconsistent with *Planning policy for traveller sites* published in August 2015.

141. The Council and EDF Energy have produced a statement of common ground with the Office for Nuclear Regulation (ED56). This contains modifications that include a re-instated policy NH7. I have considered carefully the statements made by EDF Energy, particularly the representation (SD21/34) and the various references to the Framework and the PPG within it. In my view, all of these are in the form of procedural advice to local authorities on the way to carry out the development management function so as to comply with the requirements of the Town and Country Planning (Development Management Procedure) Order 2015. The representations and further statements do not explain why the Plan would be unsound without the policy. Nevertheless, to the extent that a policy is required for the Plan to be effective in this regard **MM25** and the consequential changes to the policies map achieve that purpose.
142. At pre-submission stage and during the examination Historic England has made a number of detailed representations about the extent to which the policies in the Plan reflect national policy. This has been the subject of considerable correspondence with the Council (ED3, ED4, ED59, ED60, ED62 and ED66). As a consequence a number of changes are necessary for consistency with national policy (**MM20** and **MM21**) and clarity (**MM6** to **MM9** inclusive). In the main these modifications reflect the wording suggested by Historic England and particularly that put forward in its main modification consultation response<sup>9</sup>, which was prepared in the light of my remarks in ED62. Having reflected on that response and my observations on it (ED66) the Council has asked me to recommend the wording now proposed by Historic England (ED67). **MM20** and **MM21** as now drafted correctly reflect the balance between statute and national policy on the one hand and local circumstances on the other. In its main modification consultation response Historic England also made a number of suggested changes to the supporting text for clarity. As these do not affect the soundness of the Plan it is for the Council to consider if it wishes to make them
143. Finally, **MM13**, **MM18**, **MM19**, **MM22** and **MM23** address some slight ambiguities and anomalies in the submitted policies rather than matters of substance. They are nevertheless necessary to ensure that the 'effective' test of soundness is met. **MM28** and **MM29** simply replace the words 'proposals map' by 'policies map' but, since some are within the body of a policy they are strictly required to be main modifications.

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<sup>9</sup> <https://www.westsomersetonline.gov.uk/Docs/WSLP-Proposed-Modifications-Representations/Historic-England.aspx>

## Public Sector Equality Duty

144. In conducting the examination I have had due regard to the above Duty and s149 of the Equality Act 2010. In particular I do not consider that policy GT1 as submitted or the policy as proposed to be changed by the Council and consulted upon as part of the post-hearing sessions consultation on the main modifications would respect the qualified rights of the gypsy and traveller community in relation to respect for private and family life. **MM27** introduces a modified policy that does.

## Assessment of Legal Compliance

145. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The West Somerset Local Plan to 2032 is identified within the approved LDS January 2015 which sets out an expected adoption date of Month Year. The Local Plan's content and timing are compliant with the LDS up to formal submission.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in December 2014 and consultation has been compliant with the requirements therein, including the consultation on the post-submission proposed 'main modification' changes (MM)
Sustainability Appraisal (SA)	SA has been carried out and is adequate.
Appropriate Assessment (AA)	The Habitats Regulations AA Screening Report (December 2014) sets out that the policies within the draft local plan are unlikely to have a significant effect on the integrity of a European and/or Ramsar site provided that policies NH3, NH8 and NH9 are maintained which they are.
National Policy	The Local Plan complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The Local Plan complies with the Act and the Regulations.

## Overall Conclusion and Recommendation

146. The Plan has a number of deficiencies in relation to soundness for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

147. The Plan is not the single plan for the area envisaged by Framework paragraph 153. Importantly, it does not identify a full range of housing sites. A number of sites have been discussed and found to be in accordance with the Plan strategy. It would clearly be preferable if they were to be included in the Plan now as was the Council's initial intention in responding to my preliminary queries and concerns. However, these would have to be proposed as MMs. It is quite likely that new matters would be raised through consultation that may lead to the hearing sessions being re-opened. The delay to the adoption of the Plan would run counter to the very clear message from Government referred to at the end of the Preamble. Allied to the commitment to an early review to address the major uncertainties regarding infrastructure provision and policy effects highlighted in this report I consider that the balance of advantage for the proper planning of the area is for the Council to adopt the Plan now with the main modifications the Council has requested that I recommend to make the Plan sound and capable of adoption.
148. I conclude that with the recommended main modifications set out in the Appendix the West Somerset Local Plan to 2032 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

**Inspector Signature**

*Brian Cook*

Inspector

This report is accompanied by the Appendix containing the main modifications



# Appendix: Main Modifications

Main Modification number	Policy ref. & page number	POLICY/Text
MM 1	<p><del>POLICY EN2: MITIGATION IMPACT OF MAJOR ENERGY GENERATING PROPOSALS</del></p> <p>(delete)</p> <p>p.17</p>	<p><del>MAJOR ENERGY GENERATING DEVELOPMENT PROPOSALS WILL BE SUPPORTED WHERE:</del></p> <ul style="list-style-type: none"> <li><del>○ THEY RESPECT THE LOCAL NATURAL ENVIRONMENT IN WHICH THEY ARE LOCATED;</del></li> <li><del>○ THE IMPACTS ON THE HISTORIC ENVIRONMENT ARE LESS THAN SUBSTANTIAL AND CAN BE MITIGATED;</del></li> <li><del>○ THEY RESPECT THE POSITIVE ECONOMIC AND SOCIAL CHARACTERISTICS OF COMMUNITIES AFFECTED ESPECIALLY THOSE NEIGHBOURING THEM; AND,</del></li> <li><del>○ ADEQUATE MEASURES ARE TAKEN TO MITIGATE THE CULTURAL, ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT OF ANY RELATED DEVELOPMENT ON THE COMMUNITIES AFFECTED, BOTH IN THE SHORT AND THE LONGER TERM.</del></li> </ul>
	<p>Purpose</p> <p>p.17</p>	<ul style="list-style-type: none"> <li><del>○ The policy seeks to ensure that appropriate mitigation of adverse impacts and optimisation of beneficial impacts arising from major energy generating proposals is provided.</del></li> </ul>
	<p>Assumptions</p> <p>p.17</p>	<ul style="list-style-type: none"> <li><del>○ Major energy generating proposals can give rise to a range of both positive and negative impacts depending on the nature of the energy generating technology involved and the scale, location and design of the scheme;</del></li> <li><del>○ Some of these impacts may be on a very significant scale,</del></li> <li><del>○ They will range in timescale between short and long term.</del></li> </ul>
	<p>Justification including any references</p> <p>p.18</p>	<ul style="list-style-type: none"> <li><del>○ The search for new and more sustainable energy generating capacity has led to the development of novel technologies such as large scale photovoltaic arrays and windfarms. All energy generating facilities have locational requirements related to the nature of the energy source being captured.</del></li> <li><del>○ The desire for more low carbon energy generation has led to more large scale generating development away from traditional sources of hydrocarbon energy such as the coalfields. Wind, hydro, biomass and solar energy schemes are frequently located in remote rural areas of high landscape and or ecological value, great care is necessary in order to balance the benefits of low or zero carbon energy generation with the appropriate level of protection for highly valued environments.</del></li> <li><del>○ A Renewable Energy Potential Study forms part of the evidence base.</del></li> </ul> <p>Sources:</p> <p><del>Department of Energy and Climate Change; <u>Overarching National Policy Statement for Energy – June 2011 (EN-1)</u>; DECC; 2011.</del></p> <p><del>Department of Energy and Climate Change; <u>National policy Statement for Renewable Energy Infrastructure – June 2011 (EN-3)</u>; DECC; 2011.</del></p> <p><del>Department of Energy and Climate Change; <u>National Policy Statement for Electricity Networks Infrastructure – June 2011 (EN-5)</u>; DECC; 2011.</del></p> <p><del>Department of Energy and Climate Change; <u>National Policy Statement</u></del></p>

		<p><del>Nuclear Power Generation Vols. 1 &amp; 2 – June 2011 (EN-6); DECC; 2011.</del>  <del>64</del>  <del>Turner, Cllr. K.H.; West Somerset Council Full Council 23<sup>rd</sup> March 2011</del>  <del>Agenda Item 8: West Somerset Council Position Statement on Proposed</del>  <del>Major Energy Generation and Associated Infrastructure Projects (Full Council</del>  <del>Report No. WSC 42/11); West Somerset Council; 2011.</del></p> <p><del>Stuart Todd Associates; West Somerset Local Planning Authority Area</del>  <del>Renewable and Low Carbon Energy Potential Study – September 2011; West</del>  <del>Somerset Council; 2012.</del></p>
<p><b>MM 2</b></p>	<p><b>POLICY SC1: HIERARCHY OF SETTLEMENTS</b></p> <p><b>p.19</b></p>	<ol style="list-style-type: none"> <li>1. NEW DEVELOPMENT WILL BE CONCENTRATED IN THE DISTRICT'S MAIN CENTRE, MINEHEAD/ALCOMBE, AND IN THE RURAL SERVICE CENTRES OF WATCHET AND WILLITON, THIS WILL BE ON A SCALE GENERALLY PROPORTIONATE TO THEIR RESPECTIVE ROLES AND FUNCTIONS TO THEIR OWN COMMUNITIES AND THOSE IN SURROUNDING SETTLEMENTS THAT RELY ON THEIR LARGER NEIGHBOURS FOR ESSENTIAL SERVICES AND FACILITIES.</li> <li>2. LIMITED DEVELOPMENT IN THE PRIMARY VILLAGES: BICKNOLLER, CARHAMPTON, CROWCOMBE, KILVE, STOGUMBER, STOGURSEY, WEST QUANTOXHEAD AND WASHFORD, WILL BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT IT WILL CONTRIBUTE TO WIDER SUSTAINABILITY BENEFITS FOR THE AREA.</li> <li>3. AT THE SECONDARY VILLAGES: HOLFORD, DUNSTER MARSH, BROMPTON RALPH, BATTLETON AND, BRUSHFORD, SMALL SCALE DEVELOPMENT WILL BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT IT WILL CONTRIBUTE TO WIDER SUSTAINABILITY BENEFITS FOR THE AREA.</li> <li><del>4. DEVELOPMENT IN THE OPEN COUNTRYSIDE WILL BE LIMITED TO THAT FOR WHICH THERE IS AN ESTABLISHED LONG TERM NEED AND FOR WHICH SUCH A LOCATION IS ESSENTIAL, INCLUDING AGRICULTURE, FORESTRY, HORTICULTURE, EQUINE AND, HUNTING. DEVELOPMENT IN SUCH LOCATIONS WILL ALSO NEED TO DEMONSTRATE GOOD PROXIMITY AND EASY ACCESSIBILITY TO THE EXISTING HIGHWAY NETWORK, OR ALTERNATIVE TRANSPORT MODES, AND SETTLEMENTS PROVIDING ESSENTIAL SERVICES AND FACILITIES.</del></li> <li><del>5.—</del></li> <li>4. DEVELOPMENT WITHIN OR IN CLOSE PROXIMITY (WITHIN 50 METRES) TO THE CONTIGUOUS BUILT-UP AREA OF MINEHEAD/ALCOMBE, WATCHET, WILLITON AND PRIMARY AND SECONDARY VILLAGES WILL ONLY BE CONSIDERED WHERE IT CAN BE DEMONSTRATED THAT:       <ol style="list-style-type: none"> <li>A. IT IS WELL RELATED TO EXISTING ESSENTIAL SERVICES AND SOCIAL FACILITIES WITHIN THE SETTLEMENT, AND;</li> <li>B. THERE IS SAFE AND EASY PEDESTRIAN ACCESS TO THE ESSENTIAL SERVICES AND SOCIAL FACILITIES WITHIN THE SETTLEMENT, AND;</li> <li>C. IT RESPECTS THE HISTORIC ENVIRONMENT AND COMPLEMENTS THE CHARACTER OF THE EXISTING SETTLEMENT, AND;</li> <li>D. IT DOES NOT GENERATE SIGNIFICANT ADDITIONAL TRAFFIC MOVEMENTS OVER MINOR ROADS TO AND FROM THE NATIONAL PRIMARY AND COUNTY HIGHWAY ROUTE NETWORK</li> </ol> </li> </ol>

		<p>E. IT DOES NOT HARM THE AMENITY OF THE AREA OR THE ADJOINING LAND USES.</p> <p><b>DEVELOPMENT ELSEWHERE IN THE OPEN COUNTRYSIDE WILL BE CONSIDERED UNDER POLICY OC1.</b></p>
<p><b>MM 3</b></p> <p>Justification including any references</p> <p><b>pp.20 - 21</b></p>		<p><u>Definitions:</u></p> <p><u>Limited Development:</u></p> <p>In clause 2 of the policy above, in terms of housing, “limited development” means individual schemes of up to ten dwellings providing a maximum of <b>about</b> a 10% increase in a settlement’s total dwelling number during the Local Plan period, limited to a maximum of <b>about</b> 30% of this increase in any five year period.</p> <p><u>Small Scale Development:</u></p> <p>In clause 3 of the policy above, in terms of housing, “small scale development” means individual schemes of up to five dwellings providing a maximum of <b>about</b> a 10% increase in a settlement’s total dwelling number during the Local Plan period, limited to a maximum of <b>about</b> 30% of this increase in any five year period.</p> <p><u>Primary Villages</u> (showing dwelling numbers at the start of the plan period):</p> <p>Bicknoller (495 <b>122</b>), Carhampton (467 <b>317</b>), Crowcombe (230 <b>89</b>), Kilve (486 <b>110</b>), Stogumber (332 <b>164</b>), Stogursey (633 <b>388</b>), West Quantoxhead (485 <b>124</b>) and Washford (part of Old Cleeve Parish – settlement total 304). These are the larger villages with a shop and some built community facilities which are not significantly constrained by poor access from the County Highway Network.</p> <p><u>Secondary Villages</u> (showing dwelling numbers at the start of the plan period):</p> <p>Holford (452 <b>85</b>), Dunster Marsh (483 <b>168</b>), Battleton (43), Brompton Ralph (83 <b>23</b>) and Brushford (267 <b>179</b>). These are mainly smaller villages without a shop, but with some built community facilities, and also some with a shop but which are constrained by poor access from the County Highway Network.</p> <p><i><del>NB Where the settlement name is the same as the Parish the stock figure of the latter has been used as a proxy for the former unless the Parish falls within two LPA’s. See also, Table 4 in the Strategy and Housing topic paper.</del></i></p> <p><u>Built up area:</u></p> <p>An amalgam of buildings and built structures that collectively form a distinct developed form with a relatively continuous outer boundary / limit. The extent of the built up area excludes parkland, parks, public gardens, formal and informal public open space, playing fields (including those associated with sports and educational institutions) and groups of farm and agriculture-related buildings where they are not wholly surrounded by other built development.</p> <p>Sources:</p> <p>(as existing)</p>
<p><b>MM 4</b></p>	<p><b>POLICY SC2: HOUSING PROVISION</b></p> <p>Assumptions</p> <p><b>p.22</b></p>	<ul style="list-style-type: none"> <li>○ That directing the majority of new development in approximate proportion to the relative level of services provided at the District’s main service centres will maximise their sustainability in terms of the range and quality of facilities available for the community and minimising longer trips from the area to centres elsewhere should local facilities be lost.</li> </ul>

