

ED5: NORTH SOMERSET COUNCILS RESPONSE TO THE INSPECTORS MAIN ISSUES AND QUESTIONS

SITES AND POLICIES PART 1: DEVELOPMENT MANAGEMENT POLICIES

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
Issue 1: Are the policies consistent with, and do they positively promote, the visions, objectives and spatial policies contained in the Core Strategy?			
	<p>Will the DMP affect the re-examination of the remitted Core Strategy policies and is it appropriate to bring it forward at this stage? How would the DMP complement the strategic context set out in the Core Strategy?</p>	<p>In the light of the Core Strategy situation the Council identified those parts of the 2013 Sites and Policies Plan Consultation Draft which would not be materially affected by the re-examination of the housing requirement. Any policies or allocations which are potentially impacted by the revised housing target or how it is proposed to be spatially distributed over the plan period will be dealt with in the Sites and Allocations Plan (Part 2 – Site Allocations). The policies set out within the Development Management Plan can be delivered regardless of the overall housing requirement.</p> <p>The Core Strategy remains an extant document. Only Policy CS13 (housing requirement) was found to be unlawful. The other remitted policies were only remitted in case any increase in the housing target required consequential amendments to be made. These policies would be still be accorded ‘appropriate weight’ in the words of the Judge.</p> <p>On 18 September 2015 the Secretary of State approved Policy CS13 and the housing requirement of 20,985 dwellings over the plan period. This is now part of the development plan. The Council will be considering its statement on any changes to the other remitted policies at Executive Committee on 20 October 2015, prior to</p>	

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		<p>consultation. All responses will be forwarded to the Core Strategy Inspector to arrange hearings as appropriate. The confirmation of the housing requirement means that the shortfall in terms of new capacity to be identified is 1,715 dwellings. This is a number which can be accommodated within the existing Core Strategy framework and so no significant changes are proposed to the other remitted policies.</p> <p>The Sites and Policies Part 1: Development Management Policies would complement the Core Strategy by providing certainty about how the strategic framework is to be interpreted and setting out the detailed context for delivery.</p>	
Legal Compliance	<p>The Council's statement on the duty to co-operate and joint working (SD09) states that "on the whole" the policies in the DMP do not involve any cross-boundary issues. Policy DM11 is mentioned but could the Council be specific as to which, if any, policies would have a significant impact on any other local planning authority area.</p>	<p><u>DM14 - DM18: Minerals Policies</u></p> <p>The Sites and Policies Plan Part 1 Development Management Policies is not a plan which contains strategic policies on minerals and waste, being essentially a detailed plan to aid development management. The strategic policy on minerals in North Somerset is policy CS8 of the Core Strategy.</p> <p>It is not considered likely that the minerals policies in the Sites and Policies Plan Part 1 Development Management Policies will have a significant impact on other planning areas regarding strategic infrastructure, because they promote provision of the adequate and steady supply of aggregate from the district, in line with the NPPF. The fact that the Sites and Policies Plan Part 1 Development Management Policies covers minerals, and details on progress on its preparation, have been shared widely</p>	

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		<p>amongst other local authorities and other bodies, including through the South West Aggregates Working Party (SWAWP) which includes mineral planning authorities and industry representatives in the south west. The Sites and Policies Plan is referred to in annual SWAWP reports such as that for 2014.</p> <p>The Plan's proposal to carry forward the preferred area south of Stancombe Quarry is referred to in the 2014 Local Aggregates Assessment (LAA) for the West of England, which has been formally considered and endorsed by the SWAWP, and has also been subject to widespread consultation. It was sent to the secretaries of Aggregate Working Parties covering districts to which the West of England exports aggregates or from which it imports aggregates, (based on 2009 data).</p> <p>The LAA was also sent to relevant prescribed bodies regarding the duty to cooperate, in line with the Localism Act 2011 and the Town and Country Planning (Local Planning) (England) Regulations, 2012.</p> <p>Policy DM14 of the Plan concerns mineral working generally, and refers to oil and gas and hydraulic fracturing. Since 2012 the council has undertaken joint working on energy minerals with neighbouring local authorities and other bodies like the Environment Agency which make up an officers' working group on energy minerals. They have produced a Memorandum of Understanding on oil and gas development, helping to enhance and formalise partnership working in matters like plan preparation. They have produced, and updated, a Topic Paper on Energy Minerals,</p>	

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		<p>particularly focussing on unconventional sources like shale gas and coal bed methane. The group has shared, and continues to share, relevant information, including progress on plans like the Sites and Policies Plan Part 1 Development Management Policies. Also the group’s joint working has helped inform formulation of policy DM14.</p> <p><u>DM13: Duration of planning consent for disposal of waste to land.</u></p> <p>DM13 is the only waste –related policy in the Plan. This reflects the fact that the adopted Joint Waste Core Strategy covers strategic policies on waste, but also includes development management policies. Again it is unlikely that policy DM13 would have a significant impact on other planning areas in connection with provision of strategic infrastructure, since it merely requires that the duration of planning permission for the disposal of waste to land will be limited to that reasonably necessary to complete the development.</p> <p>The fact that the council has been preparing the Plan, including a waste –related policy, has been shared with other waste planning authorities in the south west, through the South West Technical Advisory Body (TAB). This group meets regularly and shares information, including progress on local plans and other planning documents.</p> <p>This shows that the council has met the duty to cooperate regarding preparation of minerals and waste policies in the Sites and Policies Plan Part 1 Development Management Policies.</p>	

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		<p><u>DM20: Major Transport schemes</u> This policy safeguards a scheme which is predominantly to serve Bristol. The scheme is called the South Bristol Link and will facilitate regeneration and growth in South Bristol; reduce congestion in South Bristol and adjacent areas of North Somerset and improve accessibility from South Bristol to the city centre and to strategic transport links, including the trunk road network and Bristol Airport. This scheme has been identified in the adopted Joint Local Transport Plan 3 2011- 2026 (para 11.7.17) which is prepared by the West of England Partnership and therefore in collaboration with the four local authorities in the West of England.</p> <p>A planning application has been approved for this scheme and works have commenced on site so it is now at an advanced stage.</p> <p><u>The Habitat Regulation Assessment</u> The HRA screening report (June 2015) which accompanies this plan assesses the impact the Plan might have on Avon Gorge Woodlands SAC - a European Site in Bristol. This concluded that with appropriate mitigation measures, including sustainable transport policies in the Bristol Core Strategy and the West of England Joint Local Transport Plan (LTP), there would not be a Local Significant Effect, alone or in combination. The work undertaken for the HRA screening report demonstrates that the impact of the Plan on the Avon Gorge Woodlands SAC has been considered.</p>	

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Local Development Scheme	The timetable and milestones for the DMD in the Local Development Scheme (SD19) should be updated prior to the hearings.	This has now been updated and the latest version is going to the council's executive on 20 October 2015. Subject to approval this will be the Local Development Scheme. The latest version is available on the examination web page as a submitted document.	SD19: Local Development Scheme
Issue 2: Are the individual policies clear, justified and consistent with national policy and will they be effective?			
Strategic Housing Market Assessment	Reference is made to the Strategic Housing Market Assessment. Could the Council explain the current position in relation to this document and any successor? How do its findings affect the DMP, bearing in mind the expectation in paragraph 50 of the NPPF that local planning authorities should identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand?	<p>The 2009 SHMA is a pre-NPPF document covering the four authorities which comprise the West of England for the period 2006-2026. In June 2015 a new SHMA was published to update the evidence to support Core Strategy reviews across the sub-region. This document covers the period 2016-2036 (i.e. it rolls forward the existing plan period from 2026 for a new 20 year period commencing next year). The new SHMA covers the wider Bristol housing market area (i.e. the districts of North Somerset, Bristol City and South Gloucestershire).</p> <p>The 2009 SHMA addressed the tenure, size and type of housing required at district level. At the sub-district level, North Somerset was sub-divided into four zones:</p> <ul style="list-style-type: none"> - Clevedon & Yatton - Nailsea & Backwell - Portishead & Gordano - Weston-super-Mare <p>The SHMA provides broad indications of, for example, imbalances in the housing market, which must then be considered alongside any more detailed local evidence.</p>	<p>ED6: West of England Strategic Housing Market Assessment, June 2009</p> <p>ED7: Wider Bristol HMA Strategic Housing Market Assessment, July 2015</p>

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		<p>The 2015 SHMA was published after the DMP had been submitted. The Volume 2 study 'establishing the need for all types of housing' is yet to be published, but will not contain information at sub-district level.</p> <p>The Sites Allocations Plan will be the detailed planning document which takes into account the implications of the SHMA evidence on the type of housing to be provided. This may need to be complemented by local evidence of housing need.</p>	
<p>Policy SP1: Presumption in favour of sustainable development</p>	<p>This policy largely reiterates paragraph 14 of the NPPF. The Planning Practice Guidance (PPG) on <i>Local Plans</i> (ID 12-010-20140306) indicates that there is no need to do this. Hence the Council should consider removing it.</p>	<p>The Council are in agreement that this policy can be removed.</p>	
<p>Policy DM2: Renewable and low carbon energy</p>	<p>1. The Written Ministerial Statement (WMS) entitled <i>Local Planning</i> on 18 June 2015 sets out new considerations to be applied to wind energy development. Future wind energy development must now be in areas identified as suitable for wind energy in a local plan as referred to in paragraph 97 of the NPPF and as noted in the Addendum to the Supplementary Planning Document (SPD) on <i>Wind turbines</i>. No such areas are identified in the DMP although the resource assessment commissioned by the Council in May 2014 did identify areas with the greatest potential to accommodate wind turbines of different sizes. How does the Council wish to proceed with this?</p>	<p>1. With regard to the first point regarding wind energy the council will change the policy to clarify that it does not refer to Wind Turbines. Therefore we proposed the following change to the wording of the first sentence of the policy:</p> <p><i>“Proposals for renewable and low carbon energy installations, excluding wind turbines, will be supported in principle subject to...”</i></p>	

