



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

Contact Krystyna Kowalewska kkowalewska@westsomerset.gov.uk

Extension 01984 635307

Date 20 July 2015

**THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING  
THIS DOCUMENT CAN BE MADE AVAILABLE IN LARGE PRINT, BRAILLE, TAPE FORMAT  
OR IN OTHER LANGUAGES ON REQUEST**

Dear Councillor

I hereby give you notice to attend the following meeting:

**LOCAL DEVELOPMENT PANEL – Special Meeting**

**Date: Tuesday 28 July 2015**

**Time: 10.30 am**

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

Please note that this meeting may be recorded. At the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during the recording will be retained in accordance with the Council's policy.

Therefore unless you advise otherwise, by entering the Council Chamber and speaking during Public Participation you are consenting to being recorded and to the possible use of the sound recording for access via the website or for training purposes. If you have any queries regarding this please contact Committee Services on 01984 635307.

Yours sincerely

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

**BRUCE LANG**  
Proper Officer

WEST SOMERSET COUNCIL

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## RISK SCORING MATRIX

Report writers score risks in reports uses the scoring matrix below

**Risk Scoring Matrix**

<b>Likelihood</b>	5	Almost Certain	Low (5)	Medium (10)	High (15)	Very High (20)	Very High (25)
	4	Likely	Low (4)	Medium (8)	Medium (12)	High (16)	Very High (20)
	3	Possible	Low (3)	Low (6)	Medium (9)	Medium (12)	High (15)
	2	Unlikely	Low (2)	Low (4)	Low (6)	Medium (8)	Medium (10)
	1	Rare	Low (1)	Low (2)	Low (3)	Low (4)	Low (5)
			1	2	3	4	5
			Negligible	Minor	Moderate	Major	Catastrophic
<b>Impact</b>							

<b>Likelihood of risk occurring</b>	<b>Indicator</b>	<b>Description (chance of occurrence)</b>
1. Very Unlikely	May occur in exceptional circumstances	< 10%
2. Slight	Is unlikely to, but could occur at some time	10 – 25%
3. Feasible	Fairly likely to occur at same time	25 – 50%
4. Likely	Likely to occur within the next 1-2 years, or occurs occasionally	50 – 75%
5. Very Likely	Regular occurrence (daily / weekly / monthly)	> 75%

- Mitigating actions for high ('High' or above) scoring risks are to be reflected in Service Plans, managed by the Group Manager and implemented by Service Lead Officers;
- Lower scoring risks will either be accepted with no mitigating actions or included in work plans with appropriate mitigating actions that are managed by Service Lead Officers.

## **LOCAL DEVELOPMENT PANEL**

**Meeting to be held on Tuesday 28 July 2015 at 10.30 am**

**Council Chamber, Williton**

### **AGENDA**

**1. Apologies for Absence**

**2. Minutes**

Minutes of the Local Development Panel held on 10 June 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. West Somerset Strategic Housing Land Availability Assessment Update**

To consider the Report No. WSC 116/15, to be presented by Principal Planning Officer (Policy) Martin Wilsher – **SEE ATTACHED.**

The purpose of the report is to set out the results of the Council's Strategic Housing Land Availability Assessment Panel's consideration of sites which had been submitted to the Council as having the potential to form part of the Council's future housing land supply.

**6. Submission of the Draft West Somerset Local Plan – Verbal Update.**

Principal Planning Officer (Policy) Toby Clempson, to give a verbal update on the formal submission of the Local Plan to the Secretary of State for Communities and Local Government for Examination.

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

**The Council's Vision:**

To enable people to live, work and prosper in West Somerset

**The Council's Corporate Priorities:**

- Local Democracy:  
Securing local democracy and accountability in West Somerset, based in West Somerset, elected by the people of West Somerset and responsible to the people of West Somerset.

- New Nuclear Development at Hinkley Point  
Maximising opportunities for West Somerset communities and businesses to benefit from the development whilst protecting local communities and the environment.

