

## **Development management policies - results of publication consultation February 2015**

**Policy** SP1: Presumption in favour of sustainable development

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
SP1: Presumption in favour of sustainable development	Bristol City Council (Fletcher)	8123073//1	<p>Thank you for the opportunity to comment on the above plan.</p> <p>I can confirm that Bristol City Council have no comments to make on the document.</p>	Comments noted	No change
SP1: Presumption in favour of sustainable development	Brockley Parish Council	8119457//1	<p>Although there is no mention of Brockley parish in this document, many of the policies will apply to us and they all seem to us to be well thought out. Brockley Parish Council fully supports the policies contained in the document and suggests it will clarify many contentious areas of planning in the future.</p>	Comments noted and support welcomed.	No changes necessary.
SP1: Presumption in favour of sustainable development	Campaign to Protect Rural England	705793//1	<b>Para 1</b> states		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>‘Applicants will be expected to undertake meaningful consultation with local communities <i>whenever practicable</i> and provide all necessary.....</p> <p>Meaningful consultation with local communities should always be carried out – we would ask that the words ‘whenever practicable’ be removed to ensure consultation with local communities becomes the ‘norm’ rather an exception.</p>		
SP1: Presumption in favour of sustainable development	Coal Authority	928833//6	<p><b>Policy</b> – Unstable Land</p> <p><b>Comment</b> - The Coal Authority notes that no further policy content is included within the Sites and Policies Plan on the issue of unstable land. Policy CS3 of the Core Strategy adequately addresses this policy area and meets the requirements of paragraphs 109, 120, 121 and 166 of the NPPF. As such no further policy content is considered necessary, although it should be a factor considered in site allocations.</p>	Noted. No change to the plan is needed.	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><b>CONCLUSION</b></p> <p>The Coal Authority welcomes the opportunity to make these comments. We are, of course, willing to discuss the comments made above in further detail if desired and would be happy to negotiate alternative suitable wording to address any of our concerns. The Coal Authority also wishes to continue to be consulted both informally if required and formally on future stages. The Coal Authority would be happy to enter into discussions ahead of any examination hearing process to try and reach a negotiated position if this were considered helpful.</p>		
SP1: Presumption in favour of sustainable development	Coal Authority	928833//7	<p><b>BACKGROUND ON THE COAL AUTHORITY</b></p> <p>The Coal Authority is a Non-Departmental Public Body sponsored by the Department of Energy and Climate Change (DECC). The Coal Authority was established by Parliament in 1994 to: undertake specific statutory responsibilities</p>	Noted. The council notes from other comments by the Coal Authority that the latter is happy that policy CS3 of the Core Strategy adequately covers the issue of land instability relating to the coal mining legacy. No change to the plan is needed.	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>associated with the licensing of coal mining operations in Britain; handle subsidence claims which are not the responsibility of licensed coalmine operators; deal with property and historic liability issues; and provide information on coal mining.</p> <p>The main areas of planning interest to the Coal Authority in terms of policy making relate to:</p> <ul style="list-style-type: none"> <li>• the safeguarding of coal in accordance with the advice contained in The National Planning Policy Framework and the National Planning Practice Guidance;</li> <li>• the inclusion of a suitable policy framework for energy minerals including hydrocarbons in accordance with the advice contained in the National Planning Policy Framework and the National Planning Practice Guidance; and</li> <li>• ensuring that future development is undertaken safely and reduces the future</li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>liability on the tax payer for subsidence and other mining related hazards claims arising from the legacy of coal mining in accordance with the advice in The National Planning Policy Framework and the National Planning Practice Guide.</p> <p><b>COMMENTS ON THE NORTH SOMERSET SITES AND POLICIES PLAN PART 1: DEVELOPMENT MANAGEMENT POLICIES – PUBLICATION CONSULTATION</b></p> <p>Surface Coal Resources and Prior Extraction</p> <p>As you will be aware that the northern part of the North Somerset area contains coal resources</p> <p>which are capable of extraction by surface mining operations. These resources cover an area amounting to up to approximately 25% of the North Somerset Council area.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>The Coal Authority is keen to ensure that coal resources are not unnecessarily sterilised by new development. Where this may be the case, The Coal Authority would be seeking prior extraction of the coal. Prior extraction of coal also has the benefit of removing any potential land instability problems in the process. Contact details for individual operators that may be able to assist with coal extraction in advance of development can be obtained from the Confederation of Coal Producers' website at <a href="http://www.coalpro.co.uk/members.shtml">www.coalpro.co.uk/members.shtml</a>.</p> <p>As The Coal Authority owns the coal on behalf of the state, if a development is to intersect the ground then specific written permission of The Coal Authority may be required.</p> <p>Coal Mining Legacy</p> <p>As you will be aware, the North Somerset Council area has been subjected to coal mining which will have left a legacy. Whilst most past mining is generally benign in nature,</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>potential public safety and stability problems can be triggered and uncovered by development activities.</p> <p>Problems can include collapses of mine entries and shallow coal mine workings, emissions of mine gases, incidents of spontaneous combustion, and the discharge of water from abandoned coal mines. These surface hazards can be found in any coal mining area, particularly where coal exists near to the surface, including existing residential areas.</p> <p>Within the North Somerset Council area there are approximately 172 recorded mine entries and around 15 coal mining related hazards have been reported to The Coal Authority. Mine entries may be located in built up areas, often under buildings where the owners and occupiers have no knowledge of their presence unless they have received a mining report during the property transaction. Mine entries can also be present in open space and areas of green infrastructure, potentially just under the surface of grassed areas.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Mine entries and mining legacy matters should be considered by Planning Authorities to ensure that site allocations and other policies and programmes will not lead to future public safety hazards.</p> <p>Although mining legacy occurs as a result of mineral workings, it is important that new development recognises the problems and how they can be positively addressed. However, it is important to note that land instability and mining legacy is not a complete constraint on new development; rather it can be argued that because mining legacy matters have been addressed the new development is safe, stable and sustainable.</p> <p>As The Coal Authority owns the coal and coal mine entries on behalf of the state, if a development is to intersect the ground then specific written permission of The Coal Authority may be required.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
SP1: Presumption in favour of sustainable development	Dean Scott	1026369//1	<p>I have read through North Somerset Councils outline policy SP1 and think it a very considered view and in particular the fact that it will takes an approach to secure developement that improves the economic, social and enviromental conditions in the area.</p> <p>I know the council must be under pressure from developers who have no interest in what is best for the people who live in this beatiful county just for their short term gains. It is of the upmost importance that North Somerset keeps its values and identity.</p>	Comments noted and support welcomed.	
SP1: Presumption in favour of sustainable development	Edwards	998977//1	<p>Thank you for your letter regarding Sites and Policies Plan Part 1 Development Management Policies.</p> <p>Whilst appreciating homes for the people, the figure of 14,000 to 31,000 quoted in an article in yesterdays Bristol Post, must never be allowed.</p>	Comments noted.	No changes necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
SP1: Presumption in favour of sustainable development	Federation of Small Businesses	11935137//20	Please see attached letter which provides a lot of detail about the Federation of Small Businesses and their role, and the issues faced by small businesses in North Somerset.	Comments noted.	No change needed.
SP1: Presumption in favour of sustainable development	Fisher German (E Pattison)	10397985//1	Thank you for your letter to GPSS, Government Pipelines and Storage Systems dated 13 February 2015 regarding the above. Please find attached a plan of our clients apparatus. We would ask that you contact us if any works are in the vicinity of the GPSS pipeline or alternatively go to <a href="http://www.linerearchbeforeudig.co.uk">www.linerearchbeforeudig.co.uk</a> our free online enquiry service.	Comments noted.	No change necessary.
SP1: Presumption in favour of sustainable development	Gladman Developments	9140737//1	Gladman support the provision of this policy within the North Somerset Sites and Policies Plan. The Policy is a copy of the presumption in favour of sustainable development provided for within the Framework. The adoption of the model policy approach ensures that decision making in North Somerset	Comments noted.	No changes necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>captures the cost-benefit approach as required by the Government. The Council need to ensure that other policies within the Sites and Policies plan are not in conflict with this approach.</p> <p>Please see attached document for more detailed background comments.</p> <p>Further comments in relation to Core Strategy policy CS14:</p> <p>Gladman are concerned by the approach taken by the Council as implied through the Main Modification to the remitted policies which outlines that the revised housing requirement will be delivered through Policy CS14. Gladman do not consider the approach applied by the Policy to be up-to-date in accordance with Annex 1 of the Framework. Gladman believe therefore that the approach is unsound.</p> <p>As outlined within the Core Strategy Policy CS14 establishes a priority to the use of previously developed land for new development. This approach is out-of-date, with the Framework</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>instead adopting a cost benefit approach as applied by the presumption in favour of sustainable development. There is now no priority towards the use of brownfield land ahead of greenfield as established under PPS3, with the emphasis now on securing the delivery of sustainable development, and national policy focussing on encouraging development of brownfield sites.</p> <p>The Policy is in further conflict due to the approach to development outside of the districts's main towns. The policy outlines that in rural areas new residential development will be strictly controlled with opportunities for small-scale development within service villages. The strict control of development within rural areas does not align with §55 of the Framework and PPG that outlines the need to enhance or maintain rural vitality in order to support thriving rural communities, providing a particular role for housing in the achievement of this.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>In order to address these concerns, Gladman consider that submitted applications should be considered wholly against the presumption in favour of sustainable development, as defined by Policy SP1 of the Part 1 Sites and Allocations Document.</p> <p>As evidenced by the conclusions of the Inspector into the examination of the remitted policies of the North Somerset Core Strategy, the Council cannot currently claim a five year land supply, with a land supply of at best 4.3 years. Whilst the Council may disagree with the Inspector’s assessment, it is Gladman’s submission that even with a 5.0 year land supply, the Council must continue to ensure that decisions made within the district for new housing schemes are made positively through the unhindered implementation of Policy SP1 in order to maintain a rolling five year supply. Should the Council start to refuse applications on the premise of the presence of a five year supply, then the issue of an absent five year supply will re-emerge in the near future.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>A five year supply is a fluid concept, with its maintenance of critical importance. With the delivery of every net completion/lapse in permission, new schemes will need to be found in order to replenish the supply - with further dwellings required should the full housing requirement not be met. In reality, a Council will only know this for certain following the monitoring of completions for the year however the application of this approach would in practice be unpractical due to its reactive nature. Permitting sufficient land providing in excess of five years land supply provides for a prudent approach by guaranteeing that a robust land supply can be maintained at all times. It is recommended by Gladman that the Council should seek to secure a 7 or 8 year land supply.</p> <p>Support for the implementation of this approach as advocated by Gladman is provided by the Framework, with §49 expecting Local Authorities to consider housing applications in context of the presumption in favour of sustainable development.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Gladman support the provision of this policy within the North Somerset Sites and Policies Plan. The policy is a copy of the presumption in favour of sustainable development provided for within the Framework. The adoption of the model policy approach ensures that decision making in North Somerset captures the cost benefit approach as required by the Government. The Council need to ensure that other policies within the Sites and Policies plan are not in conflict with this approach.		
SP1: Presumption in favour of sustainable development	Highways Agency	10224641//1	In line with guidance in the NPPF the Agency supports the presumption in favour of sustainable development.  Please see attached letter.	Comments noted and support welcomed.	No change needed.
SP1: Presumption in favour of sustainable development	Long Ashton Parish Council	11197185//2	This is a comment on the whole document. Long Ashton Parish Council broadly supports this document but would like to be assured that it will be properly implemented	Commented noted and support welcomed.	No change needed.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			when planning applications are received.		
SP1: Presumption in favour of sustainable development	Natural England	1018753//4	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We have considered the Sites and Policies Plan and the accompanying sustainability appraisal and draft habitats regulations assessment (HRA).</p> <p>We have also taken into account our recent discussion with you and other Council officers regarding the Sites and Policies Plan Part 1 and how the Council intends this to relate to the forthcoming Sites Allocations Plan (Part 2) and the revised Core Strategy. We also discussed the potential for the plans, collectively, to impact on the natural environment, particularly focussing on possible effects on national and European designated sites</p>	Comments noted and support welcomed.	No changes necessary to SP1.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>and legally protected species, and how the environmental assessment process for these might be best undertaken.</p> <p>We recognise that the Sites and Policies Plan is predominantly intended to provide broad district wide policy guidance, and contains limited site specific detail. Given the broad nature of the proposed policies, we largely accept that the environmental assessment process for Sites and Policies Plan Part 1 does not lend itself to a detailed or precise assessment.</p> <p>Natural England is generally satisfied that the draft Sites and Policies Plan appears to be acceptable in environmental terms, and contains a number of proposed policies that we welcome, in particular those relating to landscape, the Mendip Hills Area of Outstanding Natural Beauty (AONB) and green infrastructure.</p> <p>With the above in mind and in so far as it relates to those areas upon which Natural England is qualified to comment, we consider the Sites and</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Policies Plan (Part 1) to be generally legally compliant, sound and in conformity with the National Planning Policy Framework (NPPF).</p> <p>We would however like to make the following suggestions that we consider would improve and strengthen the Sites and Policies Plan with respect to the natural environment and provide a helpful platform for further environmental assessment later in the plan process when more is known about potential locations. This is particularly the case in respect of the North Somerset &amp; Mendip Bat SAC and Severn Estuary designated sites, which appear to be the sites most likely to be affected by the plan.</p> <p>Please see attached documents.</p>		
SP1: Presumption in favour of sustainable development	Pegasus Group	11219713//2	We support the inclusion of the principle established in paragraph 14 of the NPPF.	Support welcomed.	No change necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
SP1: Presumption in favour of sustainable development	Persimmon Homes Severn Valley (cprewett)	11809729//1	<p>Persimmon Homes Severn Valley (PHSV) consider this Policy conflicts with the Policy setting out the Presumption in Favour of Sustainable Development in the NPPF. The wording in SP1 does include slight variations from the wording in Paragraph 14. For example where there are no policies, Paragraph 14 effectively says 'planning permission will be granted unless', whereas SP1 introduces additional tests 'unless material considerations indicate otherwise' and 'taking into account whether'. The problem is this introduces the need for debate and discussion where none is really necessary when assessing the presumption in favour against specific applications and in particular considering appeal proposals.</p> <p>PHSV also note that the Policy says planning applications that accord with Core Strategies will be approved without delay. Unfortunately that has not always proved to be the case, for example the planning application for Weston Airfield Phase 2 (12/P/1510/</p>	<p>Paragraph 12 of the NPPF states "Proposed development that accords with an up-to-date Local Plan should be approved , and proposed development that conflicts should be refused unless other material considerations indicate otherwise.</p> <p>Therefore, SP1 is an combination of Para 12 and 14 of the NPPF and is perfectly clear and completely in accordance with guidance in the NPPF.</p> <p>In terms of the planning application for Weston Airfield Phase 2 (12/P/1510/OT2) this has been to committee and has got a resolution to approve the application subject to the legal agreement.</p>	No changes necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>OT2) was submitted on 24th August 2012 but still remains undetermined.</p> <p>PHSV also note that the Policy says that the Council will work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible. Again that is not currently always the case, particularly where proposals do not accord with the Core Strategy, for example where a development site is outside defined settlement boundaries. It is important that the Council does apply the words of the Policy to ensure that discussions can continue so that the only reason for refusal is that the proposal is outside the defined settlement boundary. The advantage of this is if the application is taken to appeal it will save inquiry time.</p>		
SP1: Presumption in favour of sustainable development	Wrighton Parish Council	1019201//1	<p>It is recommended that the policy wording is rewritten as follows:</p> <p><i>'Applicants will be expected to undertake meaningful consultation with local communities and to make the</i></p>	<p>Accept suggested amendments. It is reasonable to expect the results of consultation with the local community to be made publicly available. Accept point made about NDP's.</p>	<p><i>Add additional text to last sentence of the first paragraph.:</i></p> <p><i>'Applicants will be expected to undertake meaningful</i></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>resulting data readily available and to provide all necessary and reasonable information required by the council to enable it to determine the application</i>’.</p> <p>In the second paragraph the brackets should be removed from ‘<i>and, where relevant, with policies in Neighbourhood Development Plan</i>’.</p> <p>There is no reason to imply that Neighbourhood Plans have any different or lesser status since once adopted they become part of the Local Development Plan.</p> <p>Please see Wrigton Parish Council response attached.</p>		<p><i>consultation with local communities <u>and to make the resulting data readily available</u> and to provide all necessary and reasonable information required by the council to enable it to determine the application</i>’.</p> <p>In the second paragraph the brackets should be removed from ‘<i>and, where relevant, with policies in Neighbourhood Development Plan</i>’.</p>