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	<p>If it wishes to identify suitable areas in the DMP then this would need to be taken forward by further work in terms of sustainability appraisal and probably consultation. Alternatively, to avoid delay, it could consider changes to the policy to explain that its generic provisions do not relate to wind turbines which will be considered against the WMS. The Council could then deal with the matter separately through a site allocations plan or potentially a single issue plan on wind turbines.</p> <p>2. Does the policy properly reflect the announcement in the Productivity Plan of July 2015 that the Government does not intend to proceed with the zero carbon Allowable Solutions carbon offsetting scheme or the proposed 2016 increase in on-site energy efficiency standards?</p> <p>3. Should the policy refer to cumulative landscape and visual impacts as mentioned in paragraph 97 of the NPPF?</p>	<p>2. The Inspector is referring to the council's ability to set a renewable energy % requirement contribution in new development (the Merton rule). As far as the council are concerned setting a renewable energy requirement is not affected by the changes announced in the Productivity Plan, or any other recent government policy changes, notably the Housing Standards Review.</p> <p>3. The third bullet point in the policy refers to living conditions, including noise and visual impacts including the cumulative impact on the landscape. Does the Inspector mean that this is repeating NPPF paragraph 97 and therefore is not needed in the policy, or does the Inspector want this included in the policy?</p>	
Policy DM4: Listed Buildings	Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the general duty as respects listed buildings. This	To explain the policy as currently expressed it might be reasoned that the term <i>enhance</i> in DM4 encompasses and therefore satisfies S66, as an improvement (enhancement)	

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	<p>refers to the duty to have special regard to the desirability of preserving the building or its setting. The policy simply states that development should “enhance”. Is the wording of the policy justified having regard to these statutory provisions?</p>	<p>would also preserve significance. It might also be argued that DM4 reflects the local community’s vision and aspirations (NPPF paragraph 150) for a positive heritage strategy (NPPF paragraph 126) in the Plan that seeks improvement to the historic environment (NPPF paragraph 9) rather than merely preserving special architectural and historic interest.</p> <p>Nevertheless, the stated aim for this policy is to merely <i>safeguard the special architectural and historic interest of North Somerset’s listed buildings, their features inside and out, as well as their setting</i>, and as such the DM4 policy test that all development should <u>enhance</u> goes beyond merely <u>safeguarding</u>.</p> <p>As a consequence it would seem reasonable and appropriate for a minor modification to reflect the aim of the policy, S66 and the NPPF (especially the Glossary definition of <i>Conservation</i>), as follows:</p> <p><i>Development will be expected to preserve and where appropriate enhance the character, appearance and special interest of the listed building and its setting.</i></p>	
<p>Policy DM5: Historic Parks and Gardens</p>	<p>For effectiveness should proposed change PC11 require historic landscape assessments for significant development either within a historic park or garden or affecting its setting?</p>	<p>Agree. Amend PC11 to read</p> <p><i>“Where significant development is proposed either within a historic park or garden, as identified on the Proposals Map, or affecting its setting, applicants will be required to provide historic landscape assessments before planning applications are determined”.</i></p>	

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<p>Policy DM6: Archaeology</p>	<p>Where there is good reason the policy seeks an archaeological assessment and field evaluation. To coincide more closely with Paragraph 040 of the Planning Practice Guidance (PPG) on <i>Conserving and enhancing the historic environment</i> (ID18a) should it refer to situations where an initial assessment indicates that the development site includes or has the potential to include heritage assets with archaeological interest? Should it also make clear that an initial field evaluation as opposed to a desk-based assessment is only required where necessary?</p>	<p>The Council have no objection to amending the text to make the policy more clear and to better reflect Paragraph 040 of the Planning Practice Guidance.</p> <p>Suggest amending the second paragraph of policy to read:</p> <p><i>“Where there is good reason to believe that development proposals could affect archaeological remains <u>Where an initial assessment indicates that the development site includes or has the potential to include heritage assets with archaeological interests</u>, the council will seek an archaeological assessment and field evaluation. <u>This is to establish the extent and importance of the remains and the potential harm of the proposals to their significance before the planning application is determined. An initial field evaluation as opposed to a desk-based assessment will only be required where necessary”.</u></i></p>	
<p>Policy DM7: Non-designated heritage assets</p>	<p>1. What is the purpose of the policy and how would it work in practice?</p> <p>2. Does the Council have a local list of non-designated heritage assets? If not, should the Council consider producing one having regard to paragraphs 006, 039, 040 and 041 of the PPG (ID18a)?</p>	<p>1. This policy will work by non-designated heritage assets being identified by the local community, or heritage specialists, during the consultation process of a planning application. If during this process a buildings is highlighted as having local significance then the policy will apply.</p> <p>2. North Somerset Council do not currently have the resources to compile a Local List and therefore feel that this policy, along with using the guidance identified in the supporting text by Historic England, provide a workable alternative and offer some protection to non-designated heritage assets that are considered to be of local significance.</p>	

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	<p>3. Should the policy more closely reflect paragraph 135 of the NPPF?</p>	<p>3. Suggest the following changes to the policy wording to more closely reflect paragraph 135 of the NPPF: <u>“When considering proposals involving non designated heritage assets the council will take into account</u> The council will assess non-designated heritage assets which are the subject of applications for development in order to determine whether they are of local significance and warrant protection where possible from removal or inappropriate change including harm to their setting “</p> <p>Also suggest changing the Policy Aim from “To safeguard as yet unidentified <u>non designated</u> heritage assets”</p>	
<p>Policy DM8: Nature Conservation</p>	<p>1. In the final section on ecological mitigation measures is it appropriate to include a requirement for an effective lighting design within an ecological survey assessment?</p> <p>2. If necessary should the need for lighting to avoid adverse impacts on light averse wildlife be expressed separately?</p>	<p>1. The need for a lighting assessment is usually highlighted as a recommendation within submitted ecological reports, where light sensitive species of bats are detected on site (e.g. greater and lesser horseshoes), but the lighting assessment itself should be submitted separately by the developer as it requires a different area of expertise (the expertise of a lighting engineer), but the lighting level constraint needs to be communicated from the ecological consultant back to the developer for this to happen.</p> <p>2. Agree. Additional bullet point to be added to the first part of the policy : <u>- any lighting scheme to avoid adverse impacts on light averse wildlife</u></p>	
<p>Policy DM9: Trees</p>	<p>1. Should the expectation for replacement planting be included in the policy itself rather than in the Justification?</p>	<p>1. Agree. Following new bullet point to be included after first bullet point in policy :</p>	

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	<p>2. Whilst taking account of proposed change PC16 what is the justification for the detailed provisions within Table 1? Why are these necessary for effectiveness rather than a more generic reference to suitable replacement planting as part of an overall landscaping scheme?</p>	<p><u>“allow for a suitable number and species of replacement trees to compensate for the loss of canopy cover taking account of guidelines set out in Table 1 in the justification”</u></p> <p>2. Trees are considered valuable multi-functional green infrastructure assets and the policy seeks to mitigate the loss of trees and canopy cover by securing replacement trees on site or in the public realm. Information regarding tree loss compensation is a key component of successful development, and should be made clear to developers at the earliest opportunity, i.e. in the Development Plan. Trees are material considerations on development sites, and suitable budgeting at the start of a project is essential. Tree replacement has to be considered at an early stage of a development scheme for the scheme to be sustainable from a long term green infrastructure point of view.</p> <p>The compensation tree standard provides a suitable mechanism to determine the appropriate level of mitigation. Trunk diameter typically has a clear relation to the size of canopy (canopy cover) and the associated level and range of benefits.</p>	
<p>Policy DM10: Landscape</p>	<p>1. If the term “designated landscape character” is intended to refer to the qualities of the various parts of North Somerset identified in the Landscape Character Assessment should the policy not say so?</p>	<p>1. Agree. Amend 1st bullet point of Policy DM10 as follows : “Not adversely affect the designated landscape character of the district <u>as defined in the Landscape Character Assessment Supplementary Planning Document (2005)</u> and respond to the distinctive qualities of the landscape including both the nationally registered and unregistered Historic Parks and Gardens in North Somerset”</p>	

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	<p>2. Should the policy explicitly refer to areas outside the AONB?</p> <p>3. Is “not adversely effect” the appropriate test as, for example, the Justification refers to resisting development that would “significantly detract” and Policy DM11 refers to an “unacceptable adverse impact”?</p> <p>4. Should the DMP identify areas of tranquillity in line with paragraph 123 of the NPPF?</p>	<p>2 If Policy DM10 just related to areas outside the AONB there are some criteria e.g. tranquillity that are not covered by the AONB policy (DM11). To overcome this the two policies DM10 and DM11 need to be read together to assess the policy impacts for development in the AONB. No change recommended</p> <p>3. Agree. Written justification (2nd para) to be amended as follows:</p> <p>“When considering planning applications, the council will take account of the character of the landscape and will resist development that would significantly detract from <u>adversely affect</u> the landscape character or quality of the area in which it is sited.”</p> <p>4. No resources are available to undertake such work. Impact on tranquil areas will need to be assessed on a case by case basis with any noise assessments financed by the applicant.</p>	
<p>Policy DM11: Mendip Hills AONB</p>	<p>1. How will the “additional overriding requirement” in the second paragraph operate in relation to development that may be deemed appropriate? Will it be effective?</p>	<p>1. Para 115 of the NPPF states that “Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.” This will need to be judged on a case by case basis through the submission of planning applications</p>	