**The Council's Core Values:**

- Integrity
- Respect
- Fairness
- Trust

**LOCAL DEVELOPMENT PANEL**

**Minutes of the Meeting held on 10 June 2015  
at 2.30 pm**

**Present:**

Councillor K H Turner (Chairman)  
Councillor B Maitland-Walker

Councillor B Heywood  
Councillor J Parbrook

**Members in Attendance:**

Councillor D Archer  
Councillor A P Hadley  
Councillor R Woods

Councillor M O A Dewdney  
Councillor A H Trollope-Bellew

**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  
Krystyna Kowalewska, Meeting Administrator

**LD1 Apologies for Absence**

Apologies for absence were received from Councillors I Aldridge, S Y Goss and T Venner.

**LD2 Minutes**

(Minutes of the Local Development Panel held on 6 January 2015 – circulated with the Agenda).

**RESOLVED** that the Minutes of the Meeting of the Local Development Panel held on 6 January 2015 be confirmed as a correct record.

**LD3 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 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 D Archer	All Items	Minehead	Personal	Spoke
Cllr A Trollope-Bellew	All Items	Crowcombe	Personal	Spoke

**LD4 Public Participation**

No member of the public had requested to speak.

**LD5 Publication Draft West Somerset Local Plan Responses and Submission**

(Report No. WSC 82/15, circulated with the Agenda.)

The purpose of the report was to set out a summary of the responses to the formal Publication of the West Somerset Local Plan to 2032 with comments in response in order to progress the Local Plan towards formal submission to the Secretary of State for Communities and Local Government for Examination.

The Planning Policy Manager presented the report, summarising the key issues that had emerged during the representation period and highlighted the proposed changes; he also provided information on the way forward.

He advised that the Local Plan had been in preparation for a number of years and had now reached an advanced stage in the production and publication process, following the undertaking of numerous public consultation, local engagement and technical studies. Following the representation period, responses had been received from 34 organisations and individuals who had identified and raised approximately 200 issues. The key matters that had been raised would be explored further during the examination process and the Planning Policy Manager advised that it was felt there was not a need for any substantive amendments to be made to the Plan. He reported on the minor amendments, as detailed in Appendix 2 to the report, which would assist in improving the effectiveness of the policies within the Plan without making any material changes, and highlighted two further proposed minor amendments which addressed matters raised by the West Somerset Flood Group in relation to policies CC2 and CC6.

The Planning Policy Manager informed that, once agreed, the next step for West Somerset Council would be to submit the Local Plan to the Secretary of State and the Planning Inspectorate when an independent examination would be held to consider all the matters raised during the representation period and to consider whether further amendments would be needed to

make the Plan sound before being adopted as part of the Development Plan. It was envisaged the Plan would be submitted to the Secretary of State at the end of July 2015.

Councillor Maitland-Walker proposed the recommendation of the report which was duly seconded by Councillor B Heywood.

Various questions and issues were raised by Members, and the following main points were discussed:

- It was not considered necessary to update the Strategic Flood Risk Assessment prior to the Local Plan's submission although it would be considered during any review of the Plan and work associated with the site allocations plan. Any update undertaken at this stage of the process would considerably delay the submission of the Plan.
- Following Members' concerns at the lack of responses received during the representation period, it was advised that the Council had an obligation to encourage responses on development plans via the Statement of Community Involvement and that all parish and town councils had been written to.
- Ongoing discussions would continue with Historic England to address some of the matters and minor changes they had raised/requested.
- The infrastructure delivery plan was an important document associated with the development plan and to date, due to the fact that limited responses had been received from the infrastructure providers, valuable and meaningful information had not been able to be obtained by officers in this regard, and it was acknowledged that there was a need to commission an updated infrastructure delivery plan in order for it to be robust and fully costed.
- The master planning work had not yet commenced due to resource and capacity issues and the level of detail that was required to go into the process would have to be investigated.

**RESOLVED** that the summaries of representations to the formal Publication of the West Somerset Local Plan to 2032 (set out at Appendix 1 to the report) be noted and that the minor amendments (set out at Appendix 2 to the report) be endorsed, drafted in response to the representations received prior to the submission of the Plan for examination under the delegated arrangement resolved upon by Full Council on 21 January 2015 subject to the Portfolio Holder for Housing, Health and Well-being, as guided by officers.