**Policy**

**DM1: Flooding and drainage**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM1: Flooding and drainage	Dean Scott	1026369//2	Bearing in mind the events of recent times it is very important the the flood risk is a high priority when considering any developement. North Somerset's policy clearly shows a fully considered approach to flod risk will be undertaken.	Support noted and welcomed	None
DM1: Flooding and drainage	Environment Agency	11199361//1	<p>It's pleasing to see that the first policy is about flooding, but also the strong wording stated by the Council that any deviation from the National Planning Policy Framework (NPPF) or the Councils Core Strategy is not permitted. This is fully supported by the Environment Agency. As this is a development management document it would be beneficial if you could reiterate particular terminology or the core principles of NPPF by referring to:</p> <ul style="list-style-type: none"> <li>The need for the sequential test and robust Flood Risk Assessment's (FRA) being</li> </ul>	Support noted and welcomed. The policy does not repeat national policy in the NPPF, which is freestanding. The need to avoid increased flood risk, even before first occupation, could be addressed by inserting the words "at the latest" after "must be completed". This would then need to be interpreted and applied in accordance with the national policy that flood risk to third parties is not to be increased.	In the 2nd paragraph, insert the words "at the latest" after "must be completed".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>submitted with all planning applications.</p> <ul style="list-style-type: none"> <li>• Using opportunities offered by new development to reduce the causes and impacts of flooding.</li> <li>• Considering climate change and where it increases flood risk seek to relocate new development proposals.</li> </ul> <p>Our main concern is regarding the following sentence: “ Essential flood prevention and drainage works for development that include new housing must be completed prior to first residential occupation, except in the case of phased developments where alternative arrangements are agreed.”</p> <p>It is assumed that the Weston Villages developments flood risk infrastructure falls within the “phased development” approach where alternative arrangements will be made. Where critical flood risk infrastructure is required to compensate for a loss in fluvial floodplain to enable new development, this should be operational first before the development</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>commences not based on occupation. If not there is a high probability that flood risk is being increased to third parties thus contravening NPPF. This approach is important for the Banwell scheme and lessons learnt from the Weston Airfield development need to be considered as new houses were being occupied prior to the Super Pond being completed. Whilst the Super Pond is now in a more advanced operational stage not all of the water control structures are in position. The Council need to be very careful on this approach and where an alternative arrangement has been agreed enforcement needs to be more strongly led by them to ensure developers comply with the agreed FRA on infrastructure requirements.</p> <p>Even for smaller developments, that require fluvial floodplain compensation, and which are not phased in their delivery, it is assumed they will fall under the Council's "flood risk infrastructure, and must be completed prior to first residential occupation". This is a questionable approach to adopt as the infrastructure</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>must be in place and operational before the housing is being built, as there is a time period where there is an increase in flood risk.</p> <p>It is evident that the Council's drainage team have spent some time influencing the wording as it does appear to focus on surface water drainage. This is very welcomed. It's important that volumetric storage is considered as well as requesting matching runoff rates through the use of Sustainable Urban Drainage Schemes.</p> <p><b>CONTAMINATED LAND</b>                      All development proposals on land affected by contamination should only be permitted in accordance with the policies set out in the Environment Agency's Groundwater protection: Policy and practice (GP3) in order to protect both water quality and resources.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM1: Flooding and drainage	Pegasus Group	11219713//1	<p>We support the requirement for the delivery of Sustainable Urban Drainage Systems (SUDS) on sites across North Somerset, however a minor amendment to the wording of paragraph 2 should be taken, to ensure accordance with national policy.</p> <p>Following a DCLG and DEFRA consultation in 2014, a government response (dated 18 December 2014) and the accompanying Ministerial Statement (Reference HCWS161, December 2014), there is a requirement to provide SUDS on sites of 10 homes or more, "<i>unless demonstrated to be inappropriate.</i>" The Ministerial Statement clearly identifies viability alongside other considerations, as indications of when it would be inappropriate to provide SUDS.</p> <p>The current wording of paragraph 2 of draft Policy DM1 should be amended, as the statement that the requirement can only be overcome where</p> <p><i>"impractical"</i> implies physical constraints only. <i>"Impractical"</i> should</p>	Agree suggested change to "impractical or would compromise the viability of the scheme".	In 2nd paragraph, agree suggested change to "impractical or would compromise the viability of the scheme".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>be replaced with "<i>where appropriate</i>", or added to with, "<i>impractical or would compromise the viability of the scheme</i>". This will ensure the policy accords with the national position.</p> <p>Please see letter attached.</p>		
DM1: Flooding and drainage	Woodland Trust	3326881//1	<p>We would like to see inclusion of a reference here to natural flood management solutions, particularly using woods and trees.</p> <p>The Woodland Trust believes that trees and woodland can deliver a major contribution to resolving a range of water management issues, such as those resulting from climate change like flooding and also helping achieve the water quality targets of the Water Framework Directive. They offer opportunities to make positive water use change whilst also contributing to other objectives, such as biodiversity, green infrastructure and timber production - see the Woodland Trust publication <i>Woodland actions for biodiversity and their role in water</i></p>	<p>The suggested wording is a statement of fact rather than a policy requirement and as such would not be appropriate to DM1, given the specific policy aim. Tree planting can be included in the design of SuDS and the policy already sets out an expectation that SuDS will be provided. Policy DM1 should also be read in conjunction with Policy CS9 (Green Infrastructure), which promotes tree planting as a local priority.</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>management</i> - <a href="https://www.woodlandtrust.org.uk/publications/2008/03/woodland-actions-for-biodiversity-and-their-role-in-water-management/">https://www.woodlandtrust.org.uk/publications/2008/03/woodland-actions-for-biodiversity-and-their-role-in-water-management/</a>.</p> <p>In addition, a joint Environment Agency/Forestry Commission publication <i>Woodland for Water: Woodland measures for meeting Water Framework objectives</i> states clearly that: <i>'There is strong evidence to support woodland creation in appropriate locations to achieve water management and water quality objectives'</i> (Environment Agency, July 2011- <a href="http://www.forestry.gov.uk/fr/woodlandforwater">http://www.forestry.gov.uk/fr/woodlandforwater</a>).</p> <p>Whilst man-made solutions (eg flood walls and water treatment plants) will continue to play a substantial role in many schemes, it is increasingly accepted that natural approaches to water management can also offer significant benefits. What is also clear is that both approaches need to be looked at in tandem, to address both short and long term risk and to ensure</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>that more affordable and appropriate options are considered alongside costly capital schemes see Woodland Trust report <b>Stemming the Flow – The role of trees and woodland in flood protection</b> - <a href="https://www.woodlandtrust.org.uk/publications/2014/05/stemming-the-flow/">https://www.woodlandtrust.org.uk/publications/2014/05/stemming-the-flow/</a>. Replying to Parliamentary Questions in March 2014, <b>Lord De Mauley, Under Secretary of State for Natural Environment and Science</b>, supported this approach: <i>‘Trees planted in the right places can do much to help with flooding before it happens’</i>.</p> <p>The Government’s <b>Independent Panel on Forestry</b> (Defra, Final Report, July 2012) has emphasised this natural approach by stating that:</p> <p><i>‘One of the many benefits of woods and trees is their ability to help us respond to a changing climate, better enabling us to adapt to future temperature increases. We know that trees, in the right places, help us to adapt to climate change by reducing surface water flooding; reducing ambient</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>temperature through direct shade and evapo-transpiration; and by reducing building heating and air-conditioning demands.</i></p> <p>This has been endorsed by the response in the <b>Government Forestry Policy Statement</b> (Defra Jan 2013) with the key comment (p.21) <i>‘We want to see significantly more woodland in England. We believe that in many, although not all, landscapes more trees will deliver increased environmental, social and economic benefits. We particularly want to see more trees and woodlands in and around our towns and cities and where they can safeguard clean water, help manage flood risk or improve biodiversity’.</i></p> <p>A joint publication by Forest Research and Confor – <b>The Role of Productive Woodlands in Water Management</b> (March 2015) – states that: <i>‘Society is increasingly threatened by flooding, while the water environment remains seriously impacted by a range of human pressures, including diffuse water pollution. There is strong</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>evidence to support woodland creation in appropriate locations to help manage these issues....There is a strong case for further investment in well-targeted woodland creation to help meet a wide range of environmental and social goals, including contributing to the Floods Directive, Water Framework Directive, Biodiversity 2020, Greenhouse Gas reduction, climate change adaptation and growing the rural economy’.</i></p> <p>Woodland can help adaptation strategies cope with the high profile threats to water quality and volume resulting from climate change. The Forestry Commission’s publication, <b><i>The Case for Trees in development and the urban environment</i></b> (Forestry Commission, July 2010), explains how: <i>‘the capacity of trees to attenuate water flow reduces the impact of heavy rain and floods and can improve the effectiveness of Sustainable Urban Drainage Systems’.</i></p> <p>Trees can help reduce mitigate surface water flooding in urban situations too,</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>when rain water overwhelms the local drainage system, by regulating the rate at which rainfall reaches the ground and contributes to run off. Slowing the flow increases the possibility of infiltration and the ability of engineered drains to take away any excess water. This is particularly the case with large crowned trees. Research by the University of Manchester suggests that increasing tree cover in urban areas by 10% can reduce surface water run-off by almost 6%. Trees are therefore a useful component of Sustainable Urban Drainage Systems (SuDS), which are now the responsibility of Local Authorities. The Woodland Trust has produced a policy paper illustrating the benefits of trees for urban flooding – <b><i>Trees in Our Towns – the role of trees and woods in managing urban water quality and quantity</i></b> - <a href="https://www.woodlandtrust.org.uk/publications/2012/12/trees-in-our-towns/">https://www.woodlandtrust.org.uk/publications/2012/12/trees-in-our-towns/</a>.</p> <p>In rural areas, integrating trees into farming systems can improve water quality and help mitigate flooding,</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>while also supporting production, as set out in the Woodland Trust’s paper <i>Planting Trees to Protect Water – The role of trees and woods on farms in managing water quality and quantity</i> - <a href="https://www.woodlandtrust.org.uk/publications/2012/08/planting-trees-to-protect-water/">https://www.woodlandtrust.org.uk/publications/2012/08/planting-trees-to-protect-water/</a>.</p> <p>A good illustration of the role of trees delivering water outcomes in rural situations is the <i>Pontbren Project</i>, a farmer led approach to sustainable land management in the uplands which discovered that tree planting had unexpected benefits in reducing water run-off from improved grassland – see report <a href="https://www.woodlandtrust.org.uk/publications/2013/02/the-pontbren-project/">https://www.woodlandtrust.org.uk/publications/2013/02/the-pontbren-project/</a>. The <b>Government Forestry Policy Statement</b> (Defra Jan 2013, p.22) provides a good example of United Utilities planting 700 hectares of woodland in Cumbria to benefit water quality in their SCaMP project.</p> <p>The Environment Agency and Forestry Commission, together with the</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Woodland Trust, have developed a Midlands <b><i>‘Woodland for Water’</i></b> opportunity mapping exercise to prioritise those areas where woodland creation would most benefit water flow and quality - <a href="http://www.forestry.gov.uk/website/forestresearch.nsf/ByUnique/INFD-97XGXX">http://www.forestry.gov.uk/website/forestresearch.nsf/ByUnique/INFD-97XGXX</a>.</p> <p>The Government’s new agri-environment Countryside Stewardship scheme specifically targets woodland creation towards water benefits and it is therefore likely that this will represent a new funding resource for flood mitigation. The National Flood Forum too (<a href="http://www.nationalfloodforum.org.uk/about-us/">http://www.nationalfloodforum.org.uk/about-us/</a>.) is supporting community action for flooding that can link in to community tree planting schemes.</p> <p>The Woodland Trust has carried out a number of partnership riparian planting projects across the country, for instance along the Hampshire Avon and in the Lake District. Examples of <b>Woodland Trust woodland and water delivery</b></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>can be found in our <i>WoodWise</i> publication - <a href="https://www.woodlandtrust.org.uk/publications/2013/11/wood-wise-winter-2013/">https://www.woodlandtrust.org.uk/publications/2013/11/wood-wise-winter-2013/</a>.</p> <p>Some Local Authorities have already developed good policy supporting the role of trees and woodland in delivering water flow and quality benefits –</p> <p><b>Black Country Core Strategy Adopted February 2011</b></p> <p>ENV5 Flood Risk, Sustainable Drainage Systems and Urban Heat Island</p> <p>1. e) <i>Create new green space, increase tree cover and/or provide green roofs</i></p> <p><b>Forest of Dean District Council - Adopted Core Strategy February 2012</b></p> <p><b>Climate Change</b></p> <p><b>(para) 6.13</b> <i>Planning has a key role for preparing for climate change. All</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>development will be required to adapt to climate change and in doing so will need to show that the appropriate considerations have been taken into account. These include Strategic Flood Risk Assessments which can influence the location of development. Positive land management (either as part of the planning system or outside it) such as native tree planting can for example address flood risk and heating and cooling while providing other environmental benefits. Climate Change, including adaptation, is a core priority within both Community Plans and the Council's Corporate Plan. Associated risks are identified on the council's risk register in terms of the both council operations and potential impacts on the community.</i></p> <p><b>Copeland Core Strategy and Development Plan DPD (Adopted Dec 2013) Environmental Protection &amp; Enhancement</b> Para 7.2.5 <i>'In addition to engineered solutions the Council wants to encourage appropriate land management techniques to prevent and control</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>flooding. An example of this would be planting trees that would help to create a physical barrier to water, supporting the soil structure and soaking up water’.</i></p> <p><b>We would therefore like to see an additional sentence added to Policy DM1 reading: “Positive land management such as native tree planting can address flood risk and water quality issues and while also providing other environmental benefits”.</b></p>		