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	<p>2. Should the overall intention to protect the landscape and scenic beauty of the AONB be stated?</p> <p>3. To be effective should the third paragraph refer to minimising the harm of development?</p>	<p>2. Agree. The policy aim will be amended as follows: To ensure that development would not harm the natural beauty of the AONB and that the priority consideration for all proposed development impacting on the AONB is the conservation, <i>protection</i> and, where possible, enhancement of its natural beauty.</p> <p>3. Agree. 3rd bullet point to be amended as follows : “All development will be controlled and conditioned to ensure it would not harm <i>minimise the harm</i> to the natural beauty of the AONB.</p>	
<p>Policy DM12: Development within the Green Belt</p>	<p><u><i>Extensions or replacement of existing buildings</i></u> Annex 2 of the NPPF defines “original building” as one that existed on 1 July 1948 or as originally built. What is the justification for defining this as 26 July 1985 in North Somerset for all buildings including replacements? In assessing whether development is disproportionate or materially larger case law has held that this is primarily an objective test by reference to size. Therefore should reference to the impact of the openness of the Green Belt be included as part of this assessment? What is the justification for the figure of no more than a 50% increase in floor area? Are proposals for domestic outbuildings and garages to be regarded as inappropriate development?</p>	<p>26th July 1985 is the date that the Avon County Structure Plan was adopted that defined the general extent of the Green Belt in North Somerset.</p> <p>There are practical problems in assessing the extent of the “original building” in 1948.</p> <p>The Council assess the visual impact arising from residential extensions and if this has an impact on the openness of the green belt then this would be a valid reason for refusal. This is covered in the 2nd paragraph of the policy.</p> <p>The 50% increase in floor area is a guideline which helps to ensure that the extension is subservient to the original dwelling and the scale and bulk of any residential extension can be controlled.</p> <p>The NPPF (Para 89) only refers to extensions and replacement dwellings and there is no mention of outbuildings/garages. They are not subject to the 50%</p>	

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	<p><u>Redevelopment and infilling</u> What is the rationale for infilling to not exceed the height of existing buildings?</p> <p><u>Material change of use</u> The NPPF makes no reference to material changes of use and case law has held that paragraph 90 is a closed list. In the light of this what is the justification for accepting material changes of use and is it intended that this would not be regarded as inappropriate development?</p>	<p>guidelines as this could lead to substantial outbuildings. If they are single storey and small scale they are considered in accordance with DM12. They are therefore not considered to be inappropriate</p> <p>This is to ensure that redevelopment /infilling in Previously Developed Land has no greater impact on the openness of the Green Belt as required by the last bullet point in Para 89 of the NPPF.</p> <p>The Council considers that there is a fundamental flaw in the drafting of the NPPF and that certain material changes of use e.g. recreational grazing of horses, do not have any impact on the openness of the green belt and can be approved.</p>	
<p>Policy DM14: Mineral working exploration, extraction and processing</p>	<p>What is the justification for the criteria relating to consideration of the need for the development including the provision of satisfactory evidence that it is needed and justified and how is this consistent with the NPPF?</p>	<p>The criterion “consideration of need for the development”, and the requirement for proposals to be supported by adequate evidence that the development is needed and justified, are appropriate, particularly regarding proposals for extraction or processing of crushed rock aggregate.</p> <p>This is because the National Planning Policy Framework paragraph 145 states that mineral planning authorities should make provision for maintenance of land banks of at least 10 years for crushed rock, whilst ensuring that the capacity of operations to supply a wide range of materials is not compromised. Longer periods may be appropriate to</p>	

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		<p>take account of the need to supply a range of types of aggregates, locations of permitted reserves relative to markets, and productive capacity of permitted sites.</p> <p>As indicated below the council has permitted more than enough land to maintain a land bank for crushed rock in North Somerset throughout and beyond the plan period to 2026, including planning permission for the site allocation at The Spinney which was carried forward into the emerging Sites and Policies Plan, as outlined below. Therefore the council considers that there is unlikely to be a need for further permitted reserves of crushed rock in the plan period, and that, regarding proposals for further reserves in the plan period, consideration of need is important.</p> <p>The appropriateness of the criterion on need is reflected in Paragraph 084 of the Aggregate Land banks section of the national Planning Practice Guidance, which implies that “where a landbank is below the minimum level this may be seen as a strong indicator of urgent need” for further permitted reserves, (although as indicated below, this does not apply in the case of North Somerset, which has a large land bank for crushed rock.)</p> <p>While paragraph 084 also states that there is no maximum land bank level and that each application for minerals extraction must be considered on its own merits regardless of the length of the land bank, the fact that it points to possible reasons why an application for aggregate minerals development might be brought forward even where there is an adequate land bank, tends to suggest that such</p>	

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		<p>reasons would need to be identified by the applicant. The criterion on need is consistent with this.</p> <p>In May 2015 planning consent was granted to work The Spinney, a southern extension to Stancombe Quarry, allocated as a preferred area for mineral working in the adopted Mineral Working in Avon Local Plan, and carried over into the emerging Sites and Policies Plan. It is in policy DM16 of the Sites and Policies Plan Part 1 Development Management Policies Publication Version, February 2015.</p> <p>As outlined in the supporting document on minerals, working of The Spinney is expected to overcome constraints on the existing permitted reserves at that quarry, according to evidence submitted by the operator. This, and liaison with operators of the other active quarries in the district, suggests that the permitted reserves at those quarries are likely to be free of constraints and deliverable.</p> <p>The council has updated its supporting document on minerals, which now includes a table 2c towards the end of the main text. This shows that, assuming all the permitted reserves at Stancombe Quarry, including the Spinney, and the other active quarries are ultimately won, based on an assumed rate of production of 1.43mt per annum in the district, (40% of the 10 year average of 3.57mtpa in the 2014 Local Aggregates Assessment for the West of England) there is a calculated crushed rock land bank for North Somerset which would last till 2046 at that assumed level of production. Therefore a 10 year land bank would be maintained from 2036, at that assumed level of production.</p>	

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		<p>Since the Sites and Policies Plan only goes up to 2026, this suggests that further permitted reserves of crushed rock are unlikely to be needed in the district in the plan period, and indeed well beyond it, at the assumed rate of production.</p> <p>In view of this it is proposed that the following be added to the supporting text, before the paragraph beginning “Oil and gas development” :</p> <p><u>North Somerset has a large land bank for crushed rock, due to significant permitted reserves, which suggests that a 10 year land bank for crushed rock is likely to be maintained well past the end of the plan period to 2026, assuming a rate of production based on 40% of the 10 year average identified in the 2014 Local Aggregates Assessment for the West of England.</u></p> <p><u>In view of this large land bank, the council considers that further permitted reserves of crushed rock are unlikely to be needed in the plan period. Therefore any planning applications seeking consent to work further areas should be supported by adequate evidence that the development is needed and justified, so that issue can be properly considered. (Consideration of need is the first criterion of the policy.)</u></p>	
<p>Policy DM16: Allocation of land at The Spinney</p>	<p>1. Why do proposals need to demonstrate that there is a genuine need to work the Spinney at a particular time?</p>	<p>1. The 2nd bullet point requiring demonstration that there is a genuine need to work the Spinney and that it is appropriate to do so at this particular time should be deleted.</p> <p>Delete the 2nd bullet point as follows:</p>	<p>ED8: Minerals supporting document, September 2015.</p>

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	<p>2. What is the supporting document on minerals that forms part of the evidence base in the final sentence under Justification on p45?</p>	<p>● Proposals must demonstrate to the satisfaction of the council, that there is a genuine need to work The Spinney and that it is appropriate to do so at that particular time.</p> <p>2. The quarry operator has already submitted information on why there is a need to work the Spinney, relating to constraints affecting the permitted reserves, which was provided to help inform preparation of the Sites and Policies Plan, and that information is summarised in the supporting document on minerals, referred to below. Also planning permission for mineral working of The Spinney has now been granted (in May 2015), re application 14/P/1179/F2.</p> <p>The original supporting document on minerals is called the “Evidence Paper on Minerals” which is on the council’s website. It was produced in February 2013 and considered options for meeting aggregate requirements set out in the Core Strategy, (one of which was the Spinney site) including sustainability appraisal of those options. It supported continued allocation of The Spinney site as a preferred area for mineral working, and hence the carry over of that allocation from the adopted Mineral Working in Avon Local Plan to the emerging Sites and Policies Plan.</p> <p>As indicated above the council has now updated the supporting document on minerals, notably to include tables 2b and 2c towards the end of the main text, amongst other minor changes. The updated document is ED7: Minerals supporting document, September 2015. It is our intention to place it on the web site in place of the original version.</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
Policy DM19: Green Infrastructure	What is the justification for requiring all development proposals to contribute to the quality of the environment through the creation of green infrastructure?	The council accepts that the policy as it is currently worded implies that all development proposals would be required to contribute to the creation of green infrastructure and this is not the intention of the policy. Suggested rewording of first paragraph to: <i>“Where appropriate</i> development proposals will be required to contribute to the quality of the environment, through the creation of high quality well designed and accessible green infrastructure. Proposals will, where appropriate, ensure that green infrastructure is:”	
Policy DM20: Major transport schemes	The Justification on p56 states that many of the safeguarded schemes are identified in the Core Strategy or have been carried forward. Which of the schemes listed fall into these categories and what is the justification for any that are not included?	ED8: Schedule of Major Transport Schemes sets out which schemes have been identified in the Core Strategy or have been carried forward from the Replacement Local Plan.	ED9: Schedule of Major Transport Schemes
Policy DM27: Bus accessibility criteria	1. Where is the evidence base to justify this policy?	1. The IHT paper draws together information from various sources and case studies that help to justify suggested guidelines to minimise walking distances. The guidelines for the layout of new developments include a maximum walking distance to a bus stop of 400m but preferably no more than 300m. The paper also suggests that bus services should not be distorted to satisfy this criterion. This supports the DM27 wording that “it should not be assumed that existing bus services can be diverted”. <i>IHT Guidelines for planning for public transport in developments, IHT, 1999</i>	ED10: Guidelines for planning for public transport in developments, IHT, 1999 ED11: Regional Planning Guidance for the South West (RPG10), Sept 2001