**Note:** With the agreement of the Chairman this item was brought forward on the Agenda.

**LD6      Exmoor National Park Authority Duty to Co-operate Protocol**

(Report No. WSC 83/15, circulated with the Agenda.)

The purpose of the report was to present a draft protocol summarising Duty to Co-operate activity between the Council and the Exmoor National Park Authority to Members for their consideration.

The report was presented in detail by the Principal Planning Officer (Policy) – Martin Wilsher who advised that the duty to co-operate was a requirement of the Localism Act 2011 for the purposes of trying to resolve cross-boundary issues of a strategic nature. He provided Members with the background information and confirmed that West Somerset Council had plenty of evidence base demonstrating that it had co-operated with its neighbours and the issues that had been raised.

Councillor K Turner proposed recommendation 3.1 (c) of the report which was to sign the earlier version of the Protocol excluding reference to the statutory duties of the National Park. This was duly seconded by Councillor B Heywood.

An amendment was proposed and seconded that recommendation 3.1 (a) to sign the latest iteration of the Protocol be approved.

On being put to the vote there were 2 votes for the amendment and 2 votes against. The Chairman gave a casting vote and voted against the proposal to sign the latest iteration of the Protocol.

The substantive motion that the earlier version of the Protocol excluding reference to the statutory duties of the National Park be signed was then put to the vote and the votes were cast 2 for and 2 against. The Chairman used his casting vote and the motion was CARRIED.

**RESOLVED** that, in response to Exmoor National Park Authority's Duty to Co-operate Protocol, it was approved to sign the earlier version of the Protocol excluding reference to the statutory duties of the National Park.

**LD7      Neighbourhood Development Plan Update**

(Report No. WSC 81/15, circulated with the Agenda.)

The purpose of the report was to appraise Members of Neighbourhood Development Planning activity within the Local Planning Authority area to date.

The item was presented by the Principal Planning Officer (Policy), Toby Clempson who reported on progress to date in relation to neighbourhood development planning, and it was noted that Stogumber Parish Council had opted to produce a Neighbourhood Development Plan. The officer advised that the local planning authority had a statutory duty to assist communities with the preparation of their Plan and to put the documents through the legislative process. The resource and financial implications were explained in detail, and the point was made that the Plans would cost significantly more to prepare and put through the process than the level of grant funding provided to the local planning authority by central government.

Various questions and issues were then raised by Members and the Principal Planning Officer (Policy) noted them down for consideration/action.



The Principal Planning Officer urged Members to advise their community to speak to the Principal Planning Officers in the first instance if parish/town councils were interested in preparing a Neighbourhood Development Plan, so that the officers could offer advice and provide an understanding of the alternative options available and the differences and implications between them.

The recommendation of the report was proposed and seconded.

**RESOLVED** that the contents of the report and in particular the resource implications of neighbourhood plan preparation be noted.

**Administrator's Note:** During the meeting it was agreed to timetable an additional meeting of the Local Development Panel on 28 July 2015 at 10.30 am in order to expedite the submission of the Local Plan.

The meeting closed at 4.04 pm.

Report Number: [\[Click here and type Report No\]](#)  
Presented by: *Martin Wilsher*  
Author of the Report: *Martin Wilsher*  
Contact Details:  
Tel. No. Direct Line: *01984 - 635334*  
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Report to a Meeting of: *Local Development Panel*  
To be Held on: *28<sup>th</sup> July 2015*  
Date Entered on Executive Forward Plan Or Agreement for Urgency Granted: *N/A*

# WEST SOMERSET STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT UPDATE

## 1. PURPOSE OF REPORT

- 1.1 To inform the Panel of the completion of an updating of an important element of the evidence-base that informs the emerging West Somerset Local Plan to 2032.