**Policy**

**DM2: Renewable and low carbon energy**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM2: Renewable and low carbon energy	Campaign to Protect Rural England	705793//2	<p><b>Criteria</b></p> <p>Bullet</p> <p><b>Living conditions, including noise and visual impacts including cumulative impact on the landscape</b></p> <p>Lighting should also be considered as part of the visual impacts.</p> <p>Sites should be selected to minimise the infrastructure and connectivity impact of any development.</p>	<p>It is expected that any lighting associated with development, will be considered as part of the visual impact of the proposed development. Both the solar PV array and wind turbine SPD's offer guidance on consideration for required lighting on development sites.</p> <p>The costs of energy transmission and the associated infrastructure costs are likely to mean that these costs are kept to a minimum, so the requirement to stipulate is unnecessary.</p>	No change required.
DM2: Renewable and low carbon energy	Environment Agency	11199361//4	<p>There is a need to take account of impacts outside the local natural environment, for example the sourcing and transport of construction materials.</p>	<p>This level of detail is not provided in this document, please refer to the Creating Sustainable Buildings and Places Supplementary Planning Document (SPD), which does detail this requirement. The SPD also provides guidance on meeting the</p>	No change required.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				renewable and low carbon energy requirement from new development.	
DM2: Renewable and low carbon energy	Hallam Land Management (F Robinson)	11931457//1	<p>Policy DM2 refers to proposals for renewable and low carbon energy installations setting out the conditions within which such proposals will be supported in principle. Notwithstanding the context of this policy that specifically relates to proposals for renewable and local carbon development, the penultimate paragraph is ambiguous, as currently drafted.</p> <p>It states</p> <p><i>"All new development will also be required to demonstrate the application of renewable and low carbon energy generation as part of the energy strategy for that site"</i></p> <p>The implications of this wording that all new development, regardless of scale, type or land use will need to prepare an energy strategy is a relatively onerous requirement. This is</p>	<p>All new development is required to meet some of its predicted energy demand through the use of renewable and/or low carbon energy generation. This is set out in Core Strategy policy CS2: Delivering Sustainable Design and Construction. Likewise, all new residential developments (excluding conversions) and non-residential developments with a floor area over 500m2 are required to submit an energy/sustainability statement, which should set out how this renewable/low carbon energy generation will be met.</p>	No change required.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			inconsistent with national policy and unjustified and may lead to a requirement for on-site renewable energy above provision required to meet building standards and or the nationally agreed standards being produced by the Government. There is no imperative to do so.		
DM2: Renewable and low carbon energy	Persimmon Homes Severn Valley (cprewett)	11809729//3	<p>DM2: Renewable and Low Carbon Energy</p> <p>Persimmon Homes Severn Valley (PHSV) objects to Policy DM2. Whilst acknowledging the importance of climate change and the policy shift towards renewable and low carbon energy in planning, the Policy as drafted is unsound and inconsistent with NPPF Paragraph 97. The Policy requires that all new development would be required to demonstrate the application of renewable and low carbon energy regeneration but this would not always be viable, feasible or appropriate. The last bullet point of</p>	<p>Policy DM2 is consistent with adopted Core Strategy policy CS2:Delivering Sustainable Design and Construction. Clause 2 of this policy requires all new development to meet a required percentage of predicted energy demand through the use of renewable and/or low carbon energy generation methods. The housing standards review does not affect this part of policy CS2. This is outlined in more detail in the recently adopted Creating Sustainable Buildings and Places Supplementary Planning Document (SPD), which can be viewed here: <a href="http://www.n-somerset.gov.uk/Environment/Planning_policy_and-">http://www.n-somerset.gov.uk/Environment/Planning_policy_and-</a></p>	No changes required.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>NPPF 97 requires the need to ‘identify opportunities’ and the Policy should follow the same format. PHSV therefore suggest that this part of the Policy should be reworded to say ‘all new development will also be required to identify opportunities for the application of renewable and low carbon energy regeneration as part of the energy strategy for that site’.</p> <p>In addition the viability test should apply to the whole Policy not just to the application of district heating.</p> <p>We also note that DCLG are preparing a Housing Standards Review which will mean applicants will only have to meet new consolidated building regulations. The Government are expected to issue a Planning Statement on this in the near future.</p>	<p><a href="#">research/Pages/Supplementary-planning-advice.aspx</a></p> <p>Viability and feasibility of the use of technologies will be taken into consideration.</p> <p>The last bullet of para 97 of the NPPF does not directly relate to DM2, so we will not alter the wording of this. We did commission work to identify where the best wind and solar resources are located for developments to utilise this, this report can be viewed on our website: <a href="http://www.n-somerset.gov.uk/renewables">www.n-somerset.gov.uk/renewables</a></p>	

Policy

DM3: Conservation areas

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM3: Conservation areas	English Heritage (R Torkildsen)	8140417//1	<p><b>‘Heritage Assets’</b></p> <p>I presume the title only relates to Policies DM3 to DM7?</p> <p><b>DM3: Conservation Areas</b></p> <p>To ensure consideration of the impact from any development adjoining or beyond any conservation area the following additional text is suggested.</p> <p><i>Development within or which would affect the setting of a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance.</i></p>	<p>The "Heritage Assets" title does just refer to DM3-DM7. Suggested amendments accepted. Add the additional text to start of policy DM3 Conservation Areas:</p> <p><i>Development within or which would affect the setting of a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance.</i></p> <p>In relation to comments submitted for DM32: High Quality Design, these are better addressed within this policy by incorporating the proposed wording for DM32 into the 2nd bullet of DM3. The second bullet point of DM3 would then read:</p> <p>"Ensure that new development will not cause harm to the existing character and appearance of the Conservation Area and wherever possible positively</p>	<p>Add the additional text to the start of policy DM3 Conservation Areas:</p> <p><i>Development within or which would affect the setting of a conservation area will be expected to preserve or, where appropriate, enhance those elements which contribute to their special character or appearance.</i></p> <p>Amend 2nd bullet point to read:</p> <p>"Ensure that new development will not cause harm to the existing character and appearance of the Conservation Area and wherever possible positively enhance it, <u>and the setting of heritage assets, to better reveal their significance.</u>"</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				enhance it, <u>and the setting of heritage assets, to better reveal their significance.</u> "	

**Policy**

**DM4: Listed buildings**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM4: Listed buildings	Persimmon Homes Severn Valley (cprewett)	11809729//4	The clarity of the Policy would be aided if it was reworded to say 'development to a listed building will be expected to .....	<p>The addition of the suggested wording would limit the policy to apply only to the listed building and not builds adjacent to the listed building. Para 126 and 131 of the NPPF state that "local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets" and "the desirability of new development making a positive contribution to local character and distinctiveness".</p> <p>Therefore, the current wording allows for the protection of the setting of listed buildings and well as the listed buildings themselves.</p>	No change necessary.

**Policy**

**DM5: Historic parks and gardens**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM5: Historic parks and gardens	English Heritage (R Torkildsen)	8140417//2	<p>For the sake of clarity it may be beneficial to include the following:</p> <p><i>Development will be expected to conserve the design, character, appearance and settings of North Somerset's historic parks and gardens to safeguard their significance including those features which form an integral part of their special character or appearance.</i></p>	<p>Suggested amendments accepted. Insert the following text after the first sentence:</p> <p><i>Development will be expected to conserve the design, character, appearance and settings of North Somerset's historic parks and gardens to safeguard their significance including those features which form an integral part of their special character or appearance.</i></p>	<p>Insert the following text after the first sentence:</p> <p><i>Development will be expected to conserve the design, character, appearance and settings of North Somerset's historic parks and gardens to safeguard their significance including those features which form an integral part of their special character or appearance.</i></p>
DM5: Historic parks and gardens	Persimmon Homes Severn Valley (cprewett)	11809729//5	<p>Persimmon Homes Severn Valley considers the second paragraph of this Policy lacks clarity. It is not clear where this paragraph applies. From the supporting text the assumption is it applies to the setting of historic parks and gardens as distinct from the third paragraph which applies within historic parks and gardens. The Policy needs to make this distinction clear.</p>	<p>Comments accepted. Amend policy text to read:</p> <p>"Where significant development is proposed <i>which is likely to affect the setting of a Historic Park or Garden, identified on the Proposals Map</i>, applicants will be required to provide historic landscape assessments before planning applications are determined".</p>	<p>Amend second paragraph to read:</p> <p>"Where significant development is proposed <i>which is likely to affect the setting of a Historic Park or Garden, identified on the Proposals Map</i>, applicants will be required to provide historic</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
					landscape assessments before planning applications are determined".

**Policy**

**DM6: Archaeology**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM6: Archaeology	Pegasus Group	11219713//3	<p>This policy requires re-wording to ensure compliance with the Planning Practice Guidance (PPG). The policy currently states that where there is</p> <p><i>"good reason"</i> to believe that development proposals could affect archaeological remains, the Council will seek an archaeological assessment and field evaluation. The PPG is clear however that a field evaluation will not be necessary in all instances, given the requirement to ensure that a proportionate response in respect to information and surveying is taken by local authorities (section 18a paragraph 040 06-03-2014). This should be reflected in the draft policy.</p>	<p>The Policy allows the flexibility to assess the potential affect of development proposals on archaeological remains on a case by case basis. Requests for an archaeological assessment and field evaluation will be based on sound evidence and will be required to form part of the information base used to determine an application.</p>	No changes necessary.
DM6: Archaeology	Persimmon Homes Severn Valley (cprewett)	11809729//6	<p>The Policy states that where there is 'good reason to believe' that development proposals could affect archaeological remains, the Local Planning Authority will seek 'an</p>	<p>The Policy allows the flexibility to assess the potential affect of development proposals on archaeological remains on a case by case basis. Requests for an</p>	No changes necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Archaeological Assessment and Field Evaluation' to establish the extent and importance of the remains 'before the planning application is determined'. Persimmon Homes Severn Valley considers this approach could result in requirements for field evaluations to be undertaken without due cause, and delays in the determination of planning applications whereas the appropriate approach would be to impose a Planning Condition.</p>	<p>archaeological assessment and field evaluation will be based on sound evidence and will be required to form part of the information base used to determine an application.</p>	

## Policy

## DM7: Non-designated heritage assets

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM7: Non-designated heritage assets	Pegasus Group	11219713//4	<p>The protection of non-designated heritage assets is noted, however the policy should recognise the commensurate protection required for such un-designated assets.</p> <p>The PPG recognises the role of non-designated heritage assets, and encourages local authorities to create a published local criteria, against which their significance should be judged (Section 18a, paragraph 041, 06-03-2014). It is noted that the Council reference English Heritage's Good Practice Guidance on Local Heritage Listing (May 2012). This document could not be located online. In line with the PPG, this guidance should be used to create local criteria, and inserted into this policy to provide detail. This will ensure the policy is effective, in line with the requirements of paragraph 182 of the NPPF.</p>	<p>English Heritage's Good Practice Guide for Local Heritage Listing (May 2012) provides a level of guidance that is very detailed and should be read as a comprehensive document. To pull extracts from the document for inclusion in this policy would fragment this detailed guidance and risk the guidance being read out of context.</p> <p>On 1st April 2015 the Historic Buildings and Monuments Commission for England changed its common name from English Heritage to Historic England. Therefore, the supporting text to the policy needs to be amended to reflect this change.</p> <p>Proposed change - change all references to English Heritage in the supporting text to Historic England.</p>	Change all references to English Heritage in the supporting text to Historic England.