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>2. What would be the implications of applying it in urban, suburban and rural areas?</p>	<p><i>Regional Planning Guidance for the South West (RPG 10), DTLR, 2001</i> defined the maximum distances within which facilities are considered to be within reasonable walking distance of development. For bus stops 200m is specified as the target for desirable maximum walking distance and it is suggested that in urban areas this should be treated as a maximum. In all other areas, or where there are exceptional circumstances in urban areas, it suggests a maximum distance of 400m. It is pointed out that distances should be reduced where steep gradients are involved.</p> <p>RPG10 also sets out the target bus frequencies.</p> <p>2. Suggest amending the paragraph in the justification section to read:</p> <p><u>“In terms of locating development within a “reasonable distance” from a bus stop this means a maximum of 400 metres <i>in urban and suburban areas. It is acknowledged that developments occurring in more rural locations may not be able to show that they meet the 400metre maximum. Where distances of 400m are not achieved there would need to be clear and compelling reasons for a greater distance, for example where this would challenge the commercial viability of the bus service by creating the need for additional vehicles or where this would cause significant adverse impacts for users of an existing route. Proposals will need to ensure they are located as sustainably as possible and that appropriate, safe travel routes and/or public transport are provided to local</i></u></p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>3. What is the clear policy test for the acceptability of route diversions?</p>	<p><u>services and major settlements, via the local infrastructure network.</u></p> <p>Pedestrian access to bus stops should be via a well-lit, safe route with clear sight lines. This policy sets out transport accessibility criteria that should be used to assess new development. These are minimum criteria to which developments should conform. Tighter standards should be set in liaison with the council where appropriate.”</p> <p>3. For clarity suggest the following sentences are added to the paragraph referring to route diversions:</p> <p><u>“Whilst it would normally be preferable to divert existing services where these have the greatest chance of being commercially viable at an early stage, it should not be assumed that existing bus services can be diverted to serve the development if it leads to longer journey times or otherwise inconveniences passengers. For example with larger developments it may be more appropriate to provide a new service.</u></p> <p>The wording of the policy intentionally does not preclude route diversions because there will be cases where route diversions are desirable where they improve commercial viability. The clear policy test is that route diversions could be deemed acceptable where it can be demonstrated that there will be a net benefit to bus services following a diversion. There may be instances where route diversions could help to safeguard the continued operation of services that have borderline commercial viability. Route diversions may also be acceptable where the impact of the change on</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>4. Is the figure for a walking distance of 400m justified and should it be expressed as a maximum?</p>	<p>journey times or the number of passengers affected is so trivial as to be insignificant.</p> <p>4. The distance of 400m is a well-established target in public transport planning. Given that an ageing population is likely to become less mobile, the minimum distance should not be increased for new developments in North Somerset. However the revised wording suggested above does acknowledge there may be cases where it can be demonstrated that 400m cannot be achieved such as in rural locations.</p>	
<p>Policy DM28: Parking standards</p>	<p>1. The requirement is that development proposals must meet the Council's standards which are set out in a SPD. This has not been the subject of examination and is not part of the development plan. The Council should therefore consider an alternative way of expressing its overall approach.</p> <p>2. In addition, the WMS of March 2015 introduced additional text to read alongside paragraph 39 of the NPPF. In the light of this what is the clear and compelling justification that it is necessary to manage the local road network?</p>	<p>1. Amend the first sentence of the policy to read: "development proposals must should meet the council's standards for the parking of motor vehicles and bicycles".</p> <p>2. The detail of the parking standards are set out in an SPD and have regard to NPPF which enables local authorities to set parking standards for residential and non-residential development to take account of local circumstances including type, mix and use of development, accessibility, availability of public transport and car ownership levels.</p> <p>The Parking Standards SPD describes the local background and evidence which includes studies of both residential and non-residential development. The studies compared the usage and provision of different types of parking spaces and</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>found that developments based on the previous maximum standards failed to provide sufficient parking spaces to meet user needs leading to obstructive parking on the highway, nuisance for residents, adverse impacts to the overall quality of place and wider adverse social wellbeing impacts.</p> <p>For all types of new development the standards in the SPD allow for provision below the minimum/required standard to be sought and provided where reasonably justified and appropriate. The SPD includes appropriate standards for cycle parking and motorcycle parking in recognition of the requirement to take into account the overall need to reduce the use of high-emission vehicles.</p> <p>The SPD also recognises that some development, particularly in town centres may demonstrate high levels of accessibility by other means or make good provision for access by sustainable travel modes and therefore parking below the minimum standards can be justified.</p>	
Policy DM30: Off-airport car parking	What is the justification to limiting airport-related parking outside the Green Belt to that associated with overnight accommodation with no more spaces than 3 times the number of bedrooms?	The surface access strategy for the Airport is based on maximising the potential of public transport. Off-airport car parking associated with overnight accommodation could undermine the strategy if that provision is more extensive than can be justified by reference to the number of bedrooms. The figure of 3 x bedrooms assumes that, at any one time, 1 space would be used by customers present in the accommodation and 2 would be used by other customers to park whilst away on a flight. Assuming that customers stay 1 night at the beginning and 1 night at the end of their journey by air, and that absences are on	ED12: Explanatory note on off-airport car parking