		<ul style="list-style-type: none"> <li>○ <b>The housing provision figure for the West Somerset LPA area includes a specific allowance of 450 dwellings which arises from the likely impact on the local housing market of the Hinkley Point C project. This requirement would not arise in the event the new nuclear power station was not constructed.</b></li> </ul>
	<p>Justification including any references <b>p. 22 - 23</b></p>	<ul style="list-style-type: none"> <li>○ c.80% of completions are consistently provided at Minehead/Alcombe Watchet and Williton, this level of provision (at approximately the annual rate now proposed on the basis of the SHMA's evidence) has proved remarkably successful in maintaining Minehead/Alcombe as the main service centre with a good range of service provision for a town of its scale, and Watchet and Williton as two successful secondary service centres.</li> <li>○ Village services have fared less well, with closures of village shops and post offices a particular issue. The population of rural West Somerset is relatively small and is thinly scattered in small settlements and farms. It is therefore appropriate to encourage limited development within villages subject to appropriate location and scale.</li> <li>○ The NPPF requires that the Councils should meet the full objectively identified <b>assessed</b> need for housing (OAHN). <del>which was c3800 at the time of the 2008 Northern Peninsula SHMA, and is c.2400 in the updated study rather than the 2500 dwellings that were required by the draft RSS at the time the Core Strategy was commenced. In the light of these variations it is considered appropriate to provide for c2900 dwellings over the period to 2032 to take account of cyclical fluctuations within the operation of the housing market that these differing values represent. In the case of the West Somerset Local Planning Authority area, a significant proportion of the housing need arises from the likely impacts on the local housing market of the Hinkley Point C project. As such it is appropriate for this to be reflected accordingly when assessing the amount of new housing which should be delivered over the Plan Period.</del></li> <li>○ In terms of distribution, it is anticipated that new housing within the Local Plan area will be delivered at an average annualised rate of 145 dwellings per year <b>over the whole of the plan-period:</b> <ul style="list-style-type: none"> <li>▪ Of these the strategic sites will provide: <ul style="list-style-type: none"> <li>▪ An annualised average of 38 dwellings per year at Minehead/ Alcombe,</li> <li>▪ An annualised average of 15 dwellings per year at Watchet,</li> <li>▪ An annualised average of 21 dwellings per year at Williton,</li> </ul> </li> <li>▪ In addition to the key strategic sites, provision will be made for: <ul style="list-style-type: none"> <li>▪ An annualised average of 43 dwellings per year through other development at Minehead/Alcombe, Watchet and Williton, and;</li> <li>▪ An annualised average of 30 dwellings per year will be provided at the Primary and Secondary Villages.</li> </ul> </li> <li>▪ It should be noted that housing delivery in the Local Plan area has consistently provided an average of about <del>125</del> <b>120</b> completions annually over the last <del>35</del> <b>40</b> years. Windfalls have formed a major part of these completions.</li> <li>▪ <b>Due to the long period of construction of the proposed new nuclear power station at Hinkley Point and the</b></li> </ul> </li> </ul>

		<p>variable rate of people employed on site during this, it is anticipated that the impact on the local housing market will take a while to create its own demand. In order to account for this in estimating an average future delivery-rate, a two-step approach has been adopted to reflect this, comprising;</p> <ul style="list-style-type: none"> <li>▪ For the first six years from 2012/13 to 2017/18, an average delivery rate of 122 dwellings per annum, and</li> <li>▪ For the remaining fourteen years from 2018/19 to 2031/32, an average delivery rate of 155 dwellings per annum.</li> </ul> <ul style="list-style-type: none"> <li>▪ The small scale of development proposals and opportunities within West Somerset’s major communities, and their distance from the M5 corridor have combined to reduce the level of interest in the area by major housebuilders.</li> <li>▪ The limited range of employment opportunities in West Somerset (and their generally low wage levels) has had the effect of reducing the demand for open market housing within its main communities where development is acceptable in principle. (However, the market for characterful houses of comparatively high value in more remote rural locations remains strong.)</li> <li>▪ Much of the assessed need is for affordable housing, the delivery of which is only likely to be viable if provided through planning agreements or cross subsidy by market housing.</li> </ul> <p>Definition:</p> <p><u>Annualised average</u> = average rate of development for each year derived from the relevant total amount divided by the plan period (20 years).</p> <p><i>NB: This should not be interpreted as an annual absolute, rationing development.</i></p> <p>Sources:</p> <p><i>(as existing)</i></p>
<p><b>MM 5</b></p>	<p><b>POLICY SC3: APPROPRIATE MIX OF HOUSING TYPES AND TENURES</b></p> <p>Justification including any references</p> <p><b>pp. 24 - 26</b></p>	<ul style="list-style-type: none"> <li>○ The Strategic Housing Market Assessments (<b>SHMA</b>) include information about the demographic breakdown of the area’s population. New housing to be provided in the area should most appropriately reflect the range of people who are likely to inhabit the various parts of the area. This should be assessed within the constraints of the available data.</li> <li>○ <b>The West Somerset SHMA Update 2013 provides an assessment of the future type (as determined by number of bedrooms) and tenure required to meet the future housing need. Development proposals would need to demonstrate their contribution to meeting these needs unless, more up-to-date, localised housing assessments can demonstrate otherwise.</b></li> </ul>

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**Projected net housing requirements for West Somerset 2011-2031, without backlog**

Tenure	Sector	1 bed	2 bed	3 bed	4+ bed	Total No.	Total %
Affordable	Social Rent	588	74	593	-4	1,251	52.16
	Affordable Rent	111	14	112	-1	236	9.86
Intermediate	Shared Ownership	198	25	200	-1	421	17.57
Market	Private Rent	32	4	32	0	68	2.84
	Owner Occupier	198	25	200	-1	421	17.57
<b>Total no.</b>	<b>All sectors</b>	<b>1,127</b>	<b>142</b>	<b>1,136</b>	<b>-8</b>	<b>2,398</b>	<b>100.00</b>
<b>Total %</b>	<b>All sectors</b>	<b>46.99</b>	<b>5.94</b>	<b>47.40</b>	<b>0.33</b>		<b>100.00</b>

**Housing Vision; Strategic Housing Market Assessment: West Somerset Update – Final Report, November 2013**

**As part of the future housing requirements in the LPA area, it is calculated that there will be a specific need for 351 units (14.64%) of specialised housing for older households**

Sources:

Department for Communities and Local Government; National Planning Policy Framework – March 2012; Department for Communities and Local Government; 2012; ISBN 978 1 4098 3413 7

Housing Vision; Strategic Housing Market Assessment for the Northern Peninsula – December 2008; Northern Peninsula Housing Market Partnership; 2008

Fordham Research; Taunton and South Somerset Housing Market Areas Strategic Housing Market Assessments: Final Report – February 2009; Taunton and South Somerset Areas Strategic Housing Market Partnership; 2009.

West Somerset Council; West Somerset Housing Strategy 2009 – 2012; West Somerset Council; 2009.

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Cushman & Wakefield; West Somerset Planning Obligations Supplementary Planning Document – Adopted: December 2009; West Somerset Council; 2009.

Taylor, M; Living Working Countryside: The Taylor Review of Rural Economy and Affordable Housing; Communities and Local Government Publications; 2008; ISBN 978 1 4098 0328 7.

Commission for Architecture and the Built Environment; Homes for Our Old Age: Independent Living by Design; Commission for Architecture and the Built Environment; 2009.

Housing our Ageing Population: Panel for Innovation (HAPPI); Housing Our Ageing Population; Homes and Community Agency; 2009.

Design for London; London Housing Design Guide: Interim Edition; London Development Agency; 2010.

Fordham Research; City of York Older Person's Accommodation and Support Needs; City of York Council; 2010.

Housing Vision; Strategic Housing Market Assessment: West Somerset Update - Draft Final Report, April November 2013; **West Somerset Council; 2013.**

<p><b>MM 6</b></p>	<p><b>POLICY MD1: MINEHEAD DEVELOPMENT</b></p> <p>p.32</p>	<p>DEVELOPMENT PROPOSALS AT MINEHEAD/ALCOMBE, MUST:</p> <ul style="list-style-type: none"> <li>• SUPPORT AND STRENGTHEN THE SETTLEMENT'S ROLE AS THE MAIN SERVICE AND EMPLOYMENT CENTRE IN WEST SOMERSET, PARTICULARLY IN TERMS OF THE DIVERSITY AND QUALITY OF ITS HISTORIC AND NATURAL ENVIRONMENT, SERVICES AND FACILITIES, AND;</li> <li>• <b>SUSTAIN AND ENHANCE TO MINIMISE THE IMPACT ON THE HISTORIC ENVIRONMENT OF THE URBAN AREA;</b></li> <li>• MAINTAIN AND ENHANCE ITS ATTRACTIVENESS AS A TOURIST DESTINATION, AND;</li> </ul> <p>WHERE APPROPRIATE DEVELOPMENT PROPOSALS MUST ALSO:</p> <ul style="list-style-type: none"> <li>• CONTRIBUTE TOWARDS RESOLVING THE FLOOD RISK ISSUES WHICH AFFECT THE SETTLEMENT INCLUDING IMPROVING THE SEA DEFENCES PROTECTING THE EASTERN END OF THE TOWN,</li> <li>• GIVE APPROPRIATE TREATMENT TO THE TOWN'S SURROUNDINGS IN THE CONTEXT OF NATIONAL DESIGNATIONS INCLUDING THE EXMOOR NATIONAL PARK.</li> </ul>
<p><b>MM 7</b></p>	<p><b>POLICY MD2: KEY STRATEGIC DEVELOPMENT ALLOCATION AT MINEHEAD/ ALCOMBE</b></p> <p>pp.34 - 35</p>	<p>WITHIN THE AREA IDENTIFIED ON THE PROPOSALS POLICIES MAP SOUTH OF THE A39, HOPCOTT ROAD, MINEHEAD/ALCOMBE A MIXED DEVELOPMENT WILL BE DELIVERED SUBJECT TO AN INDICATIVE MASTERPLAN INCORPORATING:</p> <ul style="list-style-type: none"> <li>• APPROXIMATELY 750 DWELLINGS,</li> <li>• A DISTRIBUTOR ROAD THROUGH THE SITE LINKING THE DEVELOPMENT TO THE A39 AT TWO POINTS, ONE CLOSE TO EACH END OF THE SITE,</li> <li>• PROVIDE SPACE FOR THE FUTURE LINKAGE OF THE DISTRIBUTOR ROAD TO THE LT1 SITE TO THE WEST, AND;</li> <li>• A MINIMUM OF 3 HECTARES OF APPROPRIATE AND COMPATIBLE, NON-RESIDENTIAL USES.</li> <li>• <b>MEASURES TO PREVENT HARM TO THE SIGNIFICANCE OF HISTORIC ASSETS OF THE LATE 19<sup>TH</sup>/EARLY 20<sup>TH</sup> CENTURY VILLAS ON HOPCOTT ROAD/PERITON ROAD; LOWER HOPCOTT; PERITON &amp; PERITON COTTAGES; GRADE II LISTED BUILDINGS AND HIGHER HOPCOTT, AND;</b></li> <li>• WHICH PROVIDES AN APPROPRIATE DESIGN RESPONSE TO THE SITE'S PROXIMITY TO THE EXMOOR NATIONAL PARK</li> </ul> <p>THE DEVELOPMENT MUST BE FACILITATED BY THE APPROPRIATE INTEGRATED PROVISION OF TRANSPORT, COMMUNITY AND FLOOD RISK MANAGEMENT INFRASTRUCTURE.</p>
<p><b>MM 8</b></p>	<p><b>POLICY WA1: WATCHET DEVELOPMENT</b></p> <p>p.37</p>	<p>DEVELOPMENT PROPOSALS AT WATCHET, MUST:</p> <ul style="list-style-type: none"> <li>• SUPPORT AND STRENGTHEN THE SETTLEMENT'S ROLE AS A LOCAL SERVICE AND EMPLOYMENT CENTRE FOR THE NORTH EASTERN PART OF WEST SOMERSET DISTRICT, PARTICULARLY IN TERMS OF THE RANGE AND QUALITY OF ITS SERVICES AND FACILITIES, AND</li> <li>• <b>MAINTAIN SUSTAIN AND ENHANCE THE ATTRACTIVENESS</b></li> </ul>