**Policy**

**DM8: Nature conservation**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM8: Nature conservation	Environment Agency	11199361//5	We support this policy; however the final bullet point of this policy would be better to read “ <i>light averse</i> ” wildlife rather than “nocturnal”?	Support welcomed and suggested change accepted. Amend final bullet point of this policy to read “ <i>light averse</i> ” wildlife rather than “nocturnal”.	Amend final bullet point of this policy to read “ <i>light averse</i> ” wildlife rather than “nocturnal”.
DM8: Nature conservation	Hallam Land Management (F Robinson)	11931457//2	<p>Policy DM8 requires biodiversity proposals to take into account their impact on local biodiversity.</p> <p>With reference to Sites of International and National Importance, specifically, where proposals would fall within the North Somerset and Mendip Bats SAC consultation area, the fourth paragraph of the policy, as worded, would require mitigation measures to include site design and lighting strategies. This approach is not justified.</p> <p>The implications of the policy as currently drafted imply that all development within the consultation area would require mitigation measure</p>	<p><i>Add other comments here (CC)</i></p> <p>Para 125 of the NPPF states "By encouraging good design planning policies should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation". The last bullet point of this policy is consistent with this approach.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>through design and lighting strategies. This is patently not the case, the 4km boundary is merely a zone within which Natural England will be consulted upon proposals that fall within this area, and would not necessarily result in harm that would require any such mitigation measures.</p> <p>In order to make the plan sound this paragraph should be reworded as follows</p> <p>"The North Somerset and Mendip Bats SAC consultation area is defined on the Proposals Map. The consultation will identify the potential impact of the proposed development in respect of, for example, bat navigation and foraging habitats and identify appropriate mitigation measures through that could include appropriate site design and lighting strategies where demonstrated necessary".</p> <p>Paragraph 8 of the policy sets out a list of requirements for which development proposals should make provision for. The wording of this policy is not</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>consistent with national policy, which refers only to a need for proposals to "encourage" opportunities to incorporate biodiversity in and around development. To provide greater flexibility and an approach that is justified in the context of the site and the nature and scale of development and to ensure the policy is consistency with national policy, paragraph 8 should be re-worded.</p> <p>"Development proposals should ensure that, where appropriate and necessary, provision is made for"...</p> <p>The policy goes onto discuss Ecological Mitigation Measures, and specifically a requirement for proposals to be accompanied by an up to date ecological survey assessment. The policy then identifies a list of requirements that any such assessment will include. The final (5th) bullet point in this list refers to the need for assessments to include effective lighting design to avoid light spill.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>As currently drafted, this is not justified. Ecological assessments are not required to include details relating to lighting design as a default, again a proportionate approach should be adopted, dependent on the location, nature and scale of development.</p> <p>In order to make the plan sound the final bullet should be reworded as follows</p> <p>"effective lighting design to avoid artificial light spill to wildlife habitats/ corridors to avoid impacts on nocturnal wildlife, where applicable and necessary".</p>		
DM8: Nature conservation	Natural England	1018753//1	<p>Policy DM8 Nature conservation</p> <p>While we welcome the references to the North Somerset &amp; Mendip Bat SAC, we would encourage the Council to consider including a reference to the preparation of detailed guidance for the SAC (should that be agreed) and to its</p>	<p>Comments noted and welcomed. Include reference to the production of detail guidance on the North Somerset &amp; Mendip Bat SAC within the justification for the policy.</p> <p>Will also include an additional sentence under <b>Sites of International and</b></p>	<p>Add sentence under <b>Sites of International and National Importance</b> which reads:</p> <p><i>"The Severn Estuary SAC, SPA and Ramsar site is defined on the Proposals Map. Any proposals that could affect the</i></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>relevance for future proposed development in and around the 5km zone. As part of the</p> <p><i>Improvement programme for England's Natura 2000 sites (IPENS)</i> Natural England has identified that "development on the land between the sites that make up the North Somerset and Mendip SAC could have an impact on bats through loss of foraging habitat, loss of minor roost sites, and disruption of flightpaths (the latter particularly through light pollution)" and identified the following action to address this – "Produce and promote advice and guidance on development control and strategic planning."</p> <p>We would also encourage the Council to include within this policy a specific reference to ensuring the protection of the Severn Estuary SAC, SPA and Ramsar site. We advise that the plan makes clear the need for adequate survey and assessment of cumulative, in-combination and offsite impacts (drainage, disturbance, runoff, impacts on managed realignment etc.) where</p>	<p><b>National Importance</b> about the protection of the Severn Estuary SAC, SPA and Ramsar site and the need for adequate survey and assessment of cumulative, in-combination and offsite impacts (drainage, disturbance, runoff, impacts on managed realignment etc.) where proposals that could affect the sensitive bird species and other habitats and species of the Estuary are brought forward.</p>	<p><i>sensitive bird species and other habitats and species of the Estuary will need to carry out adequate surveys and assessments of the cumulative, in-combination and offsite impacts (drainage, disturbance, runoff, impacts on managed realignment etc.) of the scheme".</i></p> <p>Add the following text to the end of the second paragraph of the supporting text:</p> <p><i>"Following consultation with Natural England North Somerset Council are looking into producing detailed guidance on the North Somerset &amp; Mendip Bat SAC for future proposed development in and around the 5km zone."</i></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>proposals that could affect the sensitive bird species and other habitats and species of the Estuary are brought forward,.</p> <p>This would ensure there would be a hook in the overarching policy to support site specific policies for relevant site allocations when these are eventually determined within the proposed Site Allocations Plan (Part 2).</p>		
DM8: Nature conservation	Parish Council's Airport Association	11840097//1	Bristol Airport is situated in a rural landscape and can be seen from the Mendip Hills, an Area of Outstanding Natural Beauty. Any further expansion beyond 10 million passengers per annum will undoubtedly impact upon policies above and will have many detrimental affects, such as loss of biodiversity and tranquillity.	Comments noted.	No change necessary
DM8: Nature conservation	Pegasus Group	11219713//5	We support this draft policy however the detail indicated in respect to the information to be included within the	Policy DM8 sets out what an ecology survey assessment submitted with an application is expected to include. This	No change needed.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>ecology survey assessment is inappropriate. In particular, issues such as lighting design and mitigation measures are frequently not defined by the application submission stage. Whilst submitted ecology reports would make recommendations, these will require further consideration at a later stage in the application process. This is notable when considering an outline planning application.</p> <p>It is noted that the NPPF does not allow a refusal of permission where measures can be secured through appropriate conditions (paragraph 176); submission of a lighting plan or ecological mitigation strategy are frequently conditions.</p> <p>Amendment of the policy should be undertaken to illustrate the information requirements are indicative.</p>	<p>is considered to provide a reasonable and appropriate level of information to enable an assessment of the ecological impact of any development from the outset. If this level of information is left until later in the application process then it could delay the progression of the application.</p>	