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>average for around 1 week, this equates to 6 overnight bookings per week.</p> <p>A note setting out the history of this approach since 2004 has been prepared for information.</p>	
Policy DM31: Air safety	<p>1. What are the implications of designating a safeguarded corridor linked to flight activity to and from the Helicopter Museum?</p>	<p>1. The implications of designating a safeguarding corridor linked to flight activity to and from the Helicopter Museum are that it provides a safe flight path for helicopters taking off and landing at the museum, whilst enabling the development of Weston Airfield.</p> <p>The Core Strategy remitted policy CS30: Weston Villages establishes the principle of safeguarding a flight path corridor for the Helicopter Museum. The policy states:</p> <p><i>“The development of the Weston Villages must satisfy the following key requirements:...Facilitate and recognise the realignment and safeguarding of safety and noise corridors associated with the helicopter flights linked with the Helicopter Museum in line with specialist advice. Employment, open space and uses that are least sensitive to helicopter disturbance will be located around the museum.”</i></p> <p>During the drafting of the Weston Villages SPD lengthy discussions took place between all the interested parties (North Somerset Council, landowners, aviation experts) to accommodate the requirements of the helicopter museum whilst allowing development to take place. The existing flight paths were adjusted and master planning of Weston Villages aims to ensure that safety issues are not</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>2. Is it appropriate for parameters to be devolved to an SPD?</p>	<p>compromised and noise sensitive uses are appropriately located in relation to flight paths and testing of equipment.</p> <p>2. The parameters of the flight path were established in the Weston Villages SPD in 2012 due to the need to have these clearly set out in a planning document in order to determine applications which were being submitted for the development on Weston Airfield. These parameters have been a key factor in determining the location of development.</p> <p>If the Inspector feels it would be beneficial the parameters set out in paragraph 2.25 of the Weston Villages SPD could be included in Policy DM31 or the justification text.</p>	
<p>Policy DM33: Inclusive access into non-residential buildings and spaces</p>	<p>Is the requirement that this “must” be provided too prescriptive? Are the aims of the policy adequately covered by Building Regulations?</p>	<p>The policy is not considered to duplicate Building Regulations as it allows for a wider consideration of accessibility in new developments and opportunities to ensure new development is as accessible as can be. Building Regulations are considered to take a more narrow view potentially missing the opportunities to achieve inclusivity at the wider, place level.</p> <p>The inclusion of the word ‘must’ is considered important as a starting point but it is recognised that there may be practical issues that may hinder delivery on some sites and proposals. This is considered to implement the NPPF objectives of delivering sustainable and inclusive development. Therefore the inclusion of the wording, “where appropriate” at the beginning of that sentence should allow for some flexibility in delivering the policy.</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>Amend first sentence to read: <i>“Where appropriate</i> the design of buildings and spaces must provide access for everyone who may wish to use a building, facility or area of open space on an inclusive basis.”</p>	
<p>Policy DM34: Housing type and mix</p>	<p>1. Does the policy adequately explain what is meant by “mixed and balanced community” having regard to paragraphs 50 and 159 of the NPPF?</p> <p>2. Should the second paragraph under Justification on p83 be included within the policy itself?</p>	<p>1. The SHMA provides broad indications of, for example, imbalances in the housing market, which must then be considered alongside any more detailed local evidence. The policy identifies a number of different housing types that local evidence has highlighted a need for in certain areas. For example, the policy requirement for aspirational housing at Weston-super-Mare is based on analysis of council tax bands which show that Weston has the lowest proportion of properties in council tax bands E-H. It is therefore proposed that as part of the regeneration and employment led strategy for Weston that a proportion of the new homes should be required to be ‘aspirational’. These dwellings are expected to help meet the imbalance in the District regarding the location of such dwellings, encourage business leaders, entrepreneurs and professionals to the town and help to encourage households with greater spending power to the town.</p> <p>2. Agreed that it would be useful for the second paragraph in the justification should be included in the actual policy. Insert the following text at the beginning of the policy: <i>“The housing mix and type proposed should be justified in the planning application through the Design and Access Statement or similar documents and should demonstrate how it meets local needs with reference to the latest</i></p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>3. Should achieving a suitable type and mix of housing make reference to viability?</p> <p>4. What evidence is there of demand for self-build schemes as referred to in the PPG on <i>Housing and economic needs assessments</i> (ID 2a-021-20150326)? How is demand to be assessed in line with proposed change PC42?</p>	<p><u>SHMA or local needs surveys. The proposed development should help redress any identified imbalance in the existing local housing stock, meet the needs of local residents and contribute positively to the promotion of sustainable and inclusive communities and, in Weston-super-Mare employment-led regeneration.</u></p> <p>Delete the above text from the justification.</p> <p>3. Insert following text into first sentence: “The council will require proposals on strategic housing sites (100+ houses) to, <i>where practical and viable</i>, include a range of building types and tenures.”</p> <p>4. Self-build currently represents only around 10% of housing completions in the UK, compared to rates of around 40% in France and 70% to 80% elsewhere in Europe.</p> <p>In order to assess local demand the council has provided a link on their website to the Local Self Build Register (http://localselfbuildregister.co.uk/) where people living within North Somerset can register their interest in building their own home. Between Nov 2014 and August 2015 19 people within North Somerset registered an interest in self-build schemes. However, this figure is not an accurate reflection of demand in the district. There has been limited promotion of the self build register by the council to date so people are not aware that there is this facility to register an interest. Authorities who have allocated significant resources to promoting the self-build register have obviously seen a far greater number of people register.</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>5. What is the justification for applying parts of the policy to sites of over 100 dwellings?</p>	<p>Greater promotion of the Local Self Build Register by North Somerset Council would result in a more accurate reflection of the number of people wishing to build their own home.</p> <p>The Self-Build and Custom Housebuilding Act 2015 has now placed a duty on local planning authorities to:</p> <ul style="list-style-type: none"> • Keep a register (and publicise this) of eligible prospective ‘custom’ and self-build individuals, community groups and developers; • Plan to bring forward sufficient serviced plots of land, probably with some form of planning permission, to meet the need on the register and offer these plots to those on the register at market value; and • Allow developers working with a housing association to include self-build and custom-build as contributing to their affordable housing contribution <p>The register of prospective self-builders will be our source of data with which to assess demand in line with proposed change PC42, although the council acknowledges that increased promotion of the register is needed to achieve an accurate assessment of demand.</p> <p>5. The trigger for requiring schemes of 100 dwellings or more to include a range of building types and tenures is that this is the size of a major development as defined in table 4.1 of the Replacement Local Plan. This definition for major development has been carried forward for use in specific policies in the Development Management Policies Plan. Proposals of this size are those with the greatest</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>impacts on the environment and communities. The scale of proposal of this size mean that they have the ability to provide a range of housing types and tenures and economies of scale mean such schemes can include a realistic assessment of whether the inclusion of retirement/supported independent living accommodation is a viable option.</p>	
<p>Policy DM35: Nailsea housing type and mix</p>	<p>1. What is the “strong evidence base” justifying a specific policy for Nailsea rather than relying on the approach set out in Policy DM34?</p> <p>2. Should achieving a suitable type and mix of housing make reference to viability?</p>	<p>1. The accompanying papers on this issue, one produced by Nailsea Town Council, and one which sets out the statistical evidence produced by North Somerset Council provide the evidence base for this policy.</p> <p>2. Agree that a reference to viability should be included in this policy in line with paragraphs 173 and 174 of the NPPF.</p> <p>Amend the fourth paragraph to read: “in particular new housing developments should, <i>where practical and viable</i>, contain some or all of the following categories:...”</p>	<p>ED13: New housing in Nailsea, Nailsea Town Council, November 2013</p> <p>ED14: North Somerset Council Evidence Paper: Nailsea, March 2013</p>
<p>Policy DM36: Residential densities</p>	<p>Is the final bullet point regarding parking standards necessary? If so, in line with Policy DM28 the Council should consider an alternative way of expressing its overall approach which should also be reflected in Policies DM37, DM38, DM39 and DM43.</p>	<p>The council feels it is useful to set out in Policies DM36, DM37, DM39 and DM43 that proposals should be in accordance with the councils parking standards. It is beneficial to clearly state in the policy all the issues that will need to be considered when submitting an application so that applicants are clear from the outset what will be required from them.</p> <p>In line with our response to the Inspectors question to DM28 the council suggests the following amendments to the relevant bullet points in the following policies:</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>DM36: Residential densities “parking <i>should meet</i> must be in accordance with the councils parking standards”</p> <p>DM37: Residential development in existing residential areas “parking standards can <i>should</i> be met for both existing and proposed properties”</p> <p>DM38: Extensions to dwellings “...and complies with <i>take account of</i> the <i>councils</i> parking standards”</p> <p>DM39: Sub-division of properties “parking <i>should meet</i> must be in accordance with the councils parking standards”</p> <p>DM43: Residential annexes “Parking for residential annexes <i>should meet</i> must be in accordance with the councils parking standards”</p>	
Policy DM39: Sub-division of properties	What is the evidence that justifies the designation of the 3 Areas of Restricted Subdivision in Weston-super-Mare and their individual boundaries?	The accompanying evidence paper on this issue which sets out why these areas have been designated and how their individual boundaries were arrived at.	ED15: North Somerset Council Evidence Paper: Subdivision of family housing, April 2010
Policy DM40: Retirement accommodation	1. Having regard to paragraphs 50 and 159 of the NPPF and the PPG on <i>Housing and economic needs assessments</i> (ID 2a-021-20150326) what is the justification for requiring all residential schemes of over 100 dwellings to assess the	1. Planning Practice Guidance , ID 2-021-20150326 states: <i>“Housing for older people</i> <i>The need to provide housing for older people is critical given the projected increase in the number of households aged 65...Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in</i>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>need for retirement and supported independent living?</p>	<p><i>order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish. Supporting independent living can help to reduce the costs to health and social services, and providing more options for older people to move could also free up houses that are under occupied”.</i></p> <p>The population of North Somerset aged 75+ is expected to increase from 23,000 in 2016 to 41,400 in 2036. However, the changing health, longevity and aspirations of Older People mean people will live increasingly healthy longer lives and their future housing needs may be different from current needs. In addition the Governments reform of Health and Adult Social Care is underpinned by a principle of sustaining people at home for as long as possible.</p> <p>These two factors mean that the number of care homes and nursing homes may actually decline, as people are supported to continue living in their own homes for longer.</p> <p>Policy DM40 which requires schemes of over 100 dwellings to assess the need for retirement and supported independent living implements the policy objective of supporting Older People in their own homes and integrates older person accommodation into mainstream market housing as part of creating mixed and balanced communities.</p> <p>The trigger for requiring schemes of 100 dwellings or more to assess the need for retirement and supported independent living is that this is the size of a major</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>2. Should there be a reference to viability?</p> <p>3. What is the justification for applying parts of the policy to sites of over 100 dwellings?</p>	<p>development as defined in table 4.1 of the Replacement Local Plan. This definition for major development has been carried forward for use in specific policies in the Development Management Policies Plan. Proposals of this size are those with the greatest impacts on the environment and communities. The scale of proposal of this size mean that they have the ability to provide a range of housing types and tenures and economies of scale mean such schemes can include a realistic assessment of whether the inclusion of retirement/supported independent living accommodation is a viable option.</p> <p>2. The final paragraph of the policy states that schemes will be required to <i>“make appropriate provision dependant on suitability and viability.”</i></p> <p>3. The policy is effectively written in two separate sections. The first section deals with the location and standard of the proposed accommodation. The second section deals with the requirement for schemes of over 100 dwellings to provide retirement and supported independent living schemes on site.</p>	
<p>Policy DM41: Nursing and care homes</p>	<p>1. Has this policy been positively prepared?</p> <p>2. Is preventing all extensions justified?</p>	<p>1. Amend first sentence to read: “Planning permission will not be granted for extensions to or new residential care or nursing homes within Class C2 of the Use Classes Order (including the change of use of an existing property) unless <i>if</i>:....”</p> <p>2. The policy aims to restrict large extensions which would result in significantly increasing the capacity of care homes. The cumulative effect of large extensions to care homes across the district resulting in increased provision is</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>contrary to the aim of the policy. The aim of the policy is to support independent living whilst providing care homes where there is a demonstrated local need for local people.</p> <p>To clarify this the council suggests amend the wording of the first sentence to: “Planning permission will not be granted for extensions <i>that would result in extra capacity</i> to, or new residential, care or nursing homes...”</p>	
Policy DM42: Accessible and adaptable housing	Proposed changes PC49-51 seek to address the WMS of March 2015 but the optional new national standards in relation to access and space standards should only be required if they address a clearly evidence need and where their impact on viability has been considered. What is the evidence in relation to need and viability for the access and space standards? Has the Council had regard to the PPG on <i>Housing – Optional Technical Standards</i> and paragraphs 007, 008, 009, 018 and 020 in particular?	A note setting out the evidence for need and viability for the access and space standards has been prepared in response to this question.	ED16: Note on access and space standards, October 2015
Policy DM43: Residential annexes	1. What is the justification for the 50% size limit outside settlement boundaries? Is this floor area? 2. How are annexes within converted buildings to be treated?	1. The 50% relates to the floor area. The justification for this threshold is to ensure that the residential annex is subservient to the main dwelling. Without this threshold there is a likelihood that annexes with 3 or 4 bedrooms will be applied for and, if approved, may over the course of time be subject of a planning application for a separate dwelling 2. If there are no physical alterations then planning permission is not required for an annex within an existing building. If alterations are necessary then planning consent	