		<p><b>OF THE HISTORIC CHARACTER AND HERITAGE ASSETS AS A TOURIST DESTINATION, INCLUDING THE OPERATION OF THE MARINA. ITS ATTRACTIVENESS AS A TOURIST DESTINATION AND THE OPERATION OF ITS MARINA.</b></p> <p>WHERE APPROPRIATE, DEVELOPMENT PROPOSALS MUST ALSO:</p> <ul style="list-style-type: none"> <li>• CONTRIBUTE TOWARDS RESOLVING THE FLOOD RISK ISSUES WHICH AFFECT THE SETTLEMENT,</li> <li>• ALLOW FOR POTENTIAL REALIGNMENT OF THE WEST SOMERSET RAILWAY WHICH MAY BE NECESSITATED BY COASTAL EROSION,</li> <li>• IMPROVE LINKAGES BETWEEN THE TOWN CENTRE AND THE PARTS OF THE TOWN TO THE SOUTH OF THE RAILWAY,</li> <li>• PROVIDE ADDITIONAL ALLOTMENTS FOR THE TOWN, AND;</li> </ul> <p>COMPLEMENT THE PROVISION OF EMPLOYMENT OPPORTUNITIES, SERVICES AND FACILITIES IN NEIGHBOURING WILLITON.</p>
<p><b>MM 9</b></p>	<p><b>POLICY WA2: STRATEGIC DEVELOPMENT ALLOCATION AT PARSONAGE FARM, WATCHET</b> p.39</p>	<p>WITHIN THE AREA IDENTIFIED ON THE PROPOSALS POLICIES MAP AT PARSONAGE FARM, WATCHET, A MIXED DEVELOPMENT WILL BE DELIVERED INCLUDING SUBJECT TO AN INDICATIVE MASTERPLAN INCORPORATING:</p> <ul style="list-style-type: none"> <li>• APPROXIMATELY 290 DWELLINGS,</li> <li>• APPROXIMATELY 3 HECTARES OF APPROPRIATE AND COMPATIBLE, NON-RESIDENTIAL USES AT THE FARM BUILDING COMPLEX, AND;</li> <li>• <b>MEASURES TO PREVENT HARM TO THE SIGNIFICANCE OF HISTORIC ASSETS AT PARSONAGE FARM, GRADE II LISTED BUILDINGS AND THEIR SETTINGS, AND;</b></li> <li>• PROVIDE ADDITIONAL ALLOTMENTS</li> </ul> <p>THE DEVELOPMENT MUST BE FACILITATED BY THE APPROPRIATE INTEGRATED PROVISION OF TRANSPORT, COMMUNITY AND FLOOD RISK MANAGEMENT INFRASTRUCTURE TO INCLUDE WALKING AND CYCLING LINKS CONNECTING THE NEW DEVELOPMENT WITH THE TOWN CENTRE.</p>
<p><b>MM 10</b></p>	<p><b>POLICY WI2: KEY STRATEGIC DEVELOPMENT ALLOCATIONS AT WILLITON</b> pp. 42 - 43</p>	<p>WITHIN THE AREAS IDENTIFIED ON THE PROPOSALS POLICIES MAP TO THE WEST AND NORTH OF WILLITON, MIXED DEVELOPMENT WILL BE DELIVERED SUBJECT TO AN INDICATIVE MASTER-PLAN INCORPORATING:</p> <ul style="list-style-type: none"> <li>• APPROXIMATELY 406 DWELLINGS, AND;</li> <li>• APPROXIMATELY 3 HECTARES OF APPROPRIATE AND COMPATIBLE, NON-RESIDENTIAL USES, AND;</li> <li>• <b>ENHANCEMENT OF THE DESIGNATED HERITAGE ASSET BATTLEGORE BARROW CEMETERY AND ITS SETTING SHOULD TAKE PLACE. THE SITE SHOULD BE ENHANCED TO ENSURE ITS USE AS A COMMUNAL ASSET AND CONTRIBUTE POSITIVELY TO THE COMMUNITY. THIS SHOULD BE ACHIEVED THROUGH LANDSCAPING, PUBLIC ACCESS, APPROPRIATE USE OF THE SITE AND THE IMPLEMENTATION OF A MANAGEMENT PLAN AGREED WITH HISTORIC ENGLAND.</b></li> </ul> <p>THE DEVELOPMENT MUST BE FACILITATED BY THE</p>

		<p>APPROPRIATE INTEGRATED PROVISION OF TRANSPORT, COMMUNITY <sup>71</sup> AND FLOOD RISK MANAGEMENT INFRASTRUCTURE TO INCLUDE WALKING AND CYCLING LINKS CONNECTING THE NEW DEVELOPMENT WITH THE VILLAGE CENTRE. IT MUST ALSO CONTRIBUTE TO THE ENHANCEMENT OF THE DESIGNATED HERITAGE ASSET BATTLEGORE BARROW CEMETERY AND ITS SETTING THROUGH LANDSCAPING, LAND USE CHANGE AND SITE MANAGEMENT REGIME.</p>
<b>MM 11</b>	<p><b>POLICY LT1: POST 2026 KEY STRATEGIC DEVELOPMENT SITES.</b></p> <p><b>P. 45</b></p>	<p>WITHIN THE TWO AREAS IDENTIFIED FOR LONGER TERM STRATEGIC DEVELOPMENT ON THE PROPOSALS <b>POLICIES</b> MAP:</p> <ul style="list-style-type: none"> <li>• TO THE SOUTH OF PERITON ROAD, MINEHEAD FOR WHICH ACCESS WOULD BE VIA A DISTRIBUTOR ROAD THROUGH THE SITE LINKING THE DISTRIBUTOR ROAD FOR THE MD2 SITE WITH THE SITE'S A39 FRONTAGE AND;</li> <li>• TO THE WEST OF WATCHET AT CLEEVE HILL, WHERE DEVELOPMENT MUST CONTRIBUTE TO ENHANCING THE UNIQUE HISTORIC ENVIRONMENT OF THE TOWN INCLUDING MITIGATING THE EROSION OF DAW'S CASTLE AND ENCOURAGING VISITORS TO THE MONUMENT THROUGH FUNDING EXCAVATIONS AND IMPROVEMENT OF SITE MANAGEMENT, AND ALSO TO PROVIDING A NEW ALIGNMENT FOR THE B3191 TO ADDRESS THE IMPACT OF COASTAL EROSION,</li> <li>• <b>PROPOSALS FOR THE WATCHET SITE MUST SUSTAIN AND, WHERE APPROPRIATE, ENHANCE THE HISTORIC ASSETS OF DAW'S CASTLE AND THE ADJACENT LIME KILNS AND THEIR SETTINGS.</b></li> <li>• DEVELOPMENT OF BOTH OF THESE SITES WOULD BE GUIDED BY THE PROVISION OF INDICATIVE MASTERPLANS.</li> <li>• IN RESPECT OF THE MINEHEAD LONG TERM SITE, THE MASTERPLAN SHOULD PROVIDE FOR AN APPROPRIATE DESIGN RESPONSE TO THE SITE'S PROXIMITY TO THE EXMOOR NATIONAL PARK.</li> <li>• <b>THE MASTERPLAN FOR THE WATCHET LONG TERM SITE SHOULD INCLUDE THE USE OF SOFT LANDSCAPING, GREEN SPACES AND SYMPATHETIC DESIGN IN TERMS OF APPEARANCE TO MITIGATE HARM.</b></li> </ul> <p>PROVISION IS MADE FOR DEVELOPMENT IN THE LATTER PART OF THE PLAN PERIOD POST 2026.</p>
<b>MM 12</b>	<p><b>POLICY OC1: OPEN COUNTRYSIDE DEVELOPMENT</b></p> <p><b>pp. 48 - 49</b></p>	<p><b>THE OPEN COUNTRYSIDE INCLUDES ALL LAND OUTSIDE OF EXISTING SETTLEMENTS, WHERE DEVELOPMENT IS NOT GENERALLY APPROPRIATE. IN EXCEPTIONAL CIRCUMSTANCES DEVELOPMENT MAY BE PERMITTED WHERE THIS IS BENEFICIAL FOR THE COMMUNITY AND LOCAL ECONOMY.</b></p> <p>RESIDENTIAL DEVELOPMENT IN THE OPEN COUNTRYSIDE (LAND NOT ADJACENT OR IN CLOSE PROXIMITY TO THE MAJOR SETTLEMENTS, PRIMARY AND SECONDARY VILLAGES) WILL ONLY BE PERMITTED WHERE IT CAN BE DEMONSTRATED THAT:</p> <ul style="list-style-type: none"> <li>• SUCH A LOCATION IS ESSENTIAL FOR A RURAL WORKER ENGAGED IN E.G.: AGRICULTURAL, EQUESTRIAN, FORESTRY, HORTICULTURE OR, HUNTING EMPLOYMENT, OR;</li> </ul>

		<ul style="list-style-type: none"> <li>• IT IS PROVIDED THROUGH THE CONVERSION OF EXISTING, TRADITIONALLY CONSTRUCTED BUILDINGS IN ASSOCIATION WITH EMPLOYMENT OR TOURISM PURPOSES AS PART OF A WORK / LIVE DEVELOPMENT, OR;</li> <li>• <b>IT IS NEW-BUILD TO BENEFIT EXISTING EMPLOYMENT ACTIVITY ALREADY ESTABLISHED IN THE AREA THAT COULD NOT BE EASILY ACCOMMODATED WITHIN OR ADJOINING A NEARBY SETTLEMENT IDENTIFIED IN POLICY SC1, OR;</b></li> <li>• IT MEETS AN ONGOING IDENTIFIED LOCAL NEED FOR AFFORDABLE HOUSING IN THE NEARBY SETTLEMENT WHICH CANNOT BE MET WITHIN OR CLOSER TO THE SETTLEMENT, OR;</li> <li>• IT IS AN AFFORDABLE HOUSING EXCEPTIONS SCHEME ADJACENT TO, OR IN CLOSE PROXIMITY TO, A SETTLEMENT IN THE OPEN COUNTRYSIDE PERMITTED IN ACCORDANCE WITH POLICY SC4(5).</li> </ul> <p>APPLICATIONS FOR DWELLINGS UNDER THIS POLICY THAT WOULD <b>NOT BE LOCATED IN A SETTLEMENT IDENTIFIED IN POLICY SC1 OR ANY OTHER SETTLEMENT, WOULD BE CONSIDERED SUBJECT TO A FUNCTIONAL AND FINANCIAL ECONOMIC TEST.</b> WHERE PERMISSION IS GRANTED CONSIDERATION WOULD BE GIVEN TO THIS BEING INITIALLY MADE ON A TEMPORARY BASIS.</p>
<b>MM 13</b>	<b>POLICY EC1: WIDENING AND STRENGTHENING THE LOCAL ECONOMY</b>  p.51	<p>PROPOSALS WHICH WILL MAKE THE WEST SOMERSET ECONOMY STRONGER AND MORE DIVERSE AND THAT ARE LIKELY TO INCREASE THE PROPORTION OF HIGHER PAID JOBS LOCALLY WILL BE SUPPORTED.</p> <p><del>NEW DEVELOPMENT, REDEVELOPMENT AND, CONVERSION PROPOSALS FOR ALL TYPES OF EMPLOYMENT GENERATING ACTIVITIES WILL BE ENCOURAGED AND DIRECTED TO EXISTING AND EXTANT PREMISES AND SITES FOR SIMILAR AND COMPATIBLE USES AND WOULD NOT HAVE AN ADVERSE IMPACT ON THE AMENITY OF EXISTING NEIGHBOURING LAND USES.</del></p> <p><b>WHERE POSSIBLE, SUCH PROPOSALS SHOULD MAKE USE OF EXISTING EMPLOYMENT SITES, OR OF SITES WITH SIMILAR AND COMPATIBLE USES WHERE THE DEVELOPMENT PROPOSED WOULD NOT HAVE AN ADVERSE IMPACT ON THE AMENITY OF EXISTING NEIGHBOURING USES.</b></p>
<b>MM 14</b>	<b>POLICY EC2: MAJOR EMPLOYMENT SITES LAND</b>  p.52	<p><del>THE EMPLOYMENT SITES AT MART ROAD, MINEHEAD AND ROUGHMOOR, WILLITON ARE</del> <b>IS</b> IDENTIFIED ON THE PROPOSALS <b>POLICIES</b> MAP. WITHIN THESE <b>THIS</b> SITES THERE WILL BE A GENERAL PRESUMPTION IN FAVOUR OF USES IN THE B1, B2 AND B8 USE CLASSES.</p> <p>EMPLOYMENT AND SERVICE BASED LAND USES FALLING OUTSIDE THESE USE CLASSES WILL BE PERMITTED WHERE THESE CAN BE DEMONSTRATED TO MAKE A POSITIVE CONTRIBUTION TO THE OVERALL VITALITY AND VIABILITY OF THE LOCAL ECONOMY.</p>
<b>MM 15</b>	<b>POLICY EC6: WORK/LIVE DEVELOPMENTS</b>  p.57	<p>PROPOSALS FOR WORK/LIVE DEVELOPMENTS THROUGH NEW BUILD OR CONVERSION OF EXISTING BUILDINGS WILL BE SUPPORTED WHERE:</p> <ul style="list-style-type: none"> <li>• <del>THE EMPLOYMENT ELEMENT WITHIN EACH UNIT FORMS AND REMAINS A MAJORITY OF THE GROSS FLOORSPACE OF</del></li> </ul>

		<p>EACH UNIT, <sup>73</sup></p> <ul style="list-style-type: none"> <li>• THE EMPLOYMENT AND RESIDENTIAL ELEMENTS ARE INTEGRATED WITH ONE ANOTHER AND CANNOT BE SEPARATED OR SOLD OFF AS SEPARATE UNITS AND ACTIVITIES AT A SUBSEQUENT POINT IN TIME,</li> <li>• THERE WOULD BE NO ADVERSE IMPACT UPON THE VITALITY AND VIABILITY OF EXISTING EMPLOYMENT PROVISION WITHIN THE SETTLEMENT OR IN NEIGHBOURING SETTLEMENTS, AND;</li> <li>• THERE IS NO GENERATION OF SIGNIFICANT ADDITIONAL TRAFFIC MOVEMENTS TO AND FROM THE PREMISES AS A RESULT OF THE NEW BUSINESS ACTIVITY.</li> </ul> <p>NEW-BUILD WORK/LIVE UNITS WILL ONLY BE PERMITTED IN THE OPEN COUNTRYSIDE WHERE IT CAN BE DEMONSTRATED THAT THE NEED TO BE IN SUCH A LOCATION IS ESSENTIAL TO THE BUSINESS ACTIVITY AND IT CANNOT BE PROVIDED ELSEWHERE.</p>
<p><b>MM 16</b></p>	<p><b>POLICY CF1: MAXIMISING ACCESS TO HEALTH, SPORT, RECREATIONAL AND, CULTURAL FACILITIES</b>  p.67</p>	<p>THE PROVISION OF NEW, AND IMPROVEMENT OF EXISTING, HEALTH, SPORT, RECREATION AND CULTURAL FACILITIES WILL BE SUPPORTED, WHERE THIS HELPS TO STRENGTHEN AND OR ENHANCE A BALANCED RANGE OF PROVISION FOR LOCAL COMMUNITIES AND VISITING TOURISTS.</p> <p><b>THE UNNECESSARY LOSS OF VALUED SERVICES AND FACILITIES SHOULD BE PREVENTED, PARTICULARLY WHERE THIS WOULD REDUCE THE COMMUNITY'S ABILITY TO MEET ITS DAY TO DAY NEEDS.</b></p> <p>WHERE A DEVELOPMENT PROPOSAL WOULD RESULT IN THE LOSS OF RECREATIONAL <b>SUCH</b> FACILITIES, EQUIVALENT OR GREATER REPLACEMENT FACILITIES SERVING THE SAME AREA MUST BE PROVIDED AS PART OF THE PROPOSALS.</p> <p>THE APPROPRIATE PROVISION OF FORMAL SPORTS FACILITIES AND/OR INFORMAL PUBLIC AMENITY OPEN SPACE/PLAY SPACE WILL BE REQUIRED AS AN INTEGRAL PART OF NEW DEVELOPMENT.</p>
<p><b>MM 17</b></p>	<p><b>POLICY CC1: CARBON REDUCTION = SMALL SCALE NON-WIND ENERGY GENERATING SCHEMES</b>  pp.69 – 70</p>	<p><del>SMALL SCALE DEVELOPMENT PROPOSALS WHICH ASSIST IN THE DEVELOPMENT OF A LOW OR ZERO CARBON ECONOMY WILL BE SUPPORTED.</del></p> <p><del>SUCH PROPOSALS MAY INCLUDE THE DEVELOPMENT OF WOODFUEL OR OTHER RENEWABLE ENERGY SOURCES, AND PROVISION OF LOW ENERGY SYSTEMS TO SERVE NEW AND EXISTING DEVELOPMENT.</del></p> <p><b>ENERGY GENERATING DEVELOPMENT PROPOSALS (OTHER THAN THOSE FOR WIND TURBINES) WILL BE SUPPORTED WHERE:</b></p> <ul style="list-style-type: none"> <li>• <b>THEY RESPECT THE LOCAL NATURAL ENVIRONMENT IN WHICH THEY ARE LOCATED;</b></li> <li>• <b>THEY RESPECT THE LOCAL HISTORIC ENVIRONMENT AND THE SIGNIFICANCE OF ANY DESIGNATED AND IDENTIFIED POTENTIAL HERITAGE ASSETS WITHIN AND NEIGHBOURING IT; AND,</b></li> <li>• <b>THEY RESPECT THE POSITIVE ECONOMIC AND SOCIAL CHARACTERISTICS OF COMMUNITIES AFFECTED ESPECIALLY THOSE NEIGHBOURING THEM; AND,</b></li> </ul>