## Policy

## DM9: Trees

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM9: Trees	Gladman Developments	9140737//4	Whilst it is always the aim in any proposal to protect and retain existing trees on a site it is not always possible. Whilst Gladman note the provision for replacement trees in the Policy, we believe that the Policy should be made more flexible to allow for consideration of the quality and health of existing trees on site, enabling trees that are found to be in a bad state of health to be removed so long as they do not provide an active habitat for a protected species. Sites should not be simply refused where there is a loss of tree cover, with the issue instead more appropriately considered within the planning balance.	Agree more flexibility in terms of tree compensation would be useful. Add suggested text to the justification:  <i><u>"Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</u></i>	Amend second paragraph of justification text to read:  <i><u>"in accordance with Table 1 below: . Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</u></i>
DM9: Trees	Hallam Land Management (F Robinson)	11931457//3	Table 1 sets out the tree standards that would be sought in relation to any tree compensation that may be required. It is noted that for a loss of trees <15 in trunk diameter, the minimum size of	Agree more flexibility in terms of tree compensation would be useful. Add suggested text to the justification:  <i><u>"Table 1 is a starting point, and planting schemes that include a</u></i>	Amend second paragraph of justification text to read:  <i><u>"in accordance with Table 1 below: . Table 1 is a starting point, and planting schemes</u></i>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>replacement tree stock is subject to negotiation, however for any tree loss above 15m in diameter, the Council apply a rigid 14-16cm stock size and number for any such replacements. It is considered that this approach is too prescriptive, and doesn't allow the flexibility that is necessary to ensure that an appropriate planting strategy that takes into account the tree species, and physical site context.</p> <p>The policy could be made sound through the introduction of additional wording that states</p> <p>"Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis."</p>	<p><u>requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</u></p>	<p><u>that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</u></p>
DM9: Trees	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//2	<p>The 'Compensation Tree Standard' set out in Table 1 is too prescriptive and should not be construed as a requirement in each and every instance.</p>	<p>Agree more flexibility in terms of tree compensation would be useful. Add suggested text to the justification:</p>	<p>Amend second paragraph of justification text to read:</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Regard should be had to the ‘quality’ of the specimens to be removed together with the practicality and desirability of their replacement with the prescribed numbers and of the prescribed size. There may be circumstances where removal without replacement is advantageous, for example, to ensure beneficial and usable public space, or where replacement with a lesser number of specimen trees is to be preferred. The policy should allow for this flexibility.</p> <p>The justification to the policy should be amended to make it clear that the Compensation Tree Standard set out in Table 1 is a guide to the Council’s expectations but should not be considered to be prescriptive in all circumstances.</p>	<p><i>"Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</i></p>	<p><i>"in-accordance with Table 1 below". Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</i></p>
DM9: Trees	Moor Park (North Somerset) Ltd	11854337//1	<p>The ‘Compensation Tree Standard’ set out in Table 1 is too prescriptive and should not be construed as a requirement in each and every instance.</p>	<p>Agree more flexibility in terms of tree compensation would be useful. Add suggested text to the justification:</p>	<p>Amend second paragraph of justification text to read:</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Regard should be had to the 'quality' of the specimens to be removed together with the practicality and desirability of their replacement with the prescribed numbers and of the prescribed size. There may be circumstances where removal without replacement is advantageous, for example, to ensure beneficial and usable public space, or where replacement with a lesser number of specimen trees is to be preferred. The policy should allow for this flexibility.</p> <p>The justification for the policy should be amended to make it clear that the Compensation Tree Standard set out in Table 1 is a guide to the Council's expectations but should not be considered to be prescriptive in all circumstances.</p>	<p><i>"Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</i></p>	<p><i>"in accordance with Table 1 below". Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</i></p>
DM9: Trees	Parish Council's Airport Association	11840097//2	<p>Bristol Airport is situated in a rural landscape and can be seen from the Mendip Hills, an Area of Outstanding Natural Beauty. Any further expansion</p>	<p>Comments noted.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			beyond 10 million passengers per annum will undoubtedly impact upon policies above and will have many detrimental affects, such as loss of biodiversity and tranquillity.		
DM9: Trees	Pegasus Group	11219713//6	<p>The drafted policy itself is supported, and it is noted that whilst seeking the protection of trees, it provides a flexible approach to allow responses to site specific conditions.</p> <p>The justification text, and accompanying Table 1, requiring the planting of 'compensation trees' is questioned. We would ask for publication of the evidence base which forms the basis for the compensation tree standard.</p>	<p>Agree more flexibility in terms of tree compensation would be useful. Add suggested text to the justification:</p> <p><u>"Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</u></p>	<p>Amend second paragraph of justification text to read:</p> <p><u>"in accordance with Table 1 below: . Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will be subject to negotiation and considered on a case by case basis".</u></p>
DM9: Trees	Persimmon Homes Severn Valley (cprewett)	11809729//7	<p>Persimmon Homes Severn Valley objects to the introduction of the numerical standard for replacement trees. This approach is too rigid. It takes no account of design, quality and the landscape design proposals for the development, which is the appropriate</p>	<p>Agree more flexibility in terms of tree compensation would be useful. Add suggested text to the justification:</p> <p><u>"Table 1 is a starting point, and planting schemes that include a requirement for tree compensation will</u></p>	<p>Amend second paragraph of justification text to read:</p> <p><u>"in accordance with Table 1 below: . Table 1 is a starting point, and planting schemes that include a requirement for</u></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>vehicle for assessing proposals for replacement of trees. There is nothing within the justification for the Policy in the SA to justify this approach. It is more important to respond to the particular characteristics of the site on its merits. In our view the Tree Compensation Standard should be deleted and the following should be added to the Policy:</p> <p><i>'Where trees are necessarily lost to development, suitable replacement should be provided as part of the overall landscaping scheme for the site'.</i></p> <p>We note that the Consultation Draft of the South Gloucestershire Sites and Places Development Plan Document previously included a similar numerical standard which has now been deleted in the Council approved Submission Version of the Plan.</p>	<p><i><u>be subject to negotiation and considered on a case by case basis".</u></i></p>	<p><i><u>tree compensation will be subject to negotiation and considered on a case by case basis".</u></i></p>
DM9: Trees	Woodland Trust	3326881//2	<p>Whilst we are very pleased to see a dedicated policy specifically for trees, we have a number of comments –</p>	<p>Accept suggested new heading of "Trees and woodland".</p>	<p>Change heading of policy to "Trees and Woodlands".</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>1. We would like to see the policy headed ‘Trees and Woodland’ to reflect the full extent of the treed habitat.</p> <p>2. We are objecting to the caveat wording ‘where possible’ in the 7th bullet point (<i>‘protect ancient woodland and veteran trees where possible, particularly where these provide important habitats’</i>) because, not only are ancient woodland and veteran trees irreplaceable habitats, but also because this goes against the absolute protection already provided in the <b>North Somerset Council Core Strategy</b> Adopted April 2012</p> <p>–</p> <p><b><i>Policy CS4: Nature conservation</i></b></p> <p><i>North Somerset contains outstanding wildlife habitats and species. These include limestone grasslands, traditional orchards, wetlands, rhynes, commons, hedgerows, ancient woodlands and the Severn Estuary. Key species include rare horseshoe bats,</i></p>	<p>Accept suggestion to remove "where possible" from bullet point 7 of the policy in line with policy CS4.</p>	<p>Remove "where possible" from bullet point 7.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>otters, wildfowl and wading birds, slow-worms and water voles.</i></p> <p><i>The biodiversity of North Somerset will be maintained and enhanced by:...</i></p> <p><i>3) seeking to protect, connect and enhance important habitats, particularly designated sites, ancient woodlands and veteran trees’.</i></p> <p>Emerging national policy is increasingly supportive of absolute protection of ancient woodland and ancient trees. The <b>Communities and Local Government (CLG) Select Committee</b> published its report following its June 2014 inquiry into the ‘<b>Operation of the National Planning Policy Framework (NPPF)</b>’, in which it has specifically recognised the need for better protection for ancient woodland (Tues 16th Dec 2014). The <b>CLG Select Committee report</b> states: <i>‘We agree that ancient woodland should be protected by the planning system. Woodland that is over 400 years old cannot be replaced and should be awarded the same level of</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>protection as our built heritage. We recommend that the Government amend paragraph 118 of the NPPF to state that any loss of ancient woodland should be “wholly exceptional”. We further recommend that the Government initiate work with Natural England and the Woodland Trust to establish whether more ancient woodland could be designated as sites of special scientific interest and to consider what the barriers to designation might be.’</i></p> <p><a href="http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/190.pdf">http://www.publications.parliament.uk/pa/cm201415/cmselect/cmcomloc/190/190.pdf</a> .</p> <p>This shows a clear direction of travel, recognising that the NPPF does not currently provide sufficient protection for ancient woodland. Until the NPPF is amended there is a clear role for Local Plans and associated documents to provide this improved level of protection and to ensure that irreplaceable habitats get the same level of protection as heritage assets enjoy under the NPPF.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>This recommendation should also be considered in conjunction with other - stronger - national policies on ancient woodland -</p> <ul style="list-style-type: none"> <li>• The Government’s policy document ‘<b>Keepers of Time – A statement of Policy for England’s Ancient &amp; Native Woodland</b>’ (Defra/Forestry Commission, 2005, p.10) states: ‘<i>The existing area of ancient woodland should be maintained and there should be a net increase in the area of native woodland</i>’.</li> <li>• The Government’s <b>Independent Panel on Forestry</b> states: ‘<i>Government should reconfirm the policy approach set out in the Open Habitats Policy and Ancient Woodland Policy (Keepers of Time – A statement of policy for England’s ancient and native woodland).....Reflect the value of ancient woodlands, trees of special interest, for example veteran trees, and other priority</i></li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>habitats in Local Plans, and refuse planning permission for developments that would have an adverse impact on them.</i> (Defra, Final Report, July 2012). This has been endorsed by the response in the <b>Government Forestry Policy Statement</b> (Defra Jan 2013): <i>'We recognise the value of our native and ancient woodland and the importance of restoring open habitats as well as the need to restore plantations on ancient woodland sites. We, therefore, confirm our commitment to the policies set out in both the Open Habitats Policy and Keepers of Time, our statement of policy for England's ancient and native woodland'</i>.</p> <p>With North Somerset Council showing an above average ancient woodland resource at 3.05% of land area compared to a UK average of 2.47%, it is vital that this valuable natural resource is absolutely protected.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>There are good examples of other local authorities adopting absolute protection of ancient woodland –</p> <p><b>The Bristol City Council - Site Allocations and Development Management Policies</b> (Adopted July 2014) [part of Local Plan) states that</p> <p>Policy DM17: Development Involving Existing Green Infrastructure</p> <p><i>“Trees</i></p> <p><i>All new development should integrate important existing trees. Development which would result in the loss of Ancient Woodland, Aged trees or Veteran trees will not be permitted”.</i></p> <p><b>Lichfield District Local Pan Strategy 2008-2029 - Adopted February 2015</b></p> <p><b>Policy NR4: Trees, Woodland &amp; Hedgerows</b></p> <p><i>In the case of ancient woodland and veteran tree(s), development will be resisted as mitigation for these unique assets cannot be achieved. Space will</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>be made within developments to accommodate veteran trees and ancient woodland including sufficient land around the ancient woodland to allow for expansion through natural regeneration and ongoing long term management.</i></p> <p><b>Explanation</b></p> <p><b>11.19</b></p> <p><i>The policy recognises the uniqueness of veteran trees. Due to their age and importance for biodiversity their replacement and relocation is usually not possible, adequate protection and buffering within developments including sufficient land to allow their unique habitat to mature is therefore essential. Ancient Woodlands once lost cannot be recreated, their unique character and valuable biodiversity resource will be safeguarded and not allowed to be lost or deteriorate where avoidable. Development should buffer any ancient woodland it affects by providing sufficient space around the ancient woodland to allow expansion</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>through natural regeneration and ongoing long term management.</i></p> <p><b>11.20</b></p> <p><i>Lichfield District has only 1.04% of ancient woodland compared to the GB average of 2.40%, therefore it is especially important that this is protected in line with UK BAP requirements (i.e. No net loss of ancient woodland).</i></p> <p><b>We would therefore like to see the 7th bullet point of Policy DM9 amended to remove the caveat and to conform with the North Somerset Core Strategy – “protect ancient woodland and veteran trees particularly where these provide important habitats”.</b></p>		

**Policy** **DM10: Landscape**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM10: Landscape	Campaign to Protect Rural England	705793//3	<p><b>Bullet 3</b></p> <p>Where <i>appropriate</i> respect the tranquillity of an area.</p> <p>The word ‘appropriate’ should be removed and the bullet point read – ‘development should respect the tranquillity of an area’.</p> <p>Tranquillity does not necessarily have an absence of buildings or human presence but is impacted by major development and infrastructure creating visual, noise and lighting impacts.</p>	Accept suggested change.	Remove the word "appropriate" from third bullet point.
DM10: Landscape	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//3	The requirement in the first bullet point of the policy is unrealistic and could conflict with the requirement to meet objectively assessed needs for development. The latter requirement is likely to necessitate urban extensions, and the constraints of Green Belt and other designations affecting many parts	Policy DM10 aims to protect the landscape character of North Somerset, particularly areas that have high visual value and a strong local landscape character. Obviously any future housing development will have an impact on the landscape character of the district, but it is important	No change needed.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>of the district may inevitably require compromises to be made in respect of some areas of landscape character surrounding sustainable urban settlements. It is arguable that any urban extension into the surrounding countryside is likely to have an impact on landscape character, if only by virtue of the fact that the character of the location will change for rural to urban.</p> <p>Amend the requirement for ‘all’ development proposals not to adversely affect landscape character to require necessary development to ‘minimise’ adverse effects as far as is reasonably practical. It should be acknowledged in the justification that accommodating objectively assessed needs in sustainable locations may in some circumstances result in adverse impacts.</p>	<p>the landscape qualities of an area are a key consideration in the siting, design and layout of any new development and any adverse impact is mitigated against.</p>	
DM10: Landscape	Moor Park (North Somerset) Ltd (T Rocke)	11854273//2	The requirement in the first bullet point of the policy is unrealistic and could	Policy DM10 aims to protect the landscape character of North Somerset,	No change necessary

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>conflict with the requirement to meet objectively assessed needs for development. The latter requirement is likely to necessitate urban extensions, and the constraints of Green Belt and other designations affecting many parts of the district may inevitably require compromises to be made in respect of some areas of landscape character surrounding sustainable urban settlements. It is arguable that any urban extension into the surrounding countryside is likely to have an impact on landscape character, if only by virtue of the fact that the character of the location will change for rural to urban.</p> <p>Amend the requirement for ‘all’ development proposals not to adversely affect landscape character to require necessary development to ‘minimise’ adverse effects as far as is reasonably practical. It should be acknowledged in the justification that accommodating objectively assessed needs in sustainable locations may in some circumstances result in adverse impacts.</p>	<p>particularly areas that have high visual value and a strong local landscape character. Obviously any future housing development will have an impact on the landscape character of the district, but it is important the landscape qualities of an area are a key consideration in the siting, design and layout of any new development and any adverse impact is mitigated against.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM10: Landscape	Parish Council's Airport Association	11840097//3	Bristol Airport is situated in a rural landscape and can be seen from the Mendip Hills, an Area of Outstanding Natural Beauty. Any further expansion beyond 10 million passengers per annum will undoubtedly impact upon policies above and will have many detrimental affects, such as loss of biodiversity and tranquillity.	Comments noted.	None
DM10: Landscape	Pegasus Group	11219713//7	<p>The policy does not recognise the commensurate status of landscape areas, as noted in paragraph 113 of the NPPF.</p> <p>The term 'designated landscape character' is misleading. Landscape character is not a designation in the planning context, and this should be amended. It is also noted that an "<i>adverse affect</i>" on a landscape character area is not an appropriate test. For example, there may be localised harm, or negligible adverse harm to the landscape character, but development may still be appropriate.</p>	<p>The terms "designated landscape character" is referring to the local designations attributed to the districts landscape within the North Somerset Landscape Character Assessment.</p> <p>Para 123 of the NPPF states that policies should aim to identify <i>and protect</i> areas of tranquillity. This policy aims to protect areas of tranquillity.</p>	No change needed.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>The application of paragraph 123 of the NPPF in this policy is not in accordance with the approach detailed in national policy. The NPPF allows local authorities to designate, within their Local Plans, areas of tranquillity and outline subsequent policies of protection. The NPPF does not introduce an ad-hoc ‘tranquillity’ protection which can be applied against individual planning applications. This part of the draft policy should be amended.</p>		

**Policy**

**DM11: Mendip Hills AONB**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM11: Mendip Hills AONB	Moor Park (North Somerset) Ltd (T Roche)	11854273//3	<p>Landscape outside the AONB is subject to the protection of Policy DM10. This affords any necessary protection to the setting of the AONB designation. The locus of Policy DM11 should be confined to landscape within the AONB, otherwise the distinctions become blurred. In accordance with the NPPF the level of protection that is afforded to valued landscapes outside the AONB is not subject to the 'great weight' that applies within it. This distinction should be maintained.</p> <p>Amend the policy to relate exclusively to landscape within the AONB, and to remove any reference / inference of protection to landscapes outside the designation, which are satisfactorily protected by Policy DM10.</p>	<p>The views from the AONB form an important part of its setting and are a key consideration when assessing proposals within and outside of the AONB boundary. Policy DM10 does not specifically refer to the AONB, and the protection of the setting of the AONB should be covered within Policy DM11.</p>	<p>No change necessary.</p>