## 2. CONTRIBUTION TO CORPORATE PRIORITIES

- 2.1 The report helps to inform the housing elements of the Council's Corporate Priorities<sup>1</sup> in particular, Local Democracy Objective 2 relating to maximising the funding opportunities from Central Government in relation to the provision of new housing and, New Nuclear Development at Hinkley Point Objective 5 relating to the availability of adequate availability of housing supply to meet demand.

## 3. RECOMMENDATIONS

- 3.1 It is recommended to the, Local Development Panel that it;

**Notes the content and findings of the SHLAA Update report and endorses it as forming part of the evidence-base supporting the Local Plan to 2032 through its subsequent stages to adoption.**

## 4. RISK ASSESSMENT (IF APPLICABLE)

### Risk Matrix

Description	Likelihood	Impact	Overall
An up to date assessment of development potential in the LPA area is required by current national guidance to inform Local Plan development	4	3	12

<sup>1</sup> West Somerset Council; [West Somerset Council Corporate Plan 2015/16 \(v.1.3\)](#); West Somerset Council; 2015.

<i>The absence of an up to date assessment of development potential informing the emerging Local Plan to 2032 could result in the plan being found 'unsound' at Examination stage and leave the LPA vulnerable to 'planning-by-appeal'.</i>	4	3	12
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The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before the mitigation measures have been actioned and after they have.

## 5. **BACKGROUND INFORMATION**

5.1 This report is concerned with an updating of a previous study that was undertaken back in 2009 and published in 2010. A Strategic Housing Land Availability Assessment (SHLAA) is one of the key studies that form part of the evidence-base that, in turn, informs the strategy and policy content in the emerging West Somerset Local Plan to 2032. The study seeks to assess land that has been nominated by land-owners, developers and/or other individuals that are considered to have the potential to be developed for residential purposes and are deemed to be readily available for that purpose. The Local Planning Authority issues a 'call-for-sites' through a number of sources including the local media. The sites nominated are assessed by a Panel who are drawn from various parts of the development industry active or have an interest in the local area, including developers, estate agents and, Registered Providers. They are asked to assess the individual sites primarily in terms of three criteria which are their;

- availability,
- suitability and,
- achievability (a quantum of how many units the site could deliver)

They are not allowed to take account of extant planning policies in local plan documents but can take account of the site in terms of its contribution to sustainable development. Where sites are deemed to meet all of these criteria the Panel are requested to indicate over what time-scale they are likely to be delivered.

The findings of the Panel are collated and included in the SHLAA Report. This is used to inform the LPA as to the potential of the sites nominated in conjunction with, existing land allocated for housing development in the local plan plus, those sites with planning permission but are not yet started or are under construction but not yet completed, which have also been taken into account. LPA's were also allowed to take account of areas that they were currently investigating as potential locations of growth for future local plan documents where these were not at an advanced stage. These were referred to as Broad Locations/Directions for Growth in the final report. This provides the LPA with an indication as to whether there is sufficient land available, through the various sources, to meet its five-year land supply figure. This figure is important as it informs the development management process when recommendations are being made to determine planning applications for housing developments by Planning Committee or, by Officers under delegated powers.

The original SHLAA Report in 2010<sup>2</sup> looked at a total of 88 sites and a number of Broad Locations for Growth around the three main settlements of Minehead, Watchet and, Williton plus, Stogursey and Dunster Marsh. The latter two settlements were included as the overall strategy for the emerging Local Plan to 2032 was still in its early stages at the time and no formal decisions had been made as to where the majority of future development was to be focused. The SHLAA Report concluded that, at the time, there was sufficient land to meet the five-year land supply for the first two five-year periods. The then guidance recommended that the SHLAA should be updated on an annual basis. However, due to

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<sup>2</sup> Hunter Page Planning; West Somerset District Council Strategic Housing Land Availability Assessment – March 2010; West Somerset Council; 2010.

the limited scale of development activity in the West Somerset LPA area and the limited resources available, this was deemed to be a rather onerous requirement at the time.