		<ul style="list-style-type: none"> <li>• <b>ADEQUATE MEASURES ARE TAKEN TO MITIGATE THE CULTURAL, ECONOMIC, ENVIRONMENTAL AND SOCIAL IMPACT OF ANY RELATED DEVELOPMENT ON THE COMMUNITIES AFFECTED, BOTH IN THE SHORT AND THE LONGER TERM.</b></li> </ul>
<b>MM 18</b>	<b>POLICY CC2: FLOOD RISK MANAGEMENT</b>  p.72	<p>DEVELOPMENT PROPOSALS SHOULD BE LOCATED AND DESIGNED SO AS TO MITIGATE AGAINST, AND TO AVOID INCREASED FLOOD RISK TO NEW AND EXISTING DEVELOPMENT ELSEWHERE, WHILST HELPING TO PROVIDE FOR THE DEVELOPMENT NEEDS OF THE COMMUNITY IN ACCORDANCE WITH THE FLOOD RISK MANAGEMENT SEQUENTIAL TEST, AND WHERE APPROPRIATE, THE APPLICATION OF THE FLOOD RISK MANAGEMENT EXCEPTION TEST.</p> <p>DEVELOPMENT MUST BE DESIGNED TO MITIGATE ANY ADVERSE FLOODING IMPACT WHICH WOULD ARISE FROM ITS IMPLEMENTATION, AND WHERE POSSIBLE SHOULD CONTRIBUTE TOWARDS THE RESOLUTION OF EXISTING FLOODING ISSUES.</p>
<b>MM 19</b>	<b>POLICY CC6: WATER MANAGEMENT</b>  p.76	<p>DEVELOPMENT THAT WOULD HAVE AN ADVERSE IMPACT ON:</p> <ul style="list-style-type: none"> <li>• THE AVAILABILITY AND USE OF EXISTING WATER RESOURCES;</li> <li>• THE EXISTING WATER TABLE LEVEL</li> <li>• ACCESSIBILITY TO EXISTING WATERCOURSES FOR MAINTENANCE AND,</li> <li>• AREAS AT CUMULATIVE RISK OF FLOODING BY TIDAL, FLUVIAL AND/OR SURFACE WATER RUN-OFF</li> </ul> <p>WILL ONLY BE PERMITTED IF ADEQUATE AND ENVIRONMENTALLY ACCEPTABLE MEASURES ARE INCORPORATED THAT PROVIDE SUITABLE PROTECTION AND MITIGATION BOTH ON-SITE AND THROUGH DISPLACEMENT TO ADJOINING LAND.</p>
<b>MM 20</b>	<b>POLICY NH1: HISTORIC ENVIRONMENT</b>  pp. 77 - 78	<p><del>PROPOSALS FOR DEVELOPMENT SHOULD SAFEGUARD AND/OR ENHANCE THE BUILT AND ARCHAEOLOGICAL HERITAGE OF THE DISTRICT WHILST CONTRIBUTING APPROPRIATELY TO THE REGENERATION OF THE DISTRICT'S COMMUNITIES.</del></p> <p><b>PROPOSALS FOR DEVELOPMENT SHOULD SUSTAIN AND/OR ENHANCE THE HISTORIC RURAL URBAN AND COASTAL HERITAGE OF THE DISTRICT WHILST CONTRIBUTING APPROPRIATELY TO THE REGENERATION OF THE DISTRICT'S COMMUNITIES, PARTICULARLY THOSE ELEMENTS WHICH CONTRIBUTE TO THE AREAS DISTINCTIVE CHARACTER AND SENSE OF PLACE:</b></p> <ol style="list-style-type: none"> <li><b>1. PROPOSALS WILL BE SUPPORTED WHERE THE HISTORIC ENVIRONMENT AND HERITAGE ASSETS AND THEIR SETTINGS ARE SUSTAINED AND/OR ENHANCED IN LINE WITH THEIR INTEREST AND SIGNIFICANCE. PLANNING DECISIONS WILL HAVE REGARD TO THE CONTRIBUTION HERITAGE ASSETS CAN HAVE TO THE DELIVERY OF WIDER SOCIAL, CULTURAL, ECONOMIC AND ENVIRONMENTAL OBJECTIVES.</b></li> <li><b>2. ELEMENTS OF THE HISTORIC ENVIRONMENT WHICH CONTRIBUTE TOWARDS THE UNIQUE IDENTITY OF AREAS</b></li> </ol>

		AND HELP CREATE A SENSE OF PLACE WILL BE SUSTAINED <sup>75</sup> AND, WHERE APPROPRIATE, ENHANCED.
MM 21	POLICY NH1x: MANAGEMENT OF HERITAGE ASSETS (NEW) pp. 80 - 83	DEVELOPMENT PROPOSALS THAT; A. ARE LIKELY TO AFFECT THE SIGNIFICANCE OF A HERITAGE ASSET, INCLUDING THE CONTRIBUTION MADE TO ITS SETTING SHOULD DEMONSTRATE AN APPROPRIATELY EVIDENCED UNDERSTANDING OF THE SIGNIFICANCE IN SUFFICIENT DETAIL TO ALLOW THE POTENTIAL IMPACTS TO BE ADEQUATELY ASSESSED. B. DEMONSTRATE A SYMPATHETIC AND CREATIVE RE-USE AND ADAPTATION OF HISTORIC BUILDINGS WILL BE ENCOURAGED. C. AFFECT A CONSERVATION AREA SHOULD PRESERVE OR ENHANCE ITS CHARACTER OR APPEARANCE, ESPECIALLY THOSE ELEMENTS IDENTIFIED IN ANY CONSERVATION AREA APPRAISAL. D. WILL HELP TO SECURE A SUSTAINABLE FUTURE FOR WEST SOMERSET'S HERITAGE ASSETS, ESPECIALLY THOSE IDENTIFIED AS BEING AT GREATEST RISK OF LOSS OR DECAY, WILL BE SUPPORTED. E. RESULT IN AN AGREED MATERIAL CHANGE TO A HERITAGE ASSET SHOULD BE ACCOMPANIED BY RECORDING AND INTERPRETATION, UNDERTAKEN IN ORDER TO DOCUMENT AND UNDERSTAND THE ASSET'S ARCHAEOLOGICAL, ARCHITECTURAL, ARTISTIC AND/OR HISTORIC SIGNIFICANCE WITH THE SCOPE OF THE RECORDING BEING PROPORTIONATE TO THE ASSET'S SIGNIFICANCE AND THE IMPACT OF THE DEVELOPMENT UPON IT. THE INFORMATION SHOULD BE MADE PUBLICALLY AVAILABLE THROUGH THE HISTORIC ENVIRONMENT RECORD
	Purpose p.81	<ul style="list-style-type: none"> <li>○ To conserve and enhance the built and historic environment and the heritage assets that comprise it, in such a way that they continue to contribute positively to the communities' sense of identity and their attractiveness for residents and visitors.</li> </ul>
	Assumptions p.81	<ul style="list-style-type: none"> <li>○ That the heritage assets and the historic landscape features are a finite and irreplaceable resource of immense cultural value at both the national and local level.</li> <li>○ These heritage assets contribute to the local historic environment and play an important role in giving the area its distinctive character and its cultural identity.</li> <li>○ They have a significant economic value in terms of helping to attract tourists to the area.</li> <li>○ A definition of items qualifying as heritage assets is provided in the Glossary of the NPPF. Designated heritage assets can include Listed Buildings, buildings within Conservation Areas and, structures identified on a Historic Environment Record held by South West Heritage Trust.</li> </ul>
	Justification including any references pp.81 - 83	<ul style="list-style-type: none"> <li>○ The heritage assets that comprise the historic environment of West Somerset contribute, along with the local landscape in making the area an attractive place to live and visit.</li> <li>○ The heritage assets that make up the local historic environment of the area are unique and irreplaceable. Their cultural importance forming an essential part of the area's identity and sense of place.</li> </ul>

- The historic environment and its heritage assets components are also of considerable economic importance within the area, because of the contribution they make to the area's attractiveness.
- Well designed and sited development proposals can protect and enhance the historic environment and its heritage assets, conversely, poorly designed or located development can result in significant damage to, or loss of, heritage assets. It is therefore essential to ensure that heritage assets are properly considered when making development management decisions and in the consideration and design of development schemes. Development proposals affecting the historic environment and its heritage asset components would also need to take account of the relevant provisions in Policies NH1, NH1A and/or, NH1B as appropriate.
- Where a development proposal is likely to affect the significance of a heritage asset and its setting, the understanding of the significance the proposed change and the justification for it. This should be informed by available evidence, desk-based evaluations and, where appropriate, further site investigation to establish the significance of both known and/or any potential heritage assets that might be affected.
- Where a development proposal affects a heritage asset in such a way that it the existing format is likely to be changed, irretrievably lost or, hidden, it is necessary to ensure that a complete record and associated interpretation of it is made before such works commence. The information and understanding gained through this recording process should be made publicly available through an appropriate update of any existing Historical Environment Record (HER) or creation of a new record as a minimum. Also, where appropriate, at the asset itself through on-site interpretation.
- A variety of approaches will be used to assist in the protection and enjoyment of the historic environment including:
  - the use of appraisals and management plans of existing and potential conservation areas
  - taking opportunities for removing assets from the at risk register,
  - considering the use of article 4 directions,
  - working with partners, owners and developers to identify ways to positively manage and make better use of historic assets,
  - considering improvements to the public realm and the setting of heritage assets within it,
  - ensuring that information about the significance of the historic environment is publicly available,
  - where there is a loss in whole or in part to the significance of an identified historic asset then evidence should be recorded of its importance, and;
  - considering the need for the preparation of local evidence or plans.

Particular attention will be given to heritage assets at risk of harm or loss of significance, or where a number of heritage assets have significance as a group or give context to a wider area.
- The local planning authority will monitor buildings or other heritage assets at risk through neglect, decay or other

threats, proactively seeking solutions for assets at risk through discussions with owners and a willingness to consider positively, development schemes that would ensure the repair and maintenance of the asset and, as a last resort, using its statutory powers.

- Prior to submission of any development proposals, it is advised that the Somerset Historic Environment Record (Somerset HER) facility held by South West Heritage Trust is consulted in order to establish whether any important national, regional or local heritage assets and/or their setting could be affected by it.

Sources:

Department for Communities and Local Government; National Planning Policy Framework – March 2012; Department for Communities and Local Government; 2012; ISBN 978 1 4098 3413 7

Department of Communities and Local Government; National Planning Policy Framework – National Planning Practice Guidance (as amended); Department for Communities and Local Government Planning Portal (web-site <http://planningguidance.planningportal.gov.uk/>); 2014.

H.M. Government; Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 9 (as amended); HMSO; 1990; ISBN 0 10 540990 1

H.M. Government; Ancient Monuments and Archaeological Areas Act 1979; HMSO; 1979; ISBN 0 10 544679 7

English Heritage; Register of Parks and Gardens of Special Historic Interest in England (as amended); English Heritage; 2004.

Somerset County Council; County Sites and Monuments Record (as amended); Somerset County Council; 1979

West Somerset District Council; West Somerset District Local Plan – Adopted April 2006; West Somerset District Council; 2008.

Somerset County Council; Somerset Historic Environment Records (HERS); Somerset County Council; 1984 (data-set).

Historic England; Historic England Advice Note 1: Conservation Designation, Appraisal and Management – February 2016; Historic England; 2016

Historic England; Historic England Advice Note 2: Making Changes to Heritage Assets – February 2016; Historic England; 2016.

Historic England; Historic England Advice Note 3: The Historic Environment and Site Allocations in Local Plans – October 2015; Historic England; 2015

English Heritage; Historic Environment Good Practice Advice in Planning Note 1: The Historic Environment in Local Plans – March 2015 (GPA 1); Historic England; 2015.

English Heritage; Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision-Taking in the Historic Environment – March 2015 (GPA 2); Historic England; 2015.

English Heritage; Historic Environment Good Practice Advice in Planning Note 3: The Setting of Heritage Assets – March 2015 (GPA 3); Historic England; 2015.

Wessex Archaeology Ltd.; Parsonage Farmhouse, Parsonage Farm, Watchet, Somerset: Heritage Assessment – August 2015; West Somerset Council; 2015.