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		will be required and will be subject to the same policy requirements as a new build.	
Policy DM44: Replacement dwellings	What is the justification for the 50% size limit? Is this floor area?	Yes it is floor area. The council is concerned to maintain the essential rural nature and distinctiveness of the countryside. The replacement of small country dwellings with more grandiose houses can radically change the character of a site to one of a more suburban nature and also reduce the supply of the smaller rural dwellings. A replacement dwelling, when clearly disproportional to the original, can be tantamount in its impact to a new dwelling and can therefore undermine both national and local policies on restriction of new development in the countryside. Even where a site is well screened there is a wider concern to maintain the essential rural nature and qualities of the area.	
Policy DM45: Conversion of rural buildings to residential use	1. Having regard to the NPPF and the changes to permitted rights in Class Q of the 2015 Order what is the justification for the criteria regarding traditional construction, reasonable attempts to secure an appropriate economic use and sustainable location?	1. The changes to permitted rights contained in Class Q of the 2015 order still have a number of criteria to satisfy e.g. agricultural use, maximum of 3 dwellings, structural integrity of building, highways, contamination, flood risk and suitability. It is critical that the criteria listed in DM45 are retained as DM45 relates to all redundant rural buildings. Without these criteria every rural building irrespective of its location, condition and use would be suitable for residential conversion. This would have a detrimental impact on the provision of services, the rural economy and appearance of the countryside. The prior approval process relates only those buildings in Agricultural use on or before March 2013 and therefore it is	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>2. What is the justification for 70% of the original exterior walls to be standing?</p>	<p>imperative that Development Plan policies are formulated for all other buildings.</p> <p>Many rural buildings have been built in recent years and were approved in association with rural employment opportunities i.e. non-agricultural uses such as stabling. Many of these buildings are steel framed and/or constructed in blockwork. It is important that these are retained for their original purpose. In addition their conversion for residential purposes would be out of character with the predominantly rural setting of North Somerset</p> <p>2. The 70% threshold is considered important and ensures that at least part of the building will remain and the conversion is not a “new build” project. Structural integrity is still a requirement in the new prior approval process and it is important that it is retained in the development plan. It will also prevent the reuse of derelict buildings which have fallen into disrepair and have become an integral feature of the countryside.</p>	
<p>Policy DM46: Rural workers dwellings</p>	<p>What is the justification for the requirement to provide an independent appraisal and the floor space limit of 150 sq m?</p>	<p>150 sq metres is above the average size for family accommodation and therefore in the majority of circumstances will meet the needs of farm workers and their families. Approvals for larger dwellings will have an impact on the appearance of the countryside and could lead to farm workers dwellings that are far too large for the farming community. The net result could be applications to remove occupancy conditions on such large dwellings and the approval of additional farm dwellings to make up the shortfall caused by the lifting of such conditions</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
<p>Policy DM48: Broadband</p>	<p>1. Paragraphs 42 and 43 of the NPPF refer to high speed broadband. Given that superfast broadband will be provided by others how will the policy support its expansion given the evidence to date of provision across North Somerset?</p> <p>2. What is the justification for the preparation of a connectivity statement for all residential and employment development?</p>	<p>1. Superfast Broadband services are provided by a variety of providers, but it is not guaranteed it will be available everywhere and cannot be delivered to every premises unless the right type of infrastructure is available.</p> <p>Even with the current national programmes, not all existing infrastructure will be upgraded to enable superfast services and as new development connects into existing systems, this will reduce capacity and therefore ability for residents and or businesses to receive superfast broadband, especially if some distance from the exchange. So while it will be better, not everyone either existing or new build, especially business will be able to access superfast services if infrastructure improvements are not made.</p> <p>In terms of new build, business premises in particular are not connected with infrastructure to access superfast services as standard. This is evident in all new business park development across North Somerset.</p> <p>2. The purpose of the policy is to encourage phone and internet services to be considered as part of the design, in the same way as other utilities, and ensure the right specifications are supplied to infrastructure providers to ensure the equipment can deliver the higher level services currently being upgraded through the Governments BDUK programme.</p> <p>New development sites continue to be furnished with traditional copper equipment that cannot deliver superfast broadband services. The provision of the open access infrastructure for service providers will not only provide the</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>necessary ducting for Superfast Broadband delivery, but will also drive down the cost of broadband delivery in general.</p> <p>On new developments there is no guarantee the infrastructure will be requested by the developer or offered by the infrastructure provider as standard. This statement will ensure phone and internet services are considered at an early stage to ensure the right infrastructure is provided for the development so providing some form of future proofing of phone and internet access.</p>	
<p>Policy DM50: Bristol Airport</p>	<p>Is it more accurate to say that the Policy aim relates to further development at the Airport rather than further expansion?</p>	<p>Yes: further development would accommodate further expansion (of the business, air transport movements, passenger numbers, etc.). Suggest amended wording of Policy aim for clarification:</p> <p>“To ensure that, if further expansion development of the Airport is required....”</p>	
<p>Policy DM51: Agriculture and land-based rural business development</p>	<p>According to the PPG on <i>Use of planning conditions</i> (ID 21a-014-20140306) conditions requiring the demolition after a stated period of a building that is clearly intended to be permanent is unlikely to pass the test of reasonableness. In the light of this is the final paragraph justified?</p>	<p>The Town and Country Planning (General Permitted Development) (England) Order 2015 Part 6 grants permission for agricultural buildings, subject to conditions. Under condition A.2(5) on page 61, any agricultural building constructed under Permitted Development rights must be removed from the land if the use of the building for agriculture permanently ceases within 10 years of its substantial completion (unless planning permission has been granted or deemed to be granted for non-agricultural use).</p> <p>Policy DM51 which proposes that conditions are imposed requiring removal of agricultural buildings if they are no</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		longer needed is therefore in line with the Government's use of conditions in the GPDO.	
Policy DM53: Employment development on greenfield sites in the countryside	<p>1. Should a cross-reference be included to Policy DM55 which is concerned with business expansion that could involve new buildings?</p> <p>2. Should the penultimate paragraph be adjusted to reflect Policy DM67 which allows for small scale retail development of up to 200 sq m?</p>	<p>1. Include a cross reference to Policy DM55 in supporting text. Add following wording to end of third paragraph: <i><u>"The policy should be read in conjunction with Policy DM55 which covers business expansion in the countryside including new buildings"</u></i>.</p> <p>2. Proposed amendment to the penultimate paragraph to read: <i>"Retailing, other than farm shops, small scale village stores, <u>proposals under 200m2</u> or proposals that are ancillary to the main use, will not be permitted"</i>.</p>	
Policy DM54: Employment development on previously developed land in the countryside	<p>Should the final paragraph be adjusted to reflect Policy DM67 which allows for small scale retail development of up to 200 sq m?</p>	<p>Amendment the final paragraph to read: <i>"Retailing, other than proposals that are strictly ancillary to the main use <u>or proposals under 200m²</u>, will not be permitted"</i>.</p>	
Policy DM55: Extensions, ancillary buildings or intensification of use for existing businesses located in the countryside	<p>1. Is the final sentence of the penultimate paragraph regarding further expansion or intensification consistent with the expectation for policies in the NPPF and as set out above?</p>	<p>1. This policy supports economic growth in rural areas in accordance with paragraph 28 of the NPPF. However, the policy recognises the need to protect the landscape value and biodiversity of the countryside and that in some instances continual incremental expansion of businesses on increasingly constrained sites may not be the right solution in planning terms, or long term for that business.</p> <p>The policy equally recognises that by their very nature many rural businesses need to be located in the countryside</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>2. Should the final paragraph be adjusted to reflect Policy DM67 which allows for small scale retail development of up to 200 sq m?</p>	<p>due to use of the land for growing and cultivating produce, and in terms of their branding and provenance for example Thatcher’s Cider and Yeo Valley. Therefore, this sentence states that businesses should consider re-location to suitable sites in towns or service villages <i>where practicable</i>.</p> <p>2. Proposed amendment to the final paragraph to read: <i>“Retailing, other than proposals that are strictly ancillary to the main use or proposals under 200m², will not be permitted”</i>.</p>	
<p>Policy DM56: Conversion and reuse of rural buildings for employment development</p>	<p>1. What is the meaning and purpose of the third bullet point?</p>	<p>1. There have been instances where buildings have been approved for agricultural purposes and then soon after approval planning applications are received for an alternative use. This therefore questions the original justification for the building in the first place which was only approved in a restricted area (countryside) due to the proposed agricultural use.</p> <p>This bullet point makes it clear to any prospective applicant that a period of time must lapse (10 years) before such an application would be favourably considered. However if the conversion was essential for the long term benefit of the associated agricultural/forestry operation then this will be a material consideration.</p> <p>It is important to stress that in this period of extending permitted rights the “Prior Approval “ process introduced by Class Q of the 2015 order stipulates that the building must have been in agricultural use as of March 2013. This</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>2. What is the justification for the criterion regarding a sustainable location?</p> <p>3. Should the final bullet point be adjusted to reflect Policy DM67 which allows for small scale retail development of up to 200 sq m?</p> <p>4. What is the justification for 70% of the original exterior walls to be standing?</p>	<p>stipulation has a similar effect of not allowing the conversion of non-agricultural buildings.</p> <p>2. Para 37 of the NPPF makes it clear that “<i>planning policies should Minimise journey lengths for employment</i>” whilst one of the core planning principles in Para 17 is to “<i>actively manage patterns of growth to make the fullest possible use of public transport walking and cycling...</i>”</p> <p>3. Amendment final bullet point to read: “<i>Retailing, other than farm shops, small scale village stores, proposals under 200m2 or proposals that are ancillary to the main use, will not be permitted</i>”.</p> <p>4. The 70% threshold is considered important and ensures that at least part of the building will remain and the conversion is not a “new build” project. Structural integrity is still a requirement in the new prior approval process and it is important that it is retained in the development plan. It will also prevent the reuse of derelict buildings which have fallen into disrepair and have become an integral feature of the countryside.</p>	
<p>Policy DM57: Conversion, reuse and new build for visitor accommodation in the countryside</p>	<p>1 What is the justification for criterion iii. regarding traditional construction?</p>	<p>1. Many rural buildings have been built in recent years and were approved in association with rural employment opportunities e.g. non-agricultural uses such as stabling. Many of these buildings are steel framed and/or constructed in blockwork. Their conversion for visitor accommodation would not only detract from the rural character of North Somerset but would not offer high quality visitor accommodation that is essential to attract</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>2. Why should applicants need to demonstrate a business case and/or show evidence of demand under criterion iv. given that paragraph 28 of the NPPF supports sustainable tourism?</p> <p>3. What is the evidence to support a minimum 10 year period of use and is the reference to DM43 correct ?</p> <p>4. What is the justification for 70% of the original exterior walls to be standing?</p>	<p>tourists to the District. The Council is keen to promote the District as a visitor destination and attractive accommodation and countryside are essential to this aim.</p> <p>2. Planning approvals for visitor accommodation are often followed by applications to change the approval for permanent residential accommodation. By demonstrating a business case the applicants and the Council will have made an assessment as to the need/demand for the facility. Para 28 of the NPPF appears to be supportive of this approach by qualifying any support by the phrase “<i>where identified needs are not met by existing facilities in rural service centres</i>”.</p> <p>3. Visitor accommodation (especially new build) is very much an exception to normal planning policies in the countryside. It is important therefore that the planning system is not abused by any approvals being closely followed by planning applications for permanent residential accommodation. This clause makes the Council’s policy clear on this issue.</p> <p>Reference to DM43 is a mistake it should read DM45. Change third to last paragraph to read: ...”unless it complies with Policy DM43 (the conversion of rural buildings to economic use) <u>DM45 (The conversion or re-use of redundant rural buildings to residential use).</u></p> <p>4. The 70% threshold is considered important and ensures that at least part of the building will remain and the</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		conversion is not a “new build” project. Structural integrity is still a requirement in the new prior approval process and it is important that it is retained in the development plan. It will also prevent the reuse of derelict buildings which have fallen into disrepair and have become an integral feature of the countryside	
DM58: Camping and caravan sites	Why should applicants need to demonstrate a business case and/or show evidence of demand under the second bullet point?	<p>The requirement to demonstrate a business case or show evidence of demand is to ensure that any expansion to a caravan park is a commercially realistic proposition. The concern is that caravan parks may expand, but not be occupied and then permission sought for change of use to residential.</p> <p>By demonstrating a business case the applicants and the Council will have made an assessment as to the need/demand for the facility. Para 28 of the NPPF appears to be supportive of this approach by qualifying any support by the phrase “<i>where identified needs are not met by existing facilities in rural service centres</i>”.</p>	
Policy DM59: Garden centres	<p>1. Paragraph 23 of the NPPF provides that policies should be set for the consideration of proposals for main town centres uses which cannot be accommodated in or adjacent to town centres. Does the Council consider that garden centres fall into this category?</p> <p>2. What is the evidence in terms of the vitality of town centres that justifies the restrictions on non-garden related goods to 15% of net sales</p>	<p>1. The council does not consider garden centres to be a main town centre use. Annex 2 of the NPPF does not include garden centres in its definition of main town centre uses. Garden centres have traditionally been located in the countryside as they require large areas of land to grow and display their produce.</p> <p>2. Planning policies advocate a town centre first approach to retail and this should be applied to all areas of development which have the potential to threaten the vitality of town centres. Garden centres have over the years</p>	<p>ED17: Cadbury Garden Centre Application 13/P/1741/F – NSC appeal statement.</p> <p>ED18: Cadbury Garden Centre Appeal Ref: APP/D0121/A/14/2218749 – Decision Statement</p>