**Policy**

**DM12: Development within the green belt**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM12: Development within the green belt	Bristol Airport (E Summers)	10921473//1	Through the Core Strategy consultations and examinations to date, Bristol Airport has clearly set out why it is inappropriate to designate land within the demise of the overarching 2011 planning permission (Ref. 09/P/1020/OT2) as part of the Green Belt. We would like to take this opportunity to reinforce our position on the demarcation of the Green Belt at Bristol Airport under Policy CS6 of the Core Strategy and the boundary identified on the Proposals Map.	<p>Policy DM12 is a development management policy for the Green Belt. It is not determining the extent of the Green Belt, and would apply to the Green Belt whatever the Green Belt boundary.</p> <p>The issue of whether any change should be made to the Green Belt boundary would be appropriately considered as a strategic issue under the West of England Joint Spatial Plan.</p> <p>Policy CS6 of the Core Strategy has been remitted for re-examination. In recognition of this, amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>	<p>Amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM12: Development within the green belt	BS Estates	11856641//1	<p>Policy DM12 is predicated on the Green Belt policy set out in Policy CS6 of the Core Strategy.</p> <p>Policy CS6 was remitted following the High Court Challenge and remains the subject to on-going discussion. As such, whilst the Sites and Policies Plan Part 1 refers to the fact that the <i>"Core Strategy CS6 is clear that the council does not support any proposed changes to the Green Belt boundary. No amendments to the Green Belt are proposed in this plan."</i>, it is clear that until Policy CS13 is resolved, it is not possible to confirm that the Green Belt as currently proposed is appropriate.</p> <p>BS Estates contend that the suggested amendments to Policy CS13 will result in the need to re-examine the Policy CS6, which will in turn mean that Policy DM12 will need to be re-examined.</p>	<p>It does not necessarily follow that the policy would need to be re-examined. Policy DM12 is a development management policy for the Green Belt, which would apply no matter how the Green Belt is drawn.</p> <p>The policy is consistent with national planning policy guidance and is not contrary to housing needs being met in a sustainable and viable way. To amend the policy as suggested, (to make provision for development within the Green Belt where it can be demonstrated that this is necessary to meet the housing needs of the area) would be contrary to the NPPF, paragraph 88 which states that construction of new buildings should be regarded as inappropriate in the Green Belt, subject to certain exceptions.</p> <p>The issue of whether any change should be made to the Green Belt boundary would be appropriately</p>	<p>Amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>In these circumstances, where the number and mechanism for delivery of housing supply is still not confirmed, BS Estates consider it to be premature to be proceeding with a policy which could prevent the housing need being met in a sustainable and viable way.</p> <p>Should it be necessary to proceed with Sites and Policies Plan Part 1 ahead of the resolution of Policy CS13, BS Estates contend that Policy DM12 should be amended to make provision for development within the Green Belt where it can be demonstrated that this is necessary to meet the housing needs of the area.</p>	<p>considered as a strategic issue under the West Of England Joint Spatial Plan.</p> <p>It is true that policy CS6 of the Core Strategy has been remitted for re-examination. In recognition of this, amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>	
DM12: Development within the green belt	C Dixon	1190049//1	<p>I am very concerned that there is now pressure to develop in the green belt. The whole point of having green belt was to protect it from development. I would like to see North Somerset Council protect all the green belt in its area. Once permission is given for one, even small, planning application, it will open the flood-gates for building on the remainder of the green belt.</p>	<p>The policy is a development management policy for the Green Belt, not one which is proposing a change to its extent. The issue of whether any change should be made to the Green Belt boundary would be appropriately considered as a strategic issue under the West of England Joint Spatial Plan.</p>	<p>Amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p>However policy CS6 of the Core Strategy has been remitted for re-examination. In recognition of this, amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>	
DM12: Development within the green belt	Campaign to Protect Rural England	705793//4	<p>DM12 Development within the Green Belt</p> <p>Redevelopment of previously developed sites should also take account of the impact of new services and infrastructure on Green Belt needed to support these sites.</p>	<p>Proposals for new services such as a new school or community hall, and their impact on the Green Belt, would appropriately be considered as and when planning applications for such facilities are submitted. If the facility is proposed as part of a large brownfield redevelopment including housing and other uses, the impact of the whole redevelopment, including the facility, would appropriately be assessed. The policy already covers this in referring to "redevelopment".</p>	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM12: Development within the green belt	Coal Authority	928833//2	<p>The policy aim is stated as being to provide detailed guidance and consistency of approach for development proposals in the Green Belt. It is noted that no reference is made to other forms of development which are also identified as not being inappropriate in the Green Belt in paragraph 90 of the NPPF, such as mineral extraction and engineering operations. The Coal Authority consider that Policy DM12 should be amended to include a concluding sentence to identify that the NPPF sets out others uses not covered by the policy which would not be inappropriate in the Green Belt.</p> <p><b>Reason</b> – In order to ensure that the policy accords with the guidance in the NPPF.</p>	<p>Noted. The policy is about built development in the Green Belt such as extension or alteration of a building, replacement of an existing building, infilling and redevelopment. It clarifies the circumstances where such development is not regarded as inappropriate in the Green Belt. This fact should be clarified in the Policy aim section, and the point made that the NPPF paragraph 90 refers to certain other forms of development which are not inappropriate in Green Belt, such as mineral extraction, engineering operations, etc.</p> <p>Amend the policy aim as follows:</p> <p>To provide detailed guidance and consistency of approach concerning <del>those types of new development which are considered to be not inappropriate in the Green Belt and on the redevelopment of sites on previously developed land</del> <u>built development in the Green Belt, clarifying the circumstances where such development is not regarded as inappropriate. The policy covers redevelopment on</u></p>	<p>Amend the policy aim as follows:</p> <p>To provide detailed guidance and consistency of approach concerning <del>those types of new development which are considered to be not inappropriate in the Green Belt and on the redevelopment of sites on previously developed land</del> <u>built development in the Green Belt, clarifying the circumstances where such development is not regarded as inappropriate. The policy covers redevelopment on previously developed land. (Note that that the National Planning Policy Framework paragraph 90 refers to certain other forms of development which are not inappropriate in Green Belt, such as mineral extraction, engineering operations, etc.)</u></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p><u>previously developed land. (Note that that the National Planning Policy Framework paragraph 90 refers to certain other forms of development which are not inappropriate in Green Belt, such as mineral extraction, engineering operations, etc.)</u></p>	
DM12: Development within the green belt	Davis H (First Step Homes (Wessex) Ltd)	9492609//1	<p>This representation is submitted on behalf of First Step Homes (Wessex) Ltd.</p> <p>Policy DM12 is currently relying on Policies in the Core strategy which have been remitted back to the Planning Inspectorate for re examination and therefore the subject of continuing consideration. Most recently the Planning Inspectors report, dated 11th March 2015 on the examination into remitted policy CS13 (scale of new housing) has directed the Council to increase the overall housing requirement originally proposed from the 14,000 to 20,985 dwellings. This is the first of two stages in considering the remitted policies and is to be followed by a consideration of whether</p>	<p>The policy does not need to change to reflect any possibility of having to amend the green belt boundary in the future. The policy is a development management policy for the Green Belt. It is not determining the extent of the Green Belt, and would apply to the Green Belt whatever the Green Belt boundary.</p> <p>The issue of whether any change should be made to the Green Belt boundary would be considered as a strategic issue under the West of England Joint Spatial Plan.</p> <p>Policy CS6 of the Core Strategy has been remitted for re-examination. In recognition of this, amend the first</p>	<p>Amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>this has any implications for the other remitted policies. This Inspectors decision has now been submitted to the Secretary of State for approval.</p> <p>The Council in its letter to the Minister of State for Housing &amp; Planning dated 17th March 2015 states that “The proposed increase in the housing number is challenging to deliver and will lead to unsustainable development pressures, including in the green belt”</p> <p>It is clear that the future of policy CS13 remains in a state of flux and therefore any policy that may be affected by it. By the Council’s own reckoning an increased housing requirement will bring pressures on the green belt and as such a review of the green belt cannot be avoided to ensure the most suitable parcels of land are released. Until Policy CS13 is resolved it is not possible to confirm that the Green Belt, as currently proposed, can be adopted without prejudicing how housing provision can be met in a sustainable and viable way.</p>	<p>paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Therefore policy needs to change to reflect the possibility of having to amend the green belt boundary and so provide for development within the currently designated green belt and allow for a review of the green belt boundary to accommodate the housing need once the outcome on the remitted policies is known.</p> <p>First Step Homes (Wessex) Ltd has a site in Backwell which has been promoted for consideration within the SHLAA but to date has been excluded from any allocation to meet housing need as it falls within the green belt. However it is submitted that there is no reason why in assessing the green belt boundaries the site should not be removed from the green belt as it provides no green belt function and can accommodate dwellings to meet housing need in a sustainable location.</p>		
DM12: Development within the green belt	Dean Scott	1026369//3	I agree totally with the summary set out by North Somerset Council regarding the Green Belt and the approach to new development which are not appropriate.	Noted. The policy is a development management policy for the Green Belt, not one which is proposing a change to its extent. The issue of whether	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>I think it is critical that North Somerset Council sticks by its stance regarding the Green Belt as I feel this is one of the things that sets it apart from other counties. There was previously pressure to have a large urban extension to South Bristol which would have meant a large part of North Somerset becoming an extension of Bristol and therefore losing its identity, not to mention all the wild life lost.</p> <p>I think some of the road infrastructure that is proposed and needed will create a further excuse for these greedy developers to pressure North Somerset Council to encroach on the Green Belt.</p> <p>Developers I am sure will still try to get homes built in the Green Belt but these developers have no interest in what is best for North Somerset residents just what is best to make a quick profit.</p>	any change should be made to the Green Belt boundary would be appropriately considered as a strategic issue under the West of England Joint Spatial Plan.	
DM12: Development within the green belt	Gladman Developments	9140737//5	Gladman believe that land located off Bristol Road, Portishead (as shown in figure overleaf) should be removed from the Green Belt for Employment	The policy is a development management policy for the Green Belt, not one which is proposing a change to its extent. Any change to the Green	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Use. Gladman own the site in question and have successfully developed the existing employment site located immediately to the North. Gladman believe that it is not necessary for the site to be included within the Green Belt. The site is bounded by sports fields to the west, the existing urban areas to the north, a watercourse to the east and a strong vegetated boundary to the south. The site performs no Green Belt function when considered against the criteria in S80 of the Framework and Local Plans are the correct vehicle for the establishment of Green Belt boundaries (S83 Framework). The site's development would not promote further urban sprawl and there are no existing uses neighbouring the site that would be adversely affected by the development. The development of the site would support the adopted Core Strategy, delivering further employment growth within the district.</p>	<p>Belt boundary, if that is considered necessary, would be considered as a strategic issue under the West of England Joint Spatial Plan.</p>	
DM12: Development within the green belt	Taylor Wimpey	11933281//1	<p>Given the timing of the SHMA publication and evidence base work proposed with regard to the JSPS, a</p>	<p>The policy is a development management policy for the Green Belt, which would apply to the Green Belt</p>	<p>Amend the first paragraph of the Justification for the policy, as follows:</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>review of the Green Belt should be undertaken to consider the most sustainable locations on the edge of Bristol. It is important to recognise this context in the supporting text to the Policy to ensure that it is clear to all those reading the Plan that the Green Belt boundary may need to change.</p> <p>It should therefore be made clear that the Green Belt policy would only cover the remaining extent of area following the examination of remitted policies, as detailed above and in the Inspector's Report into Policy CS13.</p>	<p>whatever its boundary, and there is no need for the suggested addition to the plan. The issue of whether any change should be made to the Green Belt boundary would be considered as a strategic issue under the West of England Joint Spatial Plan.</p> <p>Policy CS6 of the Core Strategy has been remitted for re-examination. In recognition of this, amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>	<p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>
DM12: Development within the green belt	Teresa Scott	11935841//1	<p>North somerset Council rightly points out that the Green Belt is of high importance to the residents of North Somerset. It is vital that South Bristol is not allowed to swallow up this beautiful part of such a wonderful county.</p>	<p>The policy is a development management policy for the Green Belt, not one which is proposing a change to its extent. The issue of whether any change should be made to the Green Belt boundary would be appropriately considered as a strategic</p>	<p>Amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>I have read through some of the previous comments made and it is clear that some developers still want to build in the Green Belt but unfortunatley they have no consideration for the people who live here.</p> <p>I think as long as North Somerset Council meets the housing targets it has set out there should be no need to consider the Green Belt but for some this is prime land with the biggest profit, for some of us this is prime land for its beauty.</p> <p>North Somerset must stand by its values on the Green Belt.</p>	<p>issue under the West of England Joint Spatial Plan.</p> <p>However policy CS6 of the Core Strategy has been remitted for re-examination. In recognition of this, amend the first paragraph of the Justification for the policy, as follows:</p> <p>Core Strategy <u>remitted policy CS6: North Somerset's Green Belt</u> is clear that the council does not support any proposed changes to the Green Belt boundary.</p>	<p>changes to the Green Belt boundary.</p>