MM 22	POLICY NH3: NATURE CONSERVATION AND THE PROTECTION AND	<p>PLANNING PERMISSION FOR DEVELOPMENT WILL BE GRANTED SUBJECT TO THE APPLICATION DEMONSTRATING THAT:</p> <ul style="list-style-type: none"> <li>• THE PROPOSED DEVELOPMENT WILL NOT GENERATE UNACCEPTABLE ADVERSE IMPACTS ON BIODIVERSITY;</li> <li>• MEASURES WILL BE TAKEN TO PROTECT OR MITIGATE TO</li> </ul>
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	<p><b>ENHANCEMENT OF BIODIVERSITY</b> p.86</p>	<p>ACCEPTABLE LEVELS (OR, AS A LAST RESORT, PROPORTIONATELY COMPENSATE FOR) ADVERSE IMPACTS ON BIODIVERSITY. MEASURES SHALL ENSURE A NET GAIN IN BIODIVERSITY WHERE POSSIBLE. THE SOMERSET 'HABITAT EVALUATION PROCEDURE' WILL BE USED IN CALCULATING THE VALUE OF A SITE TO SPECIES AFFECTED BY A PROPOSAL AS APPROPRIATE. WHERE THE CONSERVATION VALUE OF THE HABITAT IS TO BE REPLACED <b>REPLACEABLE</b>, MITIGATION TECHNIQUES NEED TO BE PROVEN;</p> <ul style="list-style-type: none"> <li>• THE COUNCIL WILL USE THE LOCAL PLANNING PROCESS <b>WILL BE USED</b> TO PROTECT, ENHANCE AND RESTORE THE ECOLOGICAL NETWORK WITHIN WEST SOMERSET. THE WEIGHT OF PROTECTION AFFORDED TO A SITE THAT CONTRIBUTES TO THE DISTRICT'S BIODIVERSITY WILL REFLECT ITS ROLE IN MAINTAINING CONNECTIVITY AND RESILIENCE OF THE LOCAL ECOLOGICAL NETWORK; AND</li> <li>• A 'HABITAT REGULATIONS ASSESSMENT' WILL BE REQUIRED FOR DEVELOPMENT PROPOSED WHICH DIRECTLY AFFECTS EUROPEAN AND INTERNATIONALLY DESIGNATED SITES AND FOR AREAS THAT ECOLOGICALLY SUPPORT THE INTEGRITY OF THESE SITES.</li> </ul>
<p><b>MM 23</b></p>	<p><b>POLICY NH4: GREEN INFRASTRUCTURE</b> p.88</p>	<p>THE CREATION AND ENHANCEMENT OF A GREEN INFRASTRUCTURE NETWORK WILL BE SUPPORTED. <b>GREEN INFRASTRUCTURE SHOULD BE USED TO HELP PROTECT AND ENHANCE THE HERITAGE ASSETS OF THE AREA.</b></p>
<p><b>MM 24</b></p>	<p><b>POLICY NH5: PROTECTION OF BEST AND MOST VERSATILE AGRICULTURAL LAND</b> (REPLACEMENT POLICY) pp.90 - 91</p>	<p><del>SUBJECT TO A MINIMUM THRESHOLD OF 10 HECTARES THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A) WILL BE PROTECTED FROM SIGNIFICANT DEVELOPMENT PROPOSALS. PLANNING PERMISSION FOR DEVELOPMENT AFFECTING SUCH LAND WILL ONLY BE GRANTED EXCEPTIONALLY IF THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT OUTWEIGHS THE NEED TO PROTECT IT AND EITHER:</del></p> <ul style="list-style-type: none"> <li>• <del>SUFFICIENT LAND OF A LOWER GRADE (GRADES 3B, 4 AND 5) IS UNAVAILABLE IN AN APPROPRIATE LOCATION TO PROVIDE SUSTAINABLE DEVELOPMENT; OR</del></li> <li>• <del>AVAILABLE LOWER GRADE LAND HAS AN ENVIRONMENTAL VALUE RECOGNISED BY A STATUTORY OR NON-STATUTORY WILDLIFE, HISTORIC OR ARCHAEOLOGICAL DESIGNATION WHICH OUTWEIGHS THE AGRICULTURAL CONSIDERATIONS.</del></li> <li>• <del>IF BEST AND MOST VERSATILE LAND NEEDS TO BE DEVELOPED AND THERE IS A CHOICE BETWEEN SITES IN DIFFERENT GRADES, LAND OF THE LOWEST GRADE AVAILABLE SHOULD BE USED.</del></li> </ul> <p><b>THE BEST AND MOST VERSATILE AGRICULTURAL LAND (GRADES 1, 2 AND 3A) WILL BE PROTECTED FROM SIGNIFICANT DEVELOPMENT PROPOSALS. PLANNING PERMISSION FOR DEVELOPMENT AFFECTING SUCH LAND WILL ONLY BE GRANTED EXCEPTIONALLY IF THE PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT OUTWEIGHS THE NEED TO PROTECT IT AND EITHER:</b></p> <ul style="list-style-type: none"> <li>• <b>SUFFICIENT LAND OF A LOWER GRADE (GRADES 3B, 4 AND 5) IS UNAVAILABLE IN AN APPROPRIATE LOCATION TO PROVIDE SUSTAINABLE DEVELOPMENT; OR</b></li> </ul>

		<ul style="list-style-type: none"> <li>• AVAILABLE<sup>79</sup> LOWER GRADE LAND HAS AN ENVIRONMENTAL VALUE RECOGNISED BY A STATUTORY OR NON-STATUTORY WILDLIFE, HISTORIC OR ARCHAEOLOGICAL DESIGNATION WHICH OUTWEIGHS THE AGRICULTURAL CONSIDERATIONS.</li> </ul> <p>IF BEST AND MOST VERSATILE LAND NEEDS TO BE DEVELOPED AND THERE IS A CHOICE BETWEEN SITES IN DIFFERENT GRADES, LAND OF THE LOWEST GRADE AVAILABLE SHOULD BE USED.</p>						
<p><b>MM 25</b></p>	<p><b>POLICY NH7: DEVELOPMENT IN PROXIMITY TO HINKLEY POINT NUCLEAR POWER STATION</b> (NEW) pp.92 - 93</p>	<p>DEVELOPMENT PROPOSALS IN THE CONSULTATION ZONES WILL BE CONSIDERED IN CONSULTATION WITH THE OFFICE FOR NUCLEAR REGULATION (ONR), HAVING REGARD TO THE SCALE OF DEVELOPMENT PROPOSED, ITS LOCATION, POPULATION DISTRIBUTION OF THE AREA AND THE IMPACT ON PUBLIC SAFETY, TO INCLUDE HOW THE PROPOSAL WOULD IMPACT ON LOCAL EMERGENCY PLANNING ARRANGEMENTS AND OTHER PLANNING CRITERIA.</p> <p>CONSULTATION ON PLANNING APPLICATIONS WILL BE UNDERTAKEN WITH ONR ON THE BASIS OF THE TABLE BELOW:</p> <table border="1" data-bbox="564 853 1487 1854"> <thead> <tr> <th data-bbox="564 853 751 920">ZONE</th> <th data-bbox="751 853 1487 920">DEVELOPMENT TYPE</th> </tr> </thead> <tbody> <tr> <td data-bbox="564 920 751 1290">INNER</td> <td data-bbox="751 920 1487 1290"> <ul style="list-style-type: none"> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD LEAD TO AN INCREASE IN RESIDENTIAL OR NON-RESIDENTIAL POPULATIONS THUS IMPACTING ON THE EMERGENCY PLAN.</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD CAUSE AN EXTERNAL HAZARD TO THE SITE.</li> </ul> </td> </tr> <tr> <td data-bbox="564 1290 751 1854">OUTER</td> <td data-bbox="751 1290 1487 1854"> <ul style="list-style-type: none"> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION THAT WILL LEAD TO A MATERIAL INCREASE IN THE SIZE OF EXISTING DEVELOPMENT, WHICH IS OTHERWISE LIKELY TO IMPACT ON THE OFF-SITE EMERGENCY PLAN</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION THAT WILL LEAD TO A MATERIAL INCREASE IN THE SIZE OF AN EXISTING DEVELOPMENT THAT COULD HAVE AN IMPACT ON THE EXTENDIBILITY OF COUNTERMEASURES BEYOND THE DEPZ.</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD POSE AN EXTERNAL HAZARD TO THE SITE.</li> </ul> </td> </tr> </tbody> </table>	ZONE	DEVELOPMENT TYPE	INNER	<ul style="list-style-type: none"> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD LEAD TO AN INCREASE IN RESIDENTIAL OR NON-RESIDENTIAL POPULATIONS THUS IMPACTING ON THE EMERGENCY PLAN.</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD CAUSE AN EXTERNAL HAZARD TO THE SITE.</li> </ul>	OUTER	<ul style="list-style-type: none"> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION THAT WILL LEAD TO A MATERIAL INCREASE IN THE SIZE OF EXISTING DEVELOPMENT, WHICH IS OTHERWISE LIKELY TO IMPACT ON THE OFF-SITE EMERGENCY PLAN</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION THAT WILL LEAD TO A MATERIAL INCREASE IN THE SIZE OF AN EXISTING DEVELOPMENT THAT COULD HAVE AN IMPACT ON THE EXTENDIBILITY OF COUNTERMEASURES BEYOND THE DEPZ.</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD POSE AN EXTERNAL HAZARD TO THE SITE.</li> </ul>
ZONE	DEVELOPMENT TYPE							
INNER	<ul style="list-style-type: none"> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD LEAD TO AN INCREASE IN RESIDENTIAL OR NON-RESIDENTIAL POPULATIONS THUS IMPACTING ON THE EMERGENCY PLAN.</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD CAUSE AN EXTERNAL HAZARD TO THE SITE.</li> </ul>							
OUTER	<ul style="list-style-type: none"> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION THAT WILL LEAD TO A MATERIAL INCREASE IN THE SIZE OF EXISTING DEVELOPMENT, WHICH IS OTHERWISE LIKELY TO IMPACT ON THE OFF-SITE EMERGENCY PLAN</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION THAT WILL LEAD TO A MATERIAL INCREASE IN THE SIZE OF AN EXISTING DEVELOPMENT THAT COULD HAVE AN IMPACT ON THE EXTENDIBILITY OF COUNTERMEASURES BEYOND THE DEPZ.</li> <li>• ANY NEW DEVELOPMENT, RE-USE OR RE-CLASSIFICATION OF AN EXISTING DEVELOPMENT THAT COULD POSE AN EXTERNAL HAZARD TO THE SITE.</li> </ul>							
	<p><b>Purpose</b> p.93</p>	<ul style="list-style-type: none"> <li>○ To consider the impact of any increase in population within the areas close to Hinkley Point Power Station.</li> </ul>						
	<p><b>Assumptions</b> p.93</p>	<ul style="list-style-type: none"> <li>○ As part of managing the (very small) risk of accident involving the release of radiological material it is prudent to consider increases in population living or having other business within close proximity of nuclear sites.</li> </ul>						

	<p><b>Justification including any references</b></p> <p>pp.93 - 94</p>	<ul style="list-style-type: none"> <li>• Consultation zones are those identified by ONR and shown on the map in Appendix X (potential applicants are advised to contact ONR in respect of any changes to the extent of the zones shown on the map).</li> <li>• ONR provide guidance on Land Use Planning in close proximity to Nuclear Installations (<a href="http://www.onr.uk/land-use-planning.htm">www.onr.uk/land-use-planning.htm</a>). This provides advice about the need for consultations about proposed developments in the vicinity of licensed nuclear installations.</li> <li>• Consultation with ONR supports the Government's long-standing policy objective requiring appropriate control of development around licensed nuclear sites to limit the radiological consequences to the public in the unlikely event of an accident.</li> <li>• The policy is a measure of prudence over and above the stringent regulatory requirements placed upon nuclear operators by ONR.</li> <li>• ONR when consulted will provide advice to the Council which should be considered when making decisions on planning applications within the consultation zones.</li> <li>• All new residential developments within consultation zones around Hinkley Point Power Station will be monitored and reported to ONR on an annual basis.</li> </ul> <p>Sources:</p> <p>Department of Energy and Climate Change; <u>National Policy Statement for Nuclear Power Generation (EN-6), Volume II of II: Annexes – July 2011</u>; Department of Energy and Climate Change; 2011; (p.266).</p> <p>Department for Communities and Local Government; <u>National Planning Policy Framework – March 2012</u>; Department for Communities and Local Government; 2012; ISBN 978 1 4098 3413 7; (paras. 172 &amp; 194)</p> <p>Department for Communities and Local Government; <u>National Planning Policy Framework – National Planning Practice Guidance (as amended): Hazardous Substances</u>; Department for Communities and Local Government Planning Portal (web-site <a href="http://planningguidance.planningportal.gov.uk/">http://planningguidance.planningportal.gov.uk/</a>); 2014;</p> <p>(Handling development proposals around hazardous installations, paras. O68, 075 &amp; 078).</p>
<p><b>MM26</b></p>	<p><b>POLICY NH11: NATIONALLY DESIGNATED LANDSCAPE AREAS (NEW)</b></p> <p>pp.98 – 99</p>	<p><b>MAJOR DEVELOPMENT PROPOSALS WITHIN THE QUANTOCK HILLS AREA OF OUTSTANDING NATURAL BEAUTY WILL BE DETERMINED IN ACCORDANCE WITH NATIONAL PLANNING POLICY.</b></p> <p><b>WHERE DEVELOPMENT IS LIKELY TO AFFECT THE QUANTOCK HILLS AONB OR EXMOOR NATIONAL PARK, REGARD WILL BE HAD TO THEIR STATUTORY PURPOSES.</b></p> <p><b>APPLICATIONS FOR DEVELOPMENT SHOULD HAVE REGARD TO LOCATION, SITING, ORIENTATION AND LANDSCAPING TO ACHIEVE HIGH QUALITY DESIGN AND TO ENSURE THAT THE PROPOSALS CONSERVE OR ENHANCE THE NATURAL BEAUTY, WILDLIFE, CULTURAL HERITAGE AND TRANQUILLITY OF THE AONB OR THE NATIONAL PARK AND THEIR SETTINGS. DEVELOPMENT WHICH WOULD CONFLICT WITH THE ACHIEVEMENT OF THE STATUTORY PURPOSES OF THE AONB OR THE NATIONAL PARK, OR THEIR SETTINGS OR WHICH WOULD ADVERSELY AFFECT THE UNDERSTANDING OR</b></p>