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>floorspace and that they must be products made or grown within a 30 mile radius?</p>	<p>begun to introduce more and more non-garden related uses into their shops. This policy aims to control the goods sold at garden centres to protect the viability of nearby local and town centres. Paragraph 28 of the NPPF states that <i>“To promote a strong rural economy, local and neighbourhood plans should...promote the retention and development of local services and community facilities in villages, such as local shops...”</i></p> <p>North Somerset’s retail surveys show town centre vacancy rates have been increasing since 2006. This is linked to a certain extent to the economic down turn, but it is important this isn’t exacerbated further by an increase in out of town retailing opportunities provided by garden centres selling goods that would typically be found on the high street.</p> <p>Vacancy rates in Weston town centre have gone up from 6.8% in 2007 to 14.6% in 2015. Nailsea has also seen an increase in vacancy rates with vacancies going up from 5.6% in 2007 to 17.8% in 2015. In Portishead vacancy rates have gone up from 1.1% in 2007 to 3.8% in 2015. In Clevedon vacancy rates have gone down slightly from 5.5% in 2007 to 3.3% in 2015.</p> <p>The largest garden centre in North Somerset is Cadbury Garden Centre in Congresbury. It is an example of how a garden centre can expand its product range increasing the proportion of non-garden related goods sold. It now sells a wide range of products that would normally be located in high street shops including books, stationary, cards, toys, homeware, as well as having a restaurant and café.</p>	<p>ED19: Towns Retail Survey Analysis 2007-2015</p>