Following the progression of the Local Plan through the Preferred Strategy<sup>3</sup> (and Revised Preferred Strategy<sup>4</sup>), it was deemed necessary to update the findings of the original SHLAA Report. Also, account had to be taken of what development had occurred in the intervening period. A second 'call-for-sites' was issued in early 2013 and this produced a further 30 sites to be considered along with a number of the sites in the original SHLAA Report being nominated again. A new Panel was convened to look at the new nominations. It was agreed that the previous nominations and their assessments would be accepted as still being valid except where it was known by any of the participants that an individual site was no longer available. The only sites affected in this way were those on which development had subsequently been permitted and implemented. The original guidance for production of a SHLAA<sup>5</sup> had been replaced in 2014 with the on-line publication of the National Planning Practice Guidance (NPPG).<sup>6</sup> This has not changed the underlying principles and criteria that have to be used, so the Panel assessed the new sites following the same basic parameters as were used for the original SHLAA Report. One other difference between the two studies was that the Broad Locations for Development in the original report were replaced by the Strategic Sites nominated and included in the Publication draft of the Local Plan to 2032.<sup>7</sup>

The findings of the SHLAA Update report (Appendix 1) conclude that, based on the similar methodology used, the LPA, still has sufficient potential land identified to meet the five-year land supply requirement for the first two five-year periods. Beyond this the picture becomes a bit vague in terms of expectation and delivery. However, given the expectation that the development plan that the information is used to inform is expected to be monitored and reviewed, at least every five years, this is not critical to the implementation of the Local Plan to 2032 as it has been drafted to date.

**It is, therefore recommended to the, Local Development Panel that it;**

**Notes the content and findings of the SHLAA Update report and endorses it as forming part of the evidence-base supporting the Local Plan to 2032 through its subsequent stages to adoption.**

*NB The Attached report document to which this report refers includes the main findings of the report itself but not the appendices.*

## **6. FINANCIAL/RESOURCE IMPLICATIONS**

6.1 There are no direct financial implications arising from the contents of this report.

## **7. COMMENTS ON BEHALF OF SECTION 151 OFFICER**

7.1 There are no issues in the contents of this report that would generate the need for a view from the Section 151 Officer.

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<sup>3</sup> West Somerset Council; The West Somerset Local Plan to 2032: Draft Preferred Strategy – February 2012; West Somerset Council; 2012.

<sup>4</sup> West Somerset Council; The West Somerset Local Plan to 2032 Draft Revised Proposed Strategy – June 2013; West Somerset Council; 2013.

<sup>5</sup> Department for Communities and Local Government; Strategic Housing Land Availability Assessments: Practice Guidance – July 2007; Communities and Local Government Publications; 2007

<sup>6</sup> Department for Communities and Local Government; National Planning Policy Framework: Planning Practice Guidance (as amended); Planning Portal; 2014 (web-site).

<sup>7</sup> West Somerset Council; West Somerset Local Plan to 2032: Publication Draft – January 2015; West Somerset Council; 2015

## **8. EQUALITY & DIVERSITY IMPLICATIONS**

**Members need to demonstrate that they have consciously thought about the three aims of the Public Sector Equality Duty as part of the decision making process.**

The three aims the authority **must** have due regard for:

- Eliminate discrimination, harassment, victimisation
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

8.1 There are no equality and diversity implications arising from the contents of this report.

## **9. CRIME AND DISORDER IMPLICATIONS**

9.1 There are no Crime and Disorder implications arising from the contents of this report.

## **10. CONSULTATION IMPLICATIONS**

10.1 There are no requirements to consult on the subject matter covered by this report.

## **11. ASSET MANAGEMENT IMPLICATIONS**

11.1 There are no direct asset management implications arising from the contents of this report.

## **12. ENVIRONMENTAL IMPACT IMPLICATIONS**

12.1 There are no direct environmental impact implications arising from the contents of this report.

## **13. HEALTH & WELLBEING**

Demonstrate that the authority has given due regard for:

- People, families and communities take responsibility for their own health and wellbeing;
- Families and communities are thriving and resilient; and
- Somerset people are able to live independently.

13.1 There are no direct Health & Wellbeing issues identified as arising from the contents of this report.

## **14. LEGAL IMPLICATIONS**

14.1 There are no direct legal implications arising from the content of this report.