		<b>ENJOYMENT OF THE NATIONAL PARK'S SPECIAL QUALITIES, WILL NOT BE PERMITTED.</b>
	<b>Purpose</b> p.99	<ul style="list-style-type: none"> <li>○ To protect the high quality landscape characteristics of the Quantock Hills AONB within the West Somerset LPA area.</li> <li>○ The policy provides for the appropriate consideration of protected landscapes when considering the design of development schemes.</li> <li>○ The policy provides for the appropriate consideration of functional and design issues in locations outside but would impact on nationally designated areas and their associated landscape characteristics.</li> </ul>
	<b>Assumptions</b> p.99	<ul style="list-style-type: none"> <li>○ The care with which development is designed and sited in high quality designated rural landscapes makes a considerable difference to the positive or negative impact which it can have on the area and, on its setting.</li> <li>○ Landscape impact can potentially be reduced through the careful design, location and, orientation of new development.</li> <li>○ Small-scale development is not referred to directly in the context of protected landscapes. It follows that impact is generally likely to be lesser than that associated with major schemes but, nonetheless it is important to recognise that any impact should be minimised.</li> </ul>
	<b>Justification including any references</b> pp.99 - 100	<ul style="list-style-type: none"> <li>○ Nationally designated landscapes account for almost 75% of the West Somerset local authority area in the form of, Quantock Hills Area of Outstanding Natural Beauty (AONB) and, Exmoor National Park (ENP). West Somerset Council is the LPA for the AONB but the development within the National Park is determined by its own separate LPA, the Exmoor National Park Authority.</li> <li>○ The Quantock Hills Area of Outstanding Natural Beauty (AONB) is located across three separate LPA's and there is a need for a general consistency in the planning policy approach to development within it.</li> <li>○ Development in the areas outside of but surrounding/adjoining nationally designated landscape areas, can have an impact on the latter. It is an important contextual issue when dealing with development proposals within such areas and requires additional/ careful consideration as part of the development management process.</li> <li>○ Where development proposals are made in locations surrounding/adjoining nationally designated landscape area, it will be assessed in the context of its impact on the designated area itself, not the setting.</li> <li>○ The policy is not intended to prevent the principle of development within the AONB or, surrounding it or other nationally designated landscape areas. However, it does require that the character of such areas, should be treated as an important factor when designing and deciding on development proposals.</li> <li>○ Where development is deemed to be necessary and acceptable, preference will be sought to ensure that the new-build can be successfully integrated with, either; <ul style="list-style-type: none"> <li>a) adjoining existing structures whether as part of the built-form of a nearby settlement or,</li> <li>b) as part of a cluster of existing permanent buildings.</li> </ul> </li> </ul>

		<p>This is so as to minimise the impact of the new-build on the surrounding area and landscape and to avoid drawing attention to the structure as a feature in the landscape in its own right.</p> <ul style="list-style-type: none"> <li>Where development is considered to be necessary and acceptable, particular attention will be paid to the design taking account of; siting, scale, form, height, massing, detail and/or use of local materials as appropriate.</li> </ul> <p><b>Definitions:</b></p> <p><b>Nationally designated landscapes</b> – those designated by the Secretary of State through relevant primary and secondary legislation e.g. Designation Order, Statutory Instrument (S.I.).</p> <p><b>Major development</b> – proposals for 10 or more dwellings and/or, large structures, whose intrusion on the local and surrounding landscape would be difficult to effectively mitigate through traditional screening and landscaping techniques without drawing attention to this, itself.</p> <p><b>Sources:</b></p> <p>Department for Communities and Local Government; <u>National Planning Policy Framework – March 2012</u>; Department for Communities and Local Government; 2012; ISBN 978 1 4098 3413 7 (paras. 115 and 116)</p> <p>Land Use Consultants and Swannick, C. (University of Sheffield); <u>Landscape Character Assessment: Guidance for England and Scotland</u>; The Countryside Agency; 2002.</p> <p>Ministry of Housing and Local Government; <u>National Parks and Access to the Countryside Act 1949: The Quantock Hills Area of Outstanding Natural Beauty (Designation) Order 1956</u>; Ministry of Housing and Local Government; 1957.</p> <p>H.M. Government; <u>National Parks and Access to the Countryside Act 1949: Exmoor National Park (Designation) Order 1954 (HLG 92/176)</u>; HMSO; 1954.</p> <p>H.M. Government; Environment Act 1995, Chapter 5 (as amended); H.M.S.O.; 1995; ISBN 0 10 542595 8</p> <p>WS Atkins; <u>West Somerset Landscape Character Assessment</u>; West Somerset District Council, November 1999.</p> <p>The Countryside Agency; <u>The Quantock Hills Landscape: An Assessment of the Area of Outstanding Natural Beauty</u>; The Countryside Agency; 2003; ISBN 0 86170 617 X</p> <p>Quantock Hills AONB JAC; <u>Quantock Hills Area of Outstanding Natural Beauty, Management Plan 2009-2014</u>; Quantock Hills JAC; 2009.</p>
<p><b>MM27</b></p>	<p><b>POLICY GT1: GYPSY AND TRAVELLER SITE POLICY</b> (REPLACEMENT POLICY) pp.100 - 101</p>	<p><del>APPROPRIATE PROVISION WILL BE MADE TO MEET AN IDENTIFIED NEED FOR UP TO 10 GYPSY AND TRAVELLER PITCHES DURING THE PLAN PERIOD.</del></p> <p><b>PROVISION WILL BE MADE IN A LOCAL PLAN TO MEET AN IDENTIFIED NEED FOR UP TO 10 GYPSY AND TRAVELLER PITCHES DURING THE PLAN PERIOD. APPLICATIONS FOR THE DEVELOPMENT OF GYPSY AND TRAVELLER ACCOMMODATION WILL BE DETERMINED IN ACCORDANCE WITH NATIONAL POLICY.</b></p>
<p><b>MM28</b></p>	<p><b>PROPOSALS MAP</b> (title)</p>	<p><del>WEST SOMERSET LOCAL PLAN TO 2032 PROPOSALS MAP</del> <b>WEST SOMERSET LOCAL PLAN TO 2032 POLICIES MAP</b></p>

<b>MM 29</b>	<b>Policy MD2:</b> <b>(p.34)</b> <b>Policy WA2:</b> <b>(p.39)</b> <b>Policy WI2:</b> <b>(p.42)</b> <b>Policy LT1:</b> <b>(p.44)</b> <b>Policy EC2:</b> <b>(p.52)</b> <b>Policy NH1A:</b> <b>(p.83)</b> <b>Policy NH8:</b> <b>(p.94)</b> <b>Policy NH9:</b> <b>(p.95)</b>	) 83 ) ) ) ) ) – Delete in policy wording; “PROPOSALS MAP” and, ) – insert; “POLICIES MAP” ) ) ) ) )
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**NB** *The page numbers refer to the Post-Hearings version of the Local Plan, amended to incorporate the changes included in this table from the Publication version.*



Report Number: WSC 109/16

## **West Somerset Council**

### **Local Development Panel – 3<sup>rd</sup> October 2016**

#### **West Somerset Local Plan to 2032: Additional Modifications consultation**

**This matter is the responsibility of Councillor K Turner Lead Member for Housing, Health and Wellbeing**

**Report Author: Martin Wilsher, Principal Planning Officer - Policy**

#### **1 Executive Summary / Purpose of the Report**

- 1.1 As a result of the Examination process of the Local Plan to 2032, from the Submission at the end of July 2015 to the resolution of Full Council to consult on the Proposed Modifications in May of this year, there have been a number of amendments suggested to elements of the content of the local plan document. 19 Additional Modifications were consulted on and attracted a number of representations as covered in Section 4.4 of this report.

#### **2 Recommendations**

- 2.1 As a consequence of the changes that were proposed as Additional Modifications and the responses received to them during the consultation process it is recommended that;
- i. The Additional Modifications be incorporated into the Publication Draft version of the Local Plan to 2032 as set out in Table 1 of Appendix A,**
  - ii. the changes to correct typographical and grammatical errors to the supporting text be made to the Publication Draft version of the Local Plan to 2032 as set out in Table 1 of Appendix A, and,**
  - iii. that the Local Plan to 2032, as amended by these changes, be recommended to Full Council as part of the adoption process alongside those recommendations relating to the Inspectors' Report.**

#### **3 Risk Assessment**

- 3.1 This Report represents a purely procedural stage in plan-making. No known risks have been identified with adopting the Plan. Whilst the Plan is subject to a six-week legal challenge period, the Council has taken steps through its preparation to minimise the likelihood of a successful challenge being possible.

#### **4 Background and Full details of the Report**

- 4.1 The content of this report deals with the representations made in response to one of two

sets of proposed modifications to the Publication Draft of the West Somerset Local Plan to 2032 (January 2015). It only covers the proposed changes to those parts of the supporting text to the policies that were not subject to substantive alteration in the way that the policies should be interpreted. These were referred to as Additional Modifications during the consultation. Changes to policy wording, new policies, policy deletion and their respective supporting text interpretation were treated as Main Modifications. These and the representations made about them have been dealt with by the Inspector as part of his Report which is covered by Agenda Item 6.

- 4.2 Work on the West Somerset Local Plan commenced in 2009 with a consultation to identify the significant spatial planning issues that could be affecting development in the West Somerset Local Planning Authority area. Since then, the emerging local plan has been through a further three informal consultation periods. During this time the strategy and policies evolved to a point in late 2014, when it was considered to be in a state where it could be subject to examination by an external and independent Planning Inspector. The Publication version of the Local Plan was endorsed by Full Council at its meeting on 21<sup>st</sup> January 2015 to go out for formal consultation which took place between 10<sup>th</sup> February and 23<sup>rd</sup> March of that year. Following consideration of the responses to Publication version, it was found that there were no substantive issues arising from it, that could prevent the local Plan from being submitted to the Secretary of State for examination. The Local Plan to 2032 was submitted on 31<sup>st</sup> July 2015. Following 'submission', an Inspector, Brian Cook BA (Hons.) DipTP MRTPI, was appointed to take the Local Plan to 2032 through the Examination stage. This would culminate in a Report that would determine the suitability and 'soundness' of the document as the basis for decision-taking on development proposals utilising the relevant policies contained within it (see Appendix A to Agenda Item 6).
- 4.3 The Examination process included a scrutiny element that took place through a number of round-table discussion sessions. These were used to provide the Inspector with greater clarification and/or understanding about specific issues he had identified in his reading of the local plan document and supporting evidence. These 'hearing-sessions' were held in public and participants in the discussions included individuals and representatives of interested organisations who had made representations about the content of the Local Plan to 2032 at the Publication stage. The 'hearing-sessions' took place at West Somerset House between 14<sup>th</sup> and 22<sup>nd</sup> March 2016. At the final 'hearing-session' Officers representing West Somerset Council presented a set of proposed changes to the original Publication Draft, to the Inspector. These changes arose from a combination of; the representations made to the Publication Draft of the Local Plan to 2032 prior to its submission, exchange of correspondence between the Inspector and the Local Planning Authority (LPA), post submission and, the discussions during earlier 'hearing-sessions'. Following a further exchange of correspondence between the Inspector and the LPA after the 'hearing-sessions' had been completed, two sets of changes were proposed by the LPA in order to make the plan 'sound'. These comprised the Main Modifications, the representations to which would be dealt with by the Inspector via his Report and, Additional Modifications, the responses to which would be dealt with by the LPA.
- 4.4 The public consultation on both types of 'modifications' took place over a six-week period between 3<sup>rd</sup> June and 15<sup>th</sup> July. The consultation comprised 29 Main Modifications and 19 Additional Modifications. This generated 70 comments on specific modifications from 29 organisations and individuals. Of the representations on individual aspects, over 75% were about the Main Modifications which have been dealt with by the Inspector through his Report and are, therefore, not considered in this report. Of the remainder, five were

specifically about the proposed Additional Modifications. These comprised;

- 4.4.1 **Policy OC1: Open Countryside Development (AM8)** – The representation was linked with one about the proposed changes to the policy-wording itself (MM12) to which the objector suggested an alternative wording to the policy. The suggested change to the policy related to the objectors requirement that it should acknowledge the role of tourism accommodation as a form of development in the open countryside. The Additional Modifications changes in the supporting text dealt with two issues;
- The locational criteria for employment new-build, and,
  - The revised economic and functional tests that should be applied to proposals for rural worker accommodation

However, whilst an explanation was provided for the change to the policy itself, no indication was provided as to how the proposed supporting text changes should be amended to reflect the preferred revised policy wording. The Inspector, in his Report, has not proposed to amend the wording of the policy from that put forward as part of the Main Modifications consultation. Therefore, in the absence of any changed wording to the policy itself and lack of alternative wording for the supporting text, it is not intended to amend the latter from the version that was consulted on as part of the Additional Modifications.

- 4.4.2 **Policy EC6: Work/Live Developments (AM10)** – The representation received in relation to the proposed changes to the supporting text of this policy was supportive of the amendments. These sought to clarify the issue of the integrated relationship of the two functions without indicating that one use should be apportioned greater amount of the floor-space than the other.

- 4.4.3 **Policy CC1: Carbon Reduction Energy Generating Schemes (AM11)** – The representation received on the proposed changes to the supporting text were linked with those the objector had submitted in relation to changes to the wording of the policy (MM17). The policy and text had been subject to significant re-wording from that which had been included in the Publication Draft as it sought to incorporate elements of the Policy EN2: Mitigation of Impact of Major Energy Generating Proposals. This latter policy was proposed for deletion through the Main Modifications (MM1). The objector sought to include an additional criteria in the revised wording of the policy to address issues of noise and vibration from new energy generating proposals on existing nearby tourism accommodation. These particular issues are covered by Policy NH6: Pollution, Contaminated Land and Land Instability. No new and/or alternative wording to the supporting text to justify the objectors' additional policy-wording criteria was provided. The Inspector, in his Report, has not proposed to amend the wording of the policy from that put forward as part of the Main Modifications consultation. Therefore, in the absence of any changed wording to the policy itself and lack of alternative wording for the supporting text, it is not intended to amend the latter from the version that was consulted on as part of the Additional Modifications.