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<p>A recent application at Cadbury Garden Centre to vary a condition to allow 815m2 of floorspace for the sale of Ladies, men’s and children’s clothing and footwear was dismissed at appeal. However, the Decision Notice and North Somerset Councils appeal statement set out the planning history for this garden centre and illustrate how, without a restrictive policy in place, a garden centre can evolve into an out of town retail destination with a wide catchment. This undermines the Councils efforts to reinforce the vitality and viability of adjoining shopping centres and the town centres in the District.</p> <p>It may be beneficial for the Inspector to carry out a site visit to Cadbury Garden Centre.</p> <p>The requirement that any non-garden related goods sold must be grown within a 30 miles radius of the garden centre is to support the local rural economy. Paragraph 28 of the NPPF states that “Planning policies should support economic growth in rural areas in order to create jobs and prosperity”. Garden centres that wish to sell non-garden related products should therefore source these products from the local area supporting other local businesses and local economy.</p>	
Policy DM60: Town centres	How have the boundaries of the town and other retail centres referred to in Policies DM61 and DM62 been arrived at?	<p><u>Town Centres (DM60):</u></p> <ul style="list-style-type: none"> • Weston-super-Mare town centre boundary reflects the boundary set out in Policy CS29: Weston-super-Mare Town Centre. • Nailsea town centre boundary is carried forward from the Replacement Local Plan 	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		<ul style="list-style-type: none"> • Clevedon’s town centre boundary reflects the Replacement Local Plan boundary but has been amended slightly to update the current situation. The strip between Great Western Road and Coleridge Vale Road North has been included in the town centre boundary as this is now a Lidl store. • Portishead town centre boundary has been expanded to include the business park on Old Mill Road and land beyond. This is because Sainsbury’s has now been built on the site off Serbert Way and the business park and units along Old Mill Road have been included in the town centre to assist with the regeneration of this area and create a larger more cohesive centre for Portishead. <p><u>District Centres (DM61)</u> The district centre boundaries have been designated based on survey work under taken for the Core Strategy.</p> <p><u>Local Centres (DM62):</u> The local centre boundaries have been designated based on survey work undertaken for the Core Strategy. DM62 includes one additional local centre to those identified in the Core Strategy which is West Hill in Portishead. West Hill has been added as its role as a local centre within this part of Portishead was although monitored, had not been officially designated. Additionally the change of use of the Royal Oak pub to a Tesco express at the beginning of 2013 has reinforced the retail element of this local centre.</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
<p>Policy DM61: District centres and Policy DM62: Local centres</p>	<p>1. The limits of 500 sq m and 300 sq m for district and local centres respectively are set out in the supporting text of the Core Strategy and define retail development that is of a scale appropriate to the size and role of the centre. In the light of the NPPF and PPG are these limitations justified in principle and what is the rationale for the floor area specified?</p> <p>2. How do these relate to the size of the existing centres?</p> <p>3. Are the provisions of Policies DM61 and DM62 consistent with the original purposes of the Core Strategy in that they refer to the impact on the centre in which the development would be located?</p>	<p>1. The justification for these thresholds are to assist the retention of the shopping hierarchy. This is in line with the second bullet point of para 23 (NPPF) which advises that in drawing up Local plans, local planning authorities should “define a network and hierarchy of centres that is resilient to anticipated future economic changes“. In principle retail development within district and local centres would be acceptable and in fact encouraged. However if there was no limit on the size of retail unit there is a possibility that the viability and vitality of other centres and possibly the shopping hierarchy could be adversely affected.</p> <p>2. District and local centres usually have an anchor store which can vary in size from 200 sq m (Backwell Local Centre, Spar) to 7000 sq m (Sainsbury at Queensway District Centre North Worle). There may be merit in increasing the threshold for district centres</p> <p>3. Suggest policies are amended to delete the reference to the centre in which the development is located.</p> <p>Amend the 2nd paragraph of Policy DM61 to read: “...will need to demonstrate that there would be no significant impact on the vitality and viability of the district <i>other</i> centres and that there are no sequentially preferable sites available elsewhere within the town.”</p> <p>Amend the last line of the second sentence to read: “...it can be demonstrated there is no adverse impact on the viability, vitality and character of the centre <i>other centres</i>”.</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
<p>Policy DM64: Primary shopping frontages</p>	<p>1. What is the distinction between primary shopping areas (Policy DM63) and primary shopping frontages?</p> <p>2. Have the designated frontages been adjusted compared to the existing development plan? If so, in what ways and what were the criteria for any changes?</p>	<p>1. Primary Shopping Areas are larger areas defined on the Proposals Map where retail uses (uses within the A use class) are concentrated and encouraged. Primary shopping areas are the preferred location for retail in the sequential test for retail development.</p> <p>Primary Shopping Frontages are areas within the Primary Shopping Area where the retention of A1 uses will be supported, and loss of A1 uses will be resisted unless they can meet the criteria set out in Policy DM64.</p> <p>2. The Primary Retail Frontage for Weston-super-Mare has changed from that designated in the Replacement Local plan. The changes are:</p> <ul style="list-style-type: none"> • Removed the PRF from Waterloo Street – this is to allow more flexibility of uses in this area. • Removed part of the PRF from along Regent Street from 2 Regent Street up until the Multi storey car park – This is to remove any constraints to the regeneration of this part of Regent Street, as well as to concentrate A1 uses more within the centre of the PSA. • Extended the PRF to include 13 – 29 Regent Street – This extension to the PSF is to try and promote links between the primary shopping area and the seafront. The council are exploring the possibility of the partial pedestrianisation of this part of Regent Street to encourage links between the High Street area and the seafront. • Extended the PRF to include 24 Regent Street down to Princess Consort Square – This extension to the PSF is to try and promote links between the 	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>3. Is the provision that there would not be fragmentation by means of a significant break in the active frontage sufficiently clear so as to be effective?</p>	<p>primary shopping area and the seafront. The council are exploring the possibility of the partial pedestrianisation of this part of Regent Street to encourage links between the High Street area and the seafront.</p> <ul style="list-style-type: none"> • Removed the PRF from 4 High Street – To allow more flexibility in terms of main town centre uses along this stretch of the High Street linking in with the proposed Dolphin Square redevelopment. • Removed the PRF from 3 – 15 High Street - This is to allow more flexibility in terms of main town centre uses along this stretch of the High Street linking in with the proposed Dolphin Square redevelopment. <p>The Primary retail Frontage in Clevedon has changed from that set designated in the Replacement Local plan. The changes are:</p> <ul style="list-style-type: none"> • Remove PRF from 17-23 Old Street – To consolidate the PRF and allow more flexibility of uses in this area. <p>3. Suggest rewording this criteria to make it more effective: “would not fragment any part of the shopping area <u>frontage</u> by creating or contributing to a significant break in the active frontage <u>or result in a use which creates an inactive daytime use</u>; and...”</p> <p>4. The criteria will be assessed on a site by site basis. A number of factors will be considered when determining</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	4. How will the criteria that there should not be a harmful loss of retail floorspace be assessed and will this be effective?	whether a loss of retail floorspace will be harmful including the size and scale of the unit, the location of the unit and the cumulative impact of the loss of the unit.	
Policy DM65: Development at the retail parks	What is the justification for requiring an impact assessment for all proposals? Are the retail parks regarded as town centres for policy purposes?	<p>The retail parks are not classified as town centres for planning policy purposes. They are a part of the locational hierarchy for retail development set out in policy DM66.</p> <p>Policy DM65 is allowing a more flexible approach to A1 retail at the retail parks which traditionally, but unsuccessfully, have been limited to bulky good retail in planning policy terms. Historical planning decisions which granted open A1 consents for premises within the retail parks, coupled with the loss of appeals on a number of sites, has resulted in the retail parks consisting of A1 uses and shops which should ideally be located in the primary shopping area.</p> <p>However, the council recognises the limited size of units available in the primary shopping area, and the retail model of many of the stores that wish to locate on the retail parks is for large stores usually above 500m². The council therefore wishes to have a policy in place which offers a pragmatic approach to applications on the retail parks for larger stores selling A1 goods, whilst also ensuring the vitality of the primary retail area is not threatened.</p> <p>An impact test required as standard for all proposals at the retail parks to ensure they retain their role as locations for large format retail units which cannot be accommodated in the centres and do not adversely impact the primary shopping areas.</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
Policy DM66: The sequential approach for retail development	<p>1. Should the policy apply to main town centre uses as defined in the Glossary of the NPPF as opposed to just retail development?</p> <p>2. Has there been a thorough assessment of the suitability, viability and availability of locations for main town centre uses in line with the PPG on <i>Ensuring the vitality of town centres</i> (ID 2b-009-20140306)?</p> <p>3. What scope is there to accommodate additional retail or town centre development within the town centres?</p>	<p>1. No. This policy relates specifically to retail. The sequential approach to main town centre uses are set out in <i>Policy CS21: Retail hierarchy and provision</i> in in Core Strategy.</p> <p>2. There has been extensive work undertaken in assessing the suitability, viability and availability of sites within Weston Town Centre. An Area Action Plan for Weston-super-Mare Town Centre was drafted in 2009 which assessed a number of sites in the town centre area. This included a viability assessment and masterplanning work. This work is now being taken forward through an SPD for the town centre with a strong focus on residential development and expanding the Winter Gardens in the town centre for Weston College.</p> <p>3. Weston-super-Mare has a number of sites identified for main town centre uses:</p> <p>The Dolphin Square redevelopment has to date resulted in a new hotel on the seafront and a new multi-storey car park on the former Carlton Street car park site. These were phases 1 and 2 of the scheme. The remainder of the site (former council offices) was demolished in 2012 in anticipation for phases 3 and 4 which have got planning permission for leisure and retail uses. Unfortunately, despite the site having been cleared these have yet to be implemented.</p>	<p>ED20: Draft Weston Town Centre Area Action Plan, 2009.</p> <p>ED21: Weston Town Centre AAP Viability Report, October 2010</p> <p>ED22: Weston-super-Mare Town Centre SPD Scoping Report</p> <p>ED23: Prospectus for Change 2015</p>

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>4. The NPPF provides that a sequential test should be applied to planning applications that are not in an existing centre and not in accordance with an up-to-date Local Plan. The impact assessment is a separate exercise as explained in the PPG (ID 2b-013-20140306).</p>	<p>The Sovereign shopping centre which is accessed from the High Street have indicated that they would like to expand either to the north to front onto town square, or to the west towards the seafront. These options are currently being investigated as part of the background work to the forthcoming Weston Town Centre Regeneration SPD</p> <p>In Clevedon there is limited scope for additional new build development without encroaching onto car parks. However Morrisons have announced that they will be closing their Clevedon Store and given its central location it is hoped that another retailer can be found for the building.</p> <p>Portishead Town Centre has expanded towards the dock development and recent retail planning consents e.g. Sainsbury reflect this expansion. There is still opportunity for further retail development in the Town Centre as the Old Mill Industrial Estate is included within the boundary and this will be allocated for mixed use development in the forthcoming Site Allocation Plan</p> <p>In Nailsea there is limited scope for additional new build development without encroaching onto car parks. A pre application enquiry for a new supermarket on the Stockway South Car Park has been received.</p> <p>4. Yes. The impact tests requested through Policy DM66 aims to retain the shopping hierarchy and also help to <i>“determine whether proposals in certain locations would impact on existing, committed and planned public and</i></p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
	<p>Has the requirement for an impact test been applied in accordance with paragraph 014 of the PPG?</p> <p>5. In setting a local threshold have the Council considered the matters listed in paragraph 016 of the PPG and is this justified?</p>	<p><i>private investment, or on the role of centres.”</i> Para 14 of the PPG</p> <p>5. The default threshold for an impact assessment is 2,500 metre square (para 16 of the PPG). This is the size of a medium sized supermarket. Smaller schemes could potentially have an impact on the smaller local/district centres and the smaller threshold of 200 sq metres set out in Policy DM67 is fully justified.</p>	
<p>Policy DM67: Retail proposals outside or not adjacent to town, district or local centres</p>	<p>1. Should the policy apply to main town centre uses as defined in the Glossary of the NPPF as opposed to just retail development?</p> <p>2. Does the allowance for retail development of up to 200 sq m apply everywhere or does this equate to small scale rural development as referred to in paragraph 25 of the NPPF?</p> <p>3. Is an impact assessment required for all proposals?</p>	<p>1. No. This policy relates specifically to retail. The sequential approach to main town centre uses are set out in <i>Policy CS21: Retail hierarchy and provision</i> in in Core Strategy.</p> <p>2. The allowance for retail development of up to 200sq m applies to retail proposals across the district. Small scale rural offices or other small scale rural development will not be subject to a sequential test in line with paragraph 25 of the NPPF.</p> <p>3. The policy is framed in a way that ensures that where proposals are in accordance with the preferred location for retail development no impact test is required. It is based on location, the type of centre (town, district or local) and the scale of development proposed. Only where the proposal does not comply with the first choice location will the impact test be required. This is aimed at supporting the retail hierarchy. Only at the retail parks is an impact test required as standard, this is to ensure they retain their role</p>	

Policy/Document/Issue	Questions	NSC Response	Supporting Documents
		as locations for large format retail units which cannot be accommodated in the centres and do not adversely impact the primary shopping areas.	
Policy DM69: Location of sporting, cultural and community facilities	<p>1. Is it justifiable to expect all proposals to show that the sharing of existing facilities is impractical?</p> <p>2. To be consistent with retail policies should reference be made to a significant adverse impact in the last line?</p>	<p>1. This is to ensure that genuine consideration has been given to the possibility of sharing existing facilities, all options fully explored, and reasons why sharing facilities is impractical are explained at the planning application stage.</p> <p>2. Yes. Amend last line of policy to read: ...”there is no <i>significant</i> adverse effect on the vitality and viability of the relevant centres.”</p>	