**Policy** DM14: Mineral working exploration, extraction and processing

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM14: Mineral working exploration, extraction and processing	Campaign to Protect Rural England	705793//5	<p>DM14 Mineral working exploration, extraction and processing</p> <p>Where drilling is required consideration would need to be given for the wider area of drill sites and their impact on the environment and infrastructure.</p>	<p>For oil and gas developments the policy already requires production of "a satisfactory development framework for the site"..including "justification for the number and extent of the proposed production facilities..". The latter would be likely to include the number of wells.</p> <p>However the NPPF paragraph 143 suggests that minerals developments should "take into account the cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality". Therefore it would be appropriate to include reference to cumulative effects in the supporting text, as follows:</p> <p>Add a new second sentence to the paragraph after the bullet points to read as follows:</p> <p><b><u>This should include consideration of any cumulative effects of multiple</u></b></p>	<p>Add a new second sentence to the paragraph after the bullet points to read as follows:</p> <p><b><u>This should include consideration of any cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.</u></b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<b><u>impacts from individual sites and/or a number of sites in a locality.</u></b>	
DM14: Mineral working exploration, extraction and processing	Coal Authority	928833//3	<p><b>Objection</b> – The Coal Authority supports the overall approach to minerals extraction in Policy DM14 which supplements Policy CS8 of The Core Strategy. The Coal Authority welcomes the cross reference to National Planning Policy and the commitment to securing effective and appropriate restoration and aftercare. The signposting to other regulatory requirements is also welcomed. We consider the policy to be sufficiently flexible to cater for future energy minerals proposals if these were to come forward in North Somerset. However, it is considered that the policy should make it clear that the issue of need whilst being a positive consideration is not required to be demonstrated in all cases to justify energy minerals. As you are aware there is no policy requirement to actually demonstrate need for energy minerals. Consequently we consider that the policy should be slightly</p>	<p>It is considered that consideration of need for the extracted mineral is appropriate for energy minerals like coal, as it is for other forms of minerals development. Coal extraction is not without potential cost in terms of possible environmental impact and possible delay to subsequent development in the case of prior extraction, and demonstration of need would therefore help in justifying the extraction. The suggested insertion of the words "where appropriate" is not supported as it would potentially weaken the policy.</p>	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>amended to make it clear that need does not always have to be demonstrated.</p> <p><b>Change requested</b> – Amend Policy DM14 to read as follows:</p> <p><i>“In considering proposals for mineral working, including all stages, such as exploration, testing and production, extraction and processing, decommissioning, restoration and aftercare, and including on-shore oil and gas, such as hydraulic fracturing (fracking), regard will be had to the following:</i></p> <ul style="list-style-type: none"> <li><i>• consideration of the need for the development, where appropriate</i></li> <li><i>• the existence of allocated areas for mineral extraction such as preferred areas or areas of search;</i></li> <li><i>• evidence that the mineral resource is present at the location and that it is physically and economically practicable and</i></li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>environmentally acceptable to work</i></p> <ul style="list-style-type: none"> <li>• <i>any potential impacts on amenity, human health, public safety, and the natural and historic environment, including impacts concerning visual quality, landscape, biodiversity, historic assets, traffic and the local road network, water resources, contamination, land pollution, air pollution including dust, noise, vibrations, air blast, flyrock, risk of flooding, land stability, seismic activity, tip and quarry slope stability, and measures to prevent or minimise any potential problems.</i></li> </ul> <p><i>Proposals should be supported by adequate evidence, to the satisfaction of the council, that the development is needed and justified, where evidence of need is a requirement, and that potential impacts have been satisfactorily investigated and addressed. Proposals must not have unacceptable impacts and should</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>satisfactorily mitigate any adverse impacts...</i>"</p> <p><b>Reason</b> – In order to accord with the requirements of the NPPF</p>		
DM14: Mineral working exploration, extraction and processing	Environment Agency	11199361//2	<p>In considering proposals for mineral working, including all stages, such as exploration, testing and production, extraction and processing, decommissioning, restoration and aftercare, and including on-shore oil and gas, such as hydraulic fracturing (fracking), regard will be had to the following:</p> <ul style="list-style-type: none"> <li><i>the policies set out in the Environment Agency's Groundwater protection: Policy &amp; practice (GP3)....</i></li> </ul>	<p>The suggested addition to the policy is not necessary. The policy already refers to water resources in the fourth bullet, which would include groundwater. Also it would not be appropriate to include the suggested wording in the policy, since to require regard to be had to policies in a specific document produced by another organisation is overly specific and would set a precedent for other organisations to follow suit, which would be likely to make policy writing unmanageable.</p> <p>However it would be appropriate to refer to the existence of the Groundwater protection: Policy and Practice (GDP3) document in the supporting text, as follows:</p> <p>Add a second paragraph to the supporting text, as follows:</p>	<p>Add a second paragraph to the supporting text, as follows:</p> <p><b><u>The criteria include the need to consider potential impacts on a number of things including landscape , biodiversity, water resources, etc. Regarding the latter, the NPPF paragraph 143 suggests that impacts on the flow and quantity of surface and groundwater should be considered. A useful document to aid consideration of groundwater issues is "Groundwater protection: Policy and practice (GP3)" by the Environment Agency.</u></b></p> <p>–</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p><b><u>The criteria include the need to consider potential impacts on a number of things including landscape , biodiversity, water resources, etc. Regarding the latter, the NPPF paragraph 143 suggests that impacts on the flow and quantity of surface and groundwater should be considered. A useful document to aid consideration of groundwater issues is "Groundwater protection:Policy and practice (GP3)" by the Environment Agency.</u></b></p> <p>–</p>	
DM14: Mineral working exploration, extraction and processing	Somerset County Council (G Robinson)	11931777//1	Based on our experiences during the recent examination of the Somerset Minerals Plan, we have a concern that Policy DM14 is trying to cover too many different types of proposal, which could undermine its implementation. If the policy were split into two - with one policy focused on hydrocarbons/energy minerals and one focused on on-enerby minerals, that could help in a range of ways, most immediately: a) helping to focus the supporting narrative/justification; b)	<p>It is considered that having one policy on mineral working which includes oil and gas is appropriate since the NPPF includes oil and gas in the definition of minerals of local and national importance.</p> <p>It is considered that having two policies, one on energy minerals and one on other minerals, would cause a lot of unnecessary duplication since for each policy there would need to be largely similar content and criteria,</p>	<p>Amend the first sentence of the 6th paragraph in the policy after the bullet points, as follows:</p> <p>Restoration should be carried out <del>in the shortest possible time</del>, at the earliest possible opportunity, to a timescale to be agreed with the Council, <u>and completed without delay.</u></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>helping the energy minerals content in the policy to meet the requirements of paragraph 147 in the NPPF; c) helping to identify the cases in which the applicant is required to demonstrate a need for the mineral. In the context of need for aggregates, presumably reference can also be made to the Local Aggregate Assessment. it is unclear how need would be considered in the context of oil and gas development.</p>	<p>including, for example, regard for need, evidence that the resource is present and can be practicably and environmentally acceptably worked, any potential impacts, consideration of waste generated, and restoration.</p> <p>By having one policy which includes a few additional criteria which are specific to oil and gas development, duplication is avoided and the plan is more concise as a result. The policy is worded so that criteria which are relevant to specific types of mineral development can be identified and applied to proposals as appropriate; eg. seismic activity is more likely to be relevant to hydraulic fracturing than working of carboniferous limestone.</p> <p>Need is a relevant factor for oil and gas, and relevant evidence might be how much demand there is for these commodities relative to supply in the local area and further afield. It is considered that consideration of need for oil and gas is appropriate, as it is for other forms of minerals development. Oil and gas extraction is</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p>not without potential cost in terms of possible environmental impact and demonstration of need would therefore help in justifying the extraction.</p> <p>It is noted that while restoration is something which is relevant to energy and non-energy mineral developments, the wording of the policy is inappropriate where it states that "restoration should be carried out in the shortest possible time", since that might imply rushing the process, and a lower standard of restoration might result. The policy already states that restoration should be carried out at the earliest possible opportunity, (which reflects the NPPF ,paragraph 144), at a timescale to be agreed by the council, and it is considered that the reference to "shortest possible time" should be deleted. Reference to completion without delay should be added instead, as follows:</p> <p>Amend the first sentence of the 6th paragraph in the policy after the bullet points, as follows:</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p>Restoration should be carried out <del>in the shortest possible time</del>, at the earliest possible opportunity, to a timescale to be agreed with the Council, <u>and completed without delay.</u></p>	

**Policy**

**DM16: Allocation of land at The Spinney**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM16: Allocation of land at The Spinney	Environment Agency	11199361//3	Proposals must make satisfactory measures to safeguard against adverse effects on water <i>quality</i> and water resources, including appropriate depth of extraction <i>and must take account of the existing s106 planning agreement</i> ; and etc.	The bullet point is sufficiently precise, as worded, to cover the issue of water and water resources. It is not appropriate to include reference to an existing section 106 agreement in the policy, notwithstanding the importance of such agreements. The policy is intended to guide any planning applications for minerals development of the Spinney and is worded accordingly. It would not be appropriate for it to refer to, and take account of, something as specific as a section 106 agreement which has been made in relation to a previous planning application. Consideration of section 106 agreements is something that would appropriately be made at the planning application stage, rather than in a local plan policy.	None.
DM16: Allocation of land at The Spinney	Environment Agency	11199361//6	What happens if the ecological consultant finds evidence of legally	There is no need to add an additional sentence on protected species to the	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			protected species? We recommend an additional sentence to protect etc. what is found.	policy, since the policy already refers to the need for relevant development management policies and issues to be met, including biodiversity, in the first bullet, and policy DM8 is specifically on protected species. The plan is intended to be read as a whole.	
DM16: Allocation of land at The Spinney	Highways Agency	10224641//2	The Agency has no issue in principle with the location of this land as a preferred area for minerals working. However the policy wording requiring satisfactory highways issues being addressed should make reference to being met to the satisfaction of the Highways Agency in the case of the SRN as well as the Council.	<p>It would be more appropriate to include reference to the strategic highway network in the policy, rather than to the Highways Agency. Such reference would mean that any impact on the strategic road network would be likely to be considered in determination of relevant planning applications, without introducing reference to a specific organisation, and a requirement that its views be met. The latter would be likely to set a precedent and a number of organisations would be likely to make such a request, which would be likely to make policy writing unmanageable.</p> <p>It would not normally be appropriate for a policy to require that an organisation's views would be met.</p>	<p>Amend the 1st bullet point of the policy to include the following amended text:</p> <p>"highways and impact on the local highway network <u>and strategic road network</u>,..."</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p>Rather, the views of the organisation would be considered by the council if it is appropriately being consulted on the application. The council considers a whole range of impacts, in consultation with organisations, in assessing relevant planning applications, since the council is the decision making body on those applications; eg. Natural England is normally consulted on applications potentially affecting SSSIs.</p> <p>The 1st bullet point of the policy should be amended to include the following amended text:</p> <p>"highways and impact on the local highway network <u>and strategic road network</u>,..."</p>	
DM16: Allocation of land at The Spinney	Natural England	1018753//2	Policy DM16 Allocation of land at the Spinney, south of Stancombe Quarry, as a preferred area for minerals working	Part of the existing Stancombe Quarry is a designated local geological site, but this is an area north of the area allocated for mineral working (The Spinney) in the policy, which has	Add "local geological sites" to the list of issues in the second sentence of the first bullet of the policy, after "biodiversity".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>We understand that Stancombe Quarry is designated as a Regionally Important Geological Site (RIGS) and would therefore encourage the Council to include a reference to the protection of geological interest in this policy.</p>	<p>extant planning permission for mineral working and has already been subject to mineral working.</p> <p>However it is possible that extraction of material from The Spinney could influence operations in the wider quarry, including the part designated as local geological site, so it would be appropriate for proposals to take account of the existence of the designation.</p> <p>However local geological sites are already covered by policy DM8, and the plan is intended to be read as a whole. Policy DM16 already states that relevant development management policies and issues must be met or addressed to the satisfaction of the council. Nevertheless, it would be appropriate to add reference to local geological sites to the examples of such issues listed in the first bullet of the policy.</p>	

Policy

DM18: MSA for surface coal

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM18: MSA for surface coal	Coal Authority	928833//4	<p><b>Support</b> – The Coal Authority support the identification of Minerals Safeguarding Areas for surface coal. The policy sets out proposed exemption criteria which are broadly acceptable and follow the spirit of the good practice advice in the 2011 BGS/The Coal Authority Guide to Mineral Safeguarding in England. This supports Policy CS8 of the Core Strategy which sets the overall policy framework for mineral safeguarding.</p> <p><b>Reason</b> – The policy is in accordance with the requirements of the NPPF.</p>	<p>Support noted.</p> <p>The supporting text to the policy (7th paragraph) will also need to be amended to reflect the up to date Surface Coal Resource from the Coal Authority as follows:</p> <p>Having considered these issues, the council has defined MSAs for surface coal, shown on the Policies Map, and formulated policy DM18. <u>The MSAs are identified reflect –in the Nailsea area and between Clevedon and Clapton in Gordano, largely based on the Coal Authority Surface Coal Resource data, and comprise areas at Barrow Gurney, Royal Portbury Dock, and a small area on the northern extremity of Portishead. but excluding land within the settlement limits of the towns of Nailsea and Clevedon. In those excluded areas most of the opportunities for surface coal extraction are already likely to be</u></p>	<p>The supporting text to the policy (7th paragraph) will also need to be amended to reflect the up to date Surface Coal Resource from the Coal Authority as follows:</p> <p>Having considered these issues, the council has defined MSAs for surface coal, shown on the Policies Map, and formulated policy DM18. <u>The MSAs are identified reflect –in the Nailsea area and between Clevedon and Clapton in Gordano, largely based on the Coal Authority Surface Coal Resource data, and comprise areas at Barrow Gurney, Royal Portbury Dock, and a small area on the northern extremity of Portishead. but excluding land within the settlement limits of the towns of Nailsea and Clevedon. In those</u></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				sterilized or constrained by existing or permitted development and the close proximity of sites to sensitive uses like housing, offices, shopping areas, and community uses. Bristol City Council followed a similar approach in defining the MSA for surface coal in their Site Allocations and Development Management Policies Local Plan, which was supported by the Inspector at its EIP (Inspector's Report, April 2014) notably in paragraphs 81 and 82.	excluded areas most of the opportunities for surface coal extraction are already likely to be sterilized or constrained by existing or permitted development and the close proximity of sites to sensitive uses like housing, offices, shopping areas, and community uses. Bristol City Council followed a similar approach in defining the MSA for surface coal in their Site Allocations and Development Management Policies Local Plan, which was supported by the Inspector at its EIP (Inspector's Report, April 2014) notably in paragraphs 81 and 82.
DM18: MSA for surface coal	Messrs A J and D W Baker	4601153//1	This policy, if adopted, would place the onus on developers to prove that the extraction of surface coal would be both impractical and uneconomic rather than on the competent authority to	As with most policies, it is up to the developers to demonstrate that they can satisfy the policy. The requirement for developers to demonstrate that the policy criteria would be met (for	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>demonstrate an economic case for the extraction. This is both an unreasonable and unnecessary planning requirement in a location where there has been no recent coal mining, and where it is generally accepted that there will be no future mining. The policy should be deleted.</p>	<p>example, that the surface coal is not worthy of safeguarding, or its removal is not practicable) is consistent with guidance in "Mineral Safeguarding in England: Good Practice Advice" by the British Geological Society and the Coal Authority, 2011. That refers to the sort of information which should be submitted by developers in support of planning applications, including, where appropriate, Mineral Assessments which include for example, "an estimate of the economic value of the mineral resource" and "an assessment of whether it is feasible and viable to extract the mineral resource ahead of development to prevent unnecessary sterilisation".</p> <p>While coal has not been mined in North Somerset for many years, the National Planning Policy Framework (NPPF) paragraph 143 states that local planning authorities should define Minerals Safeguarding Areas (MSAs) and adopt appropriate policies in order that known locations of specific mineral resources of local and national importance are not needlessly sterilised</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p>by non-mineral development, whilst not creating a presumption that resources defined will be worked. Shallow coal is included under "Minerals of local and national importance" in the glossary to the NPPF. The Coal Authority produced Surface Coal Resource data for North Somerset showing areas which they considered to hold coal resources capable of being mined from the surface. The council defined MSAs for surface coal with regard to these, in preparing the Publication version of the Plan. However it should be noted that the Coal Authority has also responded to the consultation on the Plan, stating that the MSAs for surface coal which we proposed do not reflect their up to date Surface Coal Resource data.</p>	

Policy

DM19: Green infrastructure

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM19: Green infrastructure	Environment Agency	11199361//7	We support this policy, although we recommend the fourth bullet point should include “ <i>and an outdoor education resource</i> ” after “play” (use for wild play, forest school etc)	Agreed, the suggestion is appropriate. The fourth bullet of the policy should be amended to read:  <b>designed to enable the community to actively use green infrastructure for sports and play, <u>and as an outdoor education resource</u>, as well as passive recreation;</b>	Amend the fourth bullet of the policy to read:  <b>designed to enable the community to actively use green infrastructure for sports and play, <u>and as an outdoor education resource</u>, as well as passive recreation;</b>
DM19: Green infrastructure	Federation of Small Businesses	11935137//1	The FSB supports the principle of Policy DM19, but is concerned that its wording is not focused, concise or accessible.  For example, how can a small extension to a rural business prove that it does ‘ <i>contribute to the quality of the environment</i> ’ and what does ‘ <i>promote community cohesion</i> ’ or ‘ <i>designed to promote and enhance local diversity</i> ’ refer to. How can it be quantified at a reasonable cost to a small business?	The policy wording is considered to be appropriate, concise and accessible. The policy is worded to only require proposals to ensure that green infrastructure is able to promote community cohesion and promote and enhance local diversity "where appropriate".  The policy indicates that green infrastructure provision might not necessarily be provided on site, and	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>The policy should be modified to improve its focus and ensure that it is concise and accessible.</p>	<p>that where it is not possible, practical or desirable for that to occur, financial contributions will be sought. That might well be the case with a small extension to a rural business. Such proposals might be more likely to financially contribute towards large off site provision of green infrastructure (GI) and it is likely that those larger types of GI, like parks, would be expected to be designed to meet the local diversity criterion; eg, planted with tree species characteristic of the area, and using appropriate materials, such as for boundary walling, which reflect the local landscape character. Similarly large multifunctional areas of green space might be expected to promote community cohesion by being designed to suit a broad range of age groups (with facilities and accessibility suitable for young children, youths and the elderly, for example.) It is reasonable to expect such green infrastructure to contribute to the quality of the environment, and it is appropriate for the policy to require it.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM19: Green infrastructure	Pegasus Group	11219713//8	We support this policy, however we make reference to the appropriateness of maintenance fees in respect to draft Policy DM71.	Comments noted.	None.
DM19: Green infrastructure	Persimmon Homes Severn Valley (cprewett)	11809729//8	Persimmon Homes Severn Valley notes that the Policy reverts to off-site contributions where on-site provision is not possible. However the Council need to ensure that such contributions are in accordance with the CIL Regulations which would prevent any more than 5 contributions to general improvements to green infrastructure.	Noted. This is something which the council is likely to have regard to when assessing proposals.	None.
DM19: Green infrastructure	Sport England (Maggie Taylor)	11831169//1	<p>In principle Sport England supports this requirement for green infrastructure provision, which could include sport. It is noted that contributions will vary depending on the availability of existing provision and requirements for new provision. How is this to be assessed?</p> <p>Sport England would normally expect a LA, in accordance with NPPF Par 73, to prepare and an up to date and robust needs and evidence</p>	The council is in the process of producing a draft Development Contributions: Planning Obligations Supplementary Planning Document (SPD) which will refer to community sport and leisure facilities and green infrastructure. The SPD will refer to evidence which the council has compiled on the need for and supply of green infrastructure in the district.	<p>Amend the 4th paragraph of the Justification as follows:</p> <p>NPPF paragraph 114 refers to the need to plan positively for the creation, protection, enhancement and management of green infrastructure. <del>The council is preparing two SPDs relating to more detailed guidance on</del></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>base for sport to inform policy. This should include a Built Facility Strategy (prepared in accordance with our 'Assessment of Needs and Opportunities Guide' and 'Playing Pitch Methodology' (see National Planning Policy Guidance Par. 002). Has this been prepared? If yes, then policy should cross refer or seek to implement its findings. If not then it is argued that the plan is not sound.</p> <p><a href="http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/open-space-sports-and-recreation-facilities/">http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/open-space-sports-and-recreation-facilities/</a></p>	<p>It would be appropriate for the supporting text (Justification) to be amended to refer to this work.</p>	<p><del>green infrastructure and playing pitches.</del> <u>The council is in the process of producing a draft Development Contributions: Planning Obligations Supplementary Planning Document (SPD) which will refer to community sport and leisure facilities and green infrastructure. The SPD will refer to evidence which the council has compiled on the need for and supply of green infrastructure in the district.</u></p>

**Policy**

**DM20: Major transport schemes**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM20: Major transport schemes	Campaign to Protect Rural England	705793//6	DM20 Major Transport Schemes  vii) viii) We accept that bypasses are seen as the solution to unacceptable traffic problems for villages but new roads are not the long-term solution to these issues and just transfer the problem elsewhere.	The bypass proposals in DM20 are intended to relieve the most unacceptable traffic problems faced by villages. Mitigation for consequential changes to traffic flows can be included in detailed proposals. New road construction is only part of the council's transport planning, alongside more sustainable solutions, but in the short-term the increase in housebuilding is likely to result in increased traffic that cannot be accommodated satisfactorily on the existing road network.	None
DM20: Major transport schemes	Dean Scott	1026369//4	It is important that the Major Transport Schemes are looked at independently and not be linked to and development which house builders may try to tag on.	The Major Transport Schemes are justified on their own merits. Any proposal to advance delivery of a scheme by associating it with housebuilding would also have to be looked at on its merits. There are currently no such proposals additional	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				to those developments already under construction.	
DM20: Major transport schemes	English Heritage (R Torkildsen)	8140417//6	<p><b>DM20 Banwell by pass; DM20 South Bristol link road, and; DM49 Royal Portbury Dock (Court House Farmhouse)</b></p> <p>Great care will need to be taken in the design of these development and infrastructure projects to ensure the significance of the numerous heritage assets affected will be conserved and any harm to their setting minimised.</p> <p>I hope my comments help tighten the robustness of the Plan and help secure the delivery of sustainable development.</p>	Noted. National and local policies ensure that the significance of heritage assets is considered; therefore no change to the wording is required.	None
DM20: Major transport schemes	Highways Agency	10224641//3	The Agency supports the safeguarding of the land for major transport schemes as these are deemed necessary to alleviate current transport issues or to help facilitate future growth.	Support noted and welcomed	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM20: Major transport schemes	Long Ashton Parish Council	11197185//1	Long Ashton Parish Council believes that the Barrow Gurney by pass should be excluded from the list of safeguarded areas. Whilst the Parish Council supported this as the SBL (orange route) which the consultation process showed was the preferred route, now that the SBL is being built elsewhere this is no longer required.	The Barrow Gurney bypass does not duplicate the strategic role of the South Bristol Link but does have a local function, providing relief to Barrow Gurney village.	None

**Policy**

**DM21: Motorway junctions**

<b>Policy</b>	<b>Respondent</b>	<b>Comment ID</b>	<b>Comment</b>	<b>Council Response</b>	<b>Document Changes</b>
DM21: Motorway junctions	Highways Agency	10224641//4	DM21 is considered necessary in order to safeguard areas around M5 junctions 19, 20 and 21 for future widening of junction roundabouts and motorway slip roads. This ensures that potential future capacity improvements will be possible should planned increases in population and potential growth in traffic levels take place.	Support noted and welcomed	None

**Policy** DM22: Existing and proposed railway lines

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM22: Existing and proposed railway lines	Campaign to Protect Rural England	705793//7	DM22 Existing and proposed railway lines  We are pleased to see the safeguarding of land for rail improvements.	Support noted and welcomed	None
DM22: Existing and proposed railway lines	Curry Trust	4601345//1	We reiterate the representations previously made under the Feb 2013 consultation (Comment ID:4601345/1), which proposed that the proposed safeguarding is deleted since this policy is identical to the previous consultation draft.	The previous comment recommended that the proposed safeguarding is deleted in respect of that part of the Weston Railway Loop which lies to the west of the M5 Motorway (and in any other location where blight may occur).  The NPPF (para. 41) advises local planning authorities to identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice. Omitting to safeguard those locations where blight may occur could remove protection from the very land that it is most critical to safeguard.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM22: Existing and proposed railway lines	Highways Agency	10224641//5	The Agency supports the safeguarding of a corridor either side of the Taunton to Bristol railway to allow for key rail improvements in future. This will help to sustain the railways and potentially improve and expand in future reducing the need to travel by private car.	Support noted and welcomed	None
DM22: Existing and proposed railway lines	Natural England	1018753//3	The policy refers to the Portishead – Pill line, parts of which are located close to or within national and European designated sites, including the Severn Estuary SSSI, SAC, SPA and Ramsar site and the Avon Gorge Woodlands SSSI and SAC. We would therefore encourage the Council to include a reference to the proximity of the route and the need to ensure the interests of these sites are protected ideally in the policy itself, or failing that, within the supporting text.	The need for assessment under European legislation is covered in DM8: Nature Conservation.	No changes
DM22: Existing and proposed railway lines	Portishead Town Council	4193569//1	To protect existing and proposed railway lines from inappropriate development. We agree that the Portishead – Pill section should be protected for stations, associated car-	North Somerset Council has now agreed its preferred option for the siting of Portishead station. It would not be an efficient use of land to continue to	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>parking, and highways works, but need to be assured that the land marked is sufficient for the current plans. Any other sites should not be removed from consideration.</p> <p>Portishead Town Council - Minute No. 2422 - 11.03.15</p>	<p>safeguard the land requirements of rejected options.</p>	

**Policy DM23: Bus interchanges and park and ride facilities at existing railway stations**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM23: Bus interchanges and park and ride facilities at existing railway stations	Curry Trust	4601345//2	We reiterate the representations previously made under the Feb 2013 consultation (Comment ID:4601345/2) which proposed safeguarding of our client's land adjoining Worle Station for park and ride should be deleted and allocated for residential development, since this policy is identical to the previous consultation draft.	<p>The previous comment recommended that the proposed safeguarding of land adjoining Worle Station for park-and-ride should be deleted and the land allocated for residential development.</p> <p>The NPPF (para. 41) advises local planning authorities to identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice.</p> <p>Worle station remains a vital part of the economic development strategy for the Junction 21 Enterprise Area. In the short-term, it has been identified as a possible park-and-ride site for workers travelling to Hinkley Point. Demand for rail travel is also expected to grow as residential development proceeds at the Weston Villages. Worle offers a parkway-style station with regular main line services and could benefit in the medium-term from electrification. It is</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				therefore essential to retain the possibility of extending car parking provision there.	
DM23: Bus interchanges and park and ride facilities at existing railway stations	Highways Agency	10224641//6	As with DM22 we support the safeguarding of land, in this case for the provision and or expansion of car parking and bus interchanges associated with rail use. This will provide the opportunity in future for more sustainable travel, reducing the need or distance required to travel by private car.	Support noted and welcomed	None
DM23: Bus interchanges and park and ride facilities at existing railway stations	Persimmon Homes Severn Valley (cprewett)	11809729//9	DM23: Bus Interchanges and Park & Ride Facilities at Existing Railway Stations  Persimmon Homes Severn Valley support the Policy to allow for expansion of existing car parks and the provision of Park and Ride interchanges at existing railway stations. The same principles should apply to new railway stations. However the decision to site the new Portishead station at Option 2B means that there	North Somerset Council has now agreed its preferred option for the siting of Portishead station. It would not be an efficient use of land to continue to safeguard the land requirements of rejected options.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>will be no opportunity to provide expansion facilities for parking or establishment of a bus interchange. Whilst the original intention was to provide a Town Centre Railway Station for Portishead that is no longer possible due to the Office of Rail Regulator's policy on level crossings. Inevitably wherever the station is provided at Portishead there will be a demand from car users both within Portishead and adjoining villages to use the station as a 'park and ride station'. It is also entirely appropriate to secure integration of bus and train travel through the provision of an interchange facility. It is still possible to provide such a facility in Portishead and Persimmon Homes Severn Valley control land at Moor Farm, which is both an appropriate location for a station which would serve the whole of the Portishead area, would have the ability to provide over 300 car parking spaces and a bus interchange facility.</p>		

**Policy DM24: Safety, traffic and provision of infrastructure, etc. associated with development**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM24: Safety, traffic and provision of infrastructure, etc. associated with development	Bloor Homes	11844353//1	<p>The wording of this draft policy, whilst being largely reflective of the content of the NPPF imposes a negative slant on the interpretation of the policy and does not accord with the principle of the presumption of sustainable development as set out through the NPPF and within draft Policy SP1.</p> <p>The wording of the current policy which seeks to prevent development where it does not meet the tests set out in the policy, which does not accord with paragraph 32 of the NPPF which states that,</p> <p><i>“Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”</i></p> <p>The wording of this policy should therefore be rephrased to positively allow for development to be permitted</p>	<p>Agree that the policy should be positively worded.</p> <p>It is reasonable to expect that any mitigation measures needed to address severe residual cumulative impact on traffic congestion take into account the character of an area. For example, large visibility splays in rural locations can have a detrimental impact on the character of that area.</p>	<p>Amend policy as follows:</p> <p>"Development will <del>not</del> be permitted <del>if</del> provided it would <u>not</u> prejudice highway safety or inhibit necessary access for emergency public transport, service or waste collection