- 4.4.4 **Policy NH1: Historic Environment (AM15)** – The representation received on the proposed changes to the supporting text were linked with those the objector had submitted in relation to changes to the wording of the policy (MM20). The policy and text had been subject to significant re-wording throughout the Examination stage as a consequence of representations made by the Government's advisor on heritage matters, Historic England. The outcome of the exchange of correspondence with this source, from the consultation on the Publication Draft through to the Examination 'hearing-

sessions' has resulted in the replacement of a single over-arching policy covering heritage issues in general, to, extensive re-wording of the policy and its supporting text and, the drafting of a new policy, Policy NH1x: Management of Heritage Assets (MM21). Between them the two policies are expected to cover all historic and heritage development policy issues in both general and specific terms. The objector sought to amend the policy wording to the revised version of Policy NH1 from that presented for consultation, to provide a different approach to the application of the phrase 'appropriate' in relation to potentially affected heritage assets. No new and/or alternative wording to the supporting text to justify the objectors' additional policy-wording criteria was provided. The Inspector, in his Report, has not proposed to amend the wording of the policy from that put forward as part of the Main Modifications consultation. Therefore, in the absence of any changed wording to the policy itself and lack of alternative wording for the supporting text, it is not intended to amend the latter from the version that was consulted on as part of the Additional Modifications.

- 4.4.5 **Policy NH4: Green Infrastructure (AM16)** – The representation received from Somerset Wildlife Trust, in relation to the proposed changes to the supporting text of this policy was supportive of the amendment. This sought to include reference to rivers as streams as contribution towards the overall provision of green infrastructure as part of the first bullet-point in the 'Justification' text.
- 4.5 In addition to the representations mentioned above and those specifically in relation the Main Modifications, twelve further comments were made of a more generic nature or, addressed specific parts of the Local Plan to 2032 that did not form part of the latest consultation. As a consequence of this the comments have been noted for future reference but cannot be considered as a part of this report.
- 4.6 Since the Publication Draft version of the Local Plan to 2032 was approved by Full Council in January 2015, it has been the subject of one formal consultation on the whole of the content of the emerging development plan document. It has also been subject to additional consultation on proposed amendments only, to the original document arising from the Examination stage (6<sup>th</sup> August 2015 – 14<sup>th</sup> September 2016) of the process, including the Examination 'hearing-sessions' in March of this year. During the process since Publication Draft a number of typographical and grammatical errors have been identified in the various iterations of document by individuals through representations made during the consultation stages and, by officers. Where these affect the supporting text only, they have been addressed and are included as part of the recommended changes in Table 1 of Appendix A that accompanies this report. Where such errors have been identified, by officers and others, that affect the wording of the policies, these have been highlighted for the attention of the Inspector for him to address through his Report.

### **Conclusion**

- 4.7 As a result of the Examination process of the Local Plan to 2032, from the Submission at the end of July 2015 to the resolution of Full Council to consult on the Proposed Modifications in May of this year, there have been a number of amendments suggested to elements of the content of the local plan document. This culminated in the identification of 48 proposed changes to the Publication Draft of the Local Plan to 2032. These were approved for consultation during the early summer. 29 of the proposed changes affected the wording of policy and have been considered by the Planning Inspector in the production of his Report. The remaining 19 Additional Modifications consulted on attracted a number of representations as covered in Section 4.4 of this report. As a consequence of the changes that were proposed as Additional Modifications and the responses received to them during the consultation process it is

recommended that;

- i. **The Additional Modifications be incorporated into the Publication Draft version of the Local Plan to 2032 as set out in Table 1 of Appendix A,**
- ii. **the changes to correct typographical and grammatical errors to the supporting text be made to the Publication Draft version of the Local Plan to 2032 as set out in Table 1 of Appendix A, and,**
- iii. **that the Local Plan to 2032, as amended by these changes, be recommended to Full Council as part of the adoption process alongside those recommendations relating to the Inspectors' Report.**

## **5 Links to Corporate Aims / Priorities**

- 5.1 The WSLP to 2032 will deliver outcomes against three of the four key themes identified in the Council's Corporate Strategy, namely; 'People, 'Business and Enterprise' and 'Our Place'.

## **6 Finance / Resource Implications**

- 6.1 The WSLP to 2032 introduces new policies and allocations which will boost the Council's supply of deliverable housing land. This will generate significant receipts in the form of New Homes Bonus and planning obligations which can be used to help fund essential infrastructure.

## **7 Legal Implications**

- 7.1 Upon adoption, the WSLP to 2032 will be subject to a six week legal challenge period. As part of the statutory development plan the WSLP will be the starting point for planning decisions.

## **8 Environmental Impact Implications**

- 8.1 Under the Strategic Environmental Appraisal Directive (2004) the Council is obliged to consider the effects of certain plans and programmes on the environment. A Sustainability Appraisal (SA) was prepared to support the Draft Plan, this sets out all likely significant effects on the environment as well as economic and social factors and mitigation measures. The proposed changes outlined in this Report will need to be subject to an addendum to the published SA.

## **9 Safeguarding and/or Community Safety Implications**

- 9.1 There are no 'safeguarding' or 'community safety' issues arising as a consequence of the contents of this report.

## **10 Equality and Diversity Implications**

- 10.1 The Publication Draft version of the Local Plan to 2032 was accompanied by an Equalities Impact Assessment (EqIA).

## **11 Social Value Implications**

- 11.1 There are no 'social value' issues arising as a consequence of the contents of this report.

## 12 Partnership Implications

12.1 The WSLP to 2032 itself will be delivered in partnership with a range of key stakeholders, these include, but are not limited to; local communities, developers and landowners and infrastructure providers.

## 13 Health and Wellbeing Implications

13.1 Policies in the WSLP to 2032 have taken account of health and well-being implications. The Plan includes policies that will ensure the provision of land for community facilities and the encouragement of walking and cycling and active lifestyles.

## 14 Asset Management Implications

14.1 There are no 'asset management' issues arising as a consequence of the contents of this report.

## 15 Consultation Implications

15.1 There are no 'consultation' issues arising as a consequence of the contents of this report.

## 16 Scrutiny Comments / Recommendation(s)

16.1 Not applicable.

### Democratic Path:

- **Scrutiny / Corporate Governance or Audit Committees – Yes/ No** (delete as appropriate)
- **Cabinet/Executive – Yes / No** (delete as appropriate)
- **Full Council – Yes / No** (delete as appropriate)

Reporting Frequency :  Once only  Ad-hoc  Quarterly

Twice-yearly  Annually

### List of Appendices (delete if not applicable)

Appendix A	Proposed changes to the supporting text arising from Additional Modifications Consultation
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## APPENDIX A

### Proposed changes to the supporting text arising from Additional Modifications consultation

The table below identifies all the proposed changes affecting the supporting text in the West Somerset Local Plan to 2032 that were subject to consultation as Additional Modifications. Alterations to the supporting text of the local Plan directly associated with proposed changes to the respective policy wording were covered through the parallel consultation on Main Modifications are not included in this table. These are dealt with through the Inspectors' Report. The consultation period for both the Main Modifications and Additional Modifications took place between 3<sup>rd</sup> June and 15<sup>th</sup> July 2016. The proposed changes that were the subject of the Additional Modifications consultation arose from a variety of sources including;

- representations received from the Publication stage consultation prior to submission,
- exchange of correspondence with the appointed Inspector following Submission of the Local Plan, and,
- through the Examination hearing sessions that took place in March 2016.

The changes referred to in this table are based on the Publication version of the Local Plan (January 2015) which formed the basis of the documents that were submitted to the Secretary of State for Examination on 31<sup>st</sup> July 2015. The page numbers identified in the first column of the table refer to this version of the Local Plan to 2032.

The text that was the subject of the Additional Modifications consultation is shown in the second column of the table, as it was presented in the consultation documents. Where the text has been subject to further change in response to representations received during the consultation process and the identification of typographical and/or grammatical errors these are identified via underlining. A comment is included in *italics* and parenthesis at the end of each section of text identifying the source of the change.

**TABLE1: West Somerset Local Plan to 2032 changes to text only**

<b>Policy ref. and page number</b>	<b>Amendment</b>
<b>Policy EN1</b> Purpose, p.16	Insert new text; <ul style="list-style-type: none"> <li>○ <b>This policy does not apply to development covered by the NSIP process and to which the DCO applies.</b></li> </ul> <i>(Additional Modification AM1 – accepted)</i>
<b>Policy SC2</b> Justification, p.22	Amend first sentence to read; <ul style="list-style-type: none"> <li>○ c.80% of completions are consistently provided at Minehead/Alcombe Watchet and Williton; <b>Th</b>is level of provision (at approximately the annual rate now proposed on the basis of the SHMA’s evidence) has proved remarkably successful in maintaining Minehead/Alcombe as the main service centre with a good range of service provision for a town of its scale, and Watchet and Williton as two successful secondary service centres.</li> </ul> <i>(our error – grammar)</i>
<b>Policy MD1</b> Justification inc. any references, p.35	Insert new reference; <b>Hyder Consulting (UK) Limited; <u>Minehead Surface Water Management Plan: Detailed Assessment and Options Appraisal Report – Final Report , August 2012</u>; Somerset County Council; 2012.</b> <i>(Additional Modifications AM2 – accepted)</i>
<b>Policy MD2</b> Justification inc. any references, p.37	Insert new reference; <b>Hyder Consulting (UK) Limited; <u>Minehead Surface Water Management Plan: Detailed Assessment and Options Appraisal Report – Final Report , August 2012</u>; Somerset County Council; 2012.</b> <i>(Additional Modifications AM3 – accepted)</i>
<b>Policy WA2</b> Assumptions, p.40	Insert new text; <ul style="list-style-type: none"> <li>○ <b>The master-plan will also take account of the significance of the ‘Listed’ historic assets at Parsonage Farm and their settings as described in the, Parsonage Farm Heritage Assessment.</b></li> </ul> <i>(Additional Modifications AM4 – accepted)</i>
<b>Policy WA2</b> Justification, p.40	Insert new text; <ul style="list-style-type: none"> <li>▪ <b>Impact upon the natural and historic heritage is managed in an appropriate way taking account of the significance of the ‘Listed’ historic assets at Parsonage Farm and their settings as described in the, Parsonage Farm Heritage Assessment.</b></li> </ul> <i>(Additional Modifications AM4 – accepted)</i>
<b>Policy WA2</b> Justification inc. any references, p.40	Insert new reference; <b>Wessex Archaeology Ltd.; Parsonage Farmhouse, Parsonage Farm, Watchet, Somerset: Heritage Assessment – August 2015 (Report No. 110190.01); West Somerset Council; 2015.</b> <i>(Additional Modifications AM5 – accepted)</i>

<p><b>Policy LT1</b> Justification, p.46</p>	<p>Insert new text;</p> <ul style="list-style-type: none"> <li>○ <b>Options for rescue archaeology excavations in advance of further coastal erosion of Daws Castle will be sought through Section 106 Agreements with developers.</b></li> </ul> <p><i>(Additional Modifications AM6 – accepted)</i></p>
<p><b>Policy LT1</b> Justification inc. any references, p.46</p>	<p>Insert new reference;</p> <p><b>Hyder Consulting (UK) Limited; <u>Minehead Surface Water Management Plan: Detailed Assessment and Options Appraisal Report – Final Report , August 2012</u>; Somerset County Council; 2012.</b></p> <p><i>(Additional Modifications AM7 – accepted)</i></p>
<p><b>Policy OC1</b> Justification, pp.50 - 51</p>	<p>Amend and insert new text;</p> <ul style="list-style-type: none"> <li>○ <del>“The open countryside” includes all land outside of existing settlements, where development is not generally appropriate. It is however desirable in certain circumstances to allow development exceptionally, where this is beneficial for the community and local economy.</del></li> <li>○ <b>New-build development for employment generating activities already established in the local area will be considered where the type of activity in its existing location is incompatible with existing neighbouring uses. The re-location of any relevant employment generating activity would also need to take account of any relevant parts of Policy EC5 and Policy EC9.</b></li> <li>○ <del>Essential dwellings for agricultural, forestry, equine, horticulture or hunting purposes</del> <b>rural workers</b> may be permitted subject to a rigorous assessment of the necessity for the development in the location proposed, and in particular, why an existing dwelling in the local area cannot suffice. The justification for such dwellings must include setting out the functional need for a dwelling in that location and <del>financial</del> <b>economic</b> evidence to demonstrate the potential viability of the scheme. <b>These will include the following criteria;</b></li> </ul> <p><b>Functional</b></p> <ul style="list-style-type: none"> <li>▪ <b>there is an existing and established need for the activity in the area,</b></li> <li>▪ <b>the need requires the presence of a full-time worker employed in the activity on-site to provide availability to meet local emergencies associated with it, on a 24/7 basis,</b></li> <li>▪ <b>the need could not be met effectively through use of existing off-site accommodation nearby, and,</b></li> <li>▪ <b>other planning requirements, such as siting and access, can be satisfied.</b></li> </ul> <p><b>Economic</b></p> <ul style="list-style-type: none"> <li>▪ <b>the activity can demonstrate that it has been generating an regular on-going need for at least three years, and,</b></li> <li>▪ <b>the proposed accommodation should be commensurate with the established functional need for accommodation in that location.</b></li> </ul>

	<p>Because it will not be clear whether an enterprise will prove to be viable in advance, initial permissions under this policy may be granted on a temporary basis.</p> <p><i>(Additional Modifications AM8 – accepted)</i></p>
<p><b>Policy EC2</b> Justification, p.54</p>	<p>Amend text to read;</p> <ul style="list-style-type: none"> <li>○ Priority will be given to those sites and land identified as being available and suitable for employment uses identified through the Employment Land Review <b>and</b>, they are consistent with other policies within the Local Plan and, they meet the relevant requirements of PPS4 <b>the NPPF</b>.</li> </ul> <p><i>(Additional Modifications AM9 – accepted)</i></p>
<p><b>Policy EC6</b> Justification, p.59</p>	<p>Amend text to read;</p> <ul style="list-style-type: none"> <li>○ Properly designed work/live accommodation should <del>have a majority of floorspace for employment use</del>, <b>ensure that</b> the two types of use <del>being</del> <b>are</b> integrated in such a way that they cannot be split up and used separately.</li> </ul> <p><i>(Additional Modifications AM10 – accepted)</i></p>
<p><b>Policy CC1</b> Purpose, p.71</p>	<p>Insert new text;</p> <ul style="list-style-type: none"> <li>○ <b>The policy seeks to ensure that appropriate mitigation of adverse impacts and optimisation of beneficial impacts arising from energy generating proposals is provided.</b></li> <li>○ <b>This policy does not apply to development covered by the NSIP process and to which a DCO applies.</b></li> </ul> <p><i>(Additional Modifications AM11 – accepted)</i></p>
<p><b>Policy CC1</b> Assumptions, pp.71 - 72</p>	<p>Insert new text;</p> <ul style="list-style-type: none"> <li>○ <b>Energy generating proposals can give rise to a range of both positive and negative impacts depending on the nature of the energy generating technology involved and the scale, location and design of the scheme;</b></li> <li>○ <b>Some of these impacts may be on a very significant scale,</b></li> <li>○ <b>They will range in timescale between short and long term.</b></li> <li>○ <b>Where the impact is more than substantial and cannot be adequately mitigated then it will need to be demonstrated that the public benefit arising from the development clearly outweighs the consequential diminution of the asset.</b></li> </ul> <p><i>(Additional Modifications AM11 – accepted)</i></p>
<p><b>Policy CC1</b> Justification, p.72</p>	<p>Amend and insert new text;</p> <ul style="list-style-type: none"> <li>○ <del>The scope of this policy does not include large scale development such as extensive photovoltaic arrays which will be considered in the context of policy EN2.</del></li> <li>○ <b>The search for new and more sustainable energy generating capacity has led to the development of novel technologies such as large scale photovoltaic arrays and windfarms. All energy generating facilities have locational requirements related to the nature of the energy source being captured.</b></li> </ul>

	<ul style="list-style-type: none"> <li>○ The desire for more low carbon energy generation has led to more large scale generating development away from traditional sources of hydrocarbon energy such as the coalfields. Wind, hydro, biomass and solar energy schemes are frequently located in remote rural areas of high landscape and or ecological value, great care is necessary in order to balance the benefits of low or zero carbon energy generation with the appropriate level of protection for highly valued environments. These will also have to be considered in the context of the provisions of Policies NH2 and NH3 where appropriate.</li> <li>○ A Renewable Energy Potential Study forms part of the evidence base.</li> <li>○ Developments affecting the local historic environment and any designated (e.g. Listed Buildings, Scheduled Ancient Monuments, Conservation Areas, etc.) and identified potential (e.g. Areas of High Archaeological Potential – AHAP’s) heritage assets within and surrounding the area will also have to be considered in the context of the provisions of Policies NH1, NH1a, NH1b and NH1x where appropriate.</li> </ul> <p><i>(Additional Modifications AM11 – accepted)</i></p>
<p><b>Policy CC1</b> Justification inc. any references, p.73</p>	<p>Amend and insert new references;</p> <p><del>Department of the Environment; Planning Policy Guidance: Coastal Planning Note (PPG 20) – September 1992; H.M.S.O.; 1992; ISBN 0 11 752744 4</del></p> <p><b>Department of Energy and Climate Change; <u>Overarching National Policy Statement for Energy – June 2011 (EN-1)</u>; DECC; 2011.</b></p> <p><b>Department of Energy and Climate Change; <u>National policy Statement for Renewable Energy Infrastructure – June 2011 (EN-3)</u>; DECC; 2011.</b></p> <p><b>Department of Energy and Climate Change; <u>National Policy Statement for Electricity Networks Infrastructure – June 2011 (EN-5)</u>; DECC; 2011.</b></p> <p><b>Department of Energy and Climate Change; <u>National Policy Statement Nuclear Power Generation Vols. 1 &amp; 2 – June 2011 (EN-6)</u>; DECC; 2011.</b></p> <p><b>Department for Communities and Local Government; <u>National Planning Policy Framework – March 2012</u>; Department for Communities and Local Government; 2012; ISBN 978 1 4098 3413 7</b></p> <p><b>Department of Communities and Local Government; <u>National Planning Policy Framework – National Planning Practice Guidance (as amended)</u>; Department for Communities and Local Government Planning Portal (web-site <a href="http://planningguidance.planningportal.gov.uk/">http://planningguidance.planningportal.gov.uk/</a>); 2014.</b></p> <p><b>Turner, Cllr. K.H.; <u>West Somerset Council Full Council 23<sup>rd</sup> March 2011 Agenda Item 8: West Somerset Council Position Statement on Proposed Major Energy Generation and Associated Infrastructure Projects (Full Council Report No. WSC 42/11)</u>; West Somerset Council; 2011.</b></p>

	<p><b>Stuart Todd Associates; <u>West Somerset Local Planning Authority Area Renewable and Low Carbon Energy Potential Study – September 2011</u>; West Somerset Council; 2012.</b></p> <p><i>(Additional Modifications AM12 – accepted)</i></p>
<p><b>Policy CC2</b> Justification inc. any references, p.74</p>	<p>Insert new reference;</p> <p><b>Hyder Consulting (UK) Limited; <u>Minehead Surface Water Management Plan: Detailed Assessment and Options Appraisal Report – Final Report , August 2012</u>; Somerset County Council; 2012.</b></p> <p><i>(Additional Modifications AM13 – accepted)</i></p>
<p><b>Policy CC6</b> Justification inc. any references, p.78</p>	<p>Insert new reference;</p> <p><b>Hyder Consulting (UK) Limited; <u>Minehead Surface Water Management Plan: Detailed Assessment and Options Appraisal Report – Final Report , August 2012</u>; Somerset County Council; 2012.</b></p> <p><i>(Additional Modifications AM14 – accepted)</i></p>
<p><b>Policy NH1</b> Purpose, p.79</p>	<p>Amend and insert new text;</p> <ul style="list-style-type: none"> <li><del>○ To conserve and enhance the built and historic heritage assets within the area in such a way that they continue to contribute positively to the communities’ sense of identity and their attractiveness for residents and visitors.</del></li> <li>○ <b>To conserve and enhance the built and historic environment and the heritage assets within the area that comprise it, in such a way that they continue to contribute positively to the communities’ sense of identity and their attractiveness for residents and visitors.</b></li> </ul> <p><i>(Additional Modifications AM15 – accepted)</i></p>
<p><b>Policy NH1</b> Assumptions, p.79</p>	<p>Amend and insert new text;</p> <ul style="list-style-type: none"> <li><del>○ That the archaeology, historic buildings, historic settlements and historic landscape features are a resource of immense value to the national and local cultural heritage.</del></li> <li>○ <b>That the archaeology, historic buildings, historic settlements and historic landscape features are a finite and irreplaceable resource of immense value to the national and local cultural heritage.</b></li> <li><del>○ These heritage assets play an important role in giving the area its distinctive character and its cultural identity.</del></li> <li>○ <b>These heritage assets that contribute to the local historic environment play an important role in giving the area its distinctive character and its cultural identity.</b></li> </ul> <p><i>(Additional Modifications AM15 – accepted)</i></p>
<p><b>Policy NH1</b> Justification, pp.79 - 81</p>	<p>Amend and insert new text;</p> <ul style="list-style-type: none"> <li><del>○ The heritage assets of the area are unique and irreplaceable. Their cultural value is very significant, forming an essential part of the area’s identity and sense of place.</del></li> <li>○ <b>The heritage assets that make up the local historic environment of the area are unique and irreplaceable. Their</b></li> </ul>

	<p><b>cultural importance forming an essential part of the area's identity and sense of place.</b></p> <ul style="list-style-type: none"> <li>○ <del>Heritage assets are also of considerable economic importance within the area, because of the contribution they make to the area's attractiveness. This is of benefit in helping to attract tourists to the area, but also in making it an attractive area for the location of certain types of small business which do not rely upon ease of access to the national highway network as an important locational factor.</del></li> <li>○ <b>The historic environment is also of considerable economic importance within the area. This is of benefit in helping to attract tourists to the area, but also in making it an attractive a desirable area for the location of certain types of small business which do not rely upon ease of access to the national highway network as an important locational factor.</b></li> <li>○ <del>Well designed and sited development proposals can protect and enhance heritage assets, conversely, poorly designed or located development can result in significant damage to, or loss of, heritage assets. It is therefore essential to ensure that heritage assets are properly considered when making development management decisions and in the consideration and design of development schemes.</del></li> <li>○ <b>Well designed and sited development proposals can protect and enhance the historic environment and its heritage assets, conversely, poorly designed or located development can result in harm to, or loss of, heritage assets. It is therefore essential to ensure that heritage assets are properly considered when making development management decisions and in the consideration and design of development schemes. Development proposals affecting the historic environment and its heritage asset components would also need to take account of the relevant provisions in Policies NH1x, NH1A and/or, NH1B as appropriate.</b></li> <li>○ <del>Some of the heritage assets of particular note within the plan area are:</del> <ul style="list-style-type: none"> <li>▪ <del>The late Victorian seaside resort of Minehead,</del></li> <li>▪ <del>The historic port of Watchet,</del></li> <li>▪ <del>The designated conservation areas,</del></li> <li>▪ <del>The setting of Dunster Castle,</del></li> <li>▪ <del>The West Somerset Railway, and;</del></li> <li>▪ <del>The remains of the West Somerset Mineral Railway.</del></li> <li>▪ <del>The Registered Parks and Gardens</del></li> <li>▪ <del>Scheduled Ancient Monuments</del></li> <li>▪ <del>Plus undesignated heritage assets of high importance</del></li> </ul> </li> <li>○ <b>A definition of items qualifying as heritage assets is provided in the Glossary of the NPPF. Some of the heritage assets of particular note within the plan area are:</b></li> </ul>
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	<ul style="list-style-type: none"> <li>▪ The late Victorian seaside resort of Minehead,</li> <li>▪ The historic port of Watchet,</li> <li>▪ The designated conservation areas,</li> <li>▪ The setting of Dunster Castle,</li> <li>▪ The West Somerset Railway, and;</li> <li>▪ The remains of the West Somerset Mineral Railway.</li> </ul> <p><i>(Additional Modifications AM15 – accepted)</i></p> <p>New text subject to amendment (<u>underlined</u>) arising from consultation;</p> <ul style="list-style-type: none"> <li>▪ Registered Parks and Gardens including; St. Audries/West Quantoxhead Landscape Park, Fairfield House Deer Park and, Crowcombe <del>Court</del> Park,</li> <li>▪ Scheduled Ancient Monuments including; the impressive upstanding mediaeval remains <u>including of</u> Cleeve Abbey, Stogursey Castle, the Bronze-Age barrow cemetery at Battlegore in Williton and, the iron-age hillfort of Trendle Ring.</li> <li>▪ Plus undesignated heritage assets of high importance</li> </ul> <ul style="list-style-type: none"> <li>○ Prior to submission of any development proposals, it is advised that the Somerset Historic Environment Record (Somerset HER) facility held by South West Heritage Trust is consulted in order to establish whether any important national, regional or local heritage assets and/or their setting could be affected by it.</li> </ul> <p><i>(Additional Modifications AM15 – accepted subject to the indicated amendments)</i></p>
<p><b>Policy NH4</b> Justification, p.90</p>	<p>Insert new text;</p> <ul style="list-style-type: none"> <li>○ Despite West Somerset being a mainly undeveloped area, public access to areas of greenspace for recreational purposes is not always available. The development of a network of green infrastructure can have significant health and environmental benefits by linking areas of greenspace, both of ecological and recreational value. Examples of linking features might be areas of landscaping in association with development, field margins managed for nature conservation value, cycle tracks, footpaths or, woodland planting. <b>Stream and river corridors are a key example of green infrastructure.</b></li> </ul> <p><i>(Additional Modifications AM16 – accepted)</i></p>
<p><b>Policy NH5</b> Justification, p.92</p>	<p>Delete text;</p> <ul style="list-style-type: none"> <li>○ This policy is not intended to protect small areas of high quality land of less than ten hectares.</li> </ul> <p><i>(Additional Modifications AM17 – accepted)</i></p>
<p><b>Policy GT1</b> Purpose, p.103</p>	<p>Amend text to read;</p> <ul style="list-style-type: none"> <li>○ A policy to <del>provide for</del> <b>enable the provision of</b> additional gypsy pitches identified in the Gypsy and Traveller Accommodation Assessment.</li> </ul> <p><i>(Additional Modifications AM18 – accepted)</i></p>
<p><b>Policy GT1</b> Assumptions, p.103</p>	<p>Insert new text;</p>

	<ul style="list-style-type: none"> <li>○ <b>Consideration needs to be made for potential traveller accommodation requirements where they intend to remain active in this capacity.</b></li> </ul> <p><i>(Additional Modifications AM18 – accepted)</i></p>
<p><b>Policy GT1</b> Justification, pp.103 - 104</p>	<p>Insert new text;</p> <ul style="list-style-type: none"> <li>○ <b>The policy sets out a criteria-based approach to the consideration of gypsy and traveller pitch proposals. The approach outlined will be applied not just to the consideration of planning applications themselves but also through the plan-led system in assessing the suitability of potential sites for allocation in subsequent Development Plan Documents.</b></li> <li>○ <b>This policy has been drafted in the context of the Government’s recently amended guidance on the consideration of gypsy and traveller sites and seeks to ensure that a sequential approach is taken to site selection which will enable need to be met in locations which are well-related to existing and proposed services and facilities and which minimise the need to travel.</b></li> <li>○ <b>The impact of development on existing communities and how well proposals can be integrated is an important consideration in the determination of applications for gypsy and traveller provision. Applicants will therefore be expected to demonstrate that proposals do not unacceptably impact upon the amenity of existing residents.</b></li> </ul> <p><i>(Additional Modifications AM18 – accepted)</i></p>
<p><b>Policy GT1</b> Justification inc. any references, p.104</p>	<p>Amend and insert new references;</p> <p><del>Office of the Deputy Prime Minister; Planning for Gypsy and Traveller Caravan Sites (ODPM Circular 01/2006); The Stationary Office; 2006; ISBN 978 0 11 753960 0.</del></p> <p><del>Department for Communities and Local Government; Planning for Travelling Showpeople (Communities and Local Government Circular 04/2007); The Stationary Office 2007; ISBN 978 0 11 753983 9.</del></p> <p><b>Department for Communities and Local Government; Planning Policy for Traveller Sites – August 2015; Department for Communities and Local Government; 2015; ISBN 978 1 4098 4670 3.</b></p> <p>De Montfort University Leicester; <u>Somerset Gypsy and Traveller Accommodation Assessment – January 2011</u>; Somerset County Council; 2011.</p> <p>De Montfort University; <u>Somerset Local Planning Authorities Gypsy and Traveller Needs Assessment Update: Final Report – October 2013</u>; Somerset Strategic Housing Market Partnership; 2013.</p> <p><i>(Additional Modifications AM19 – accepted)</i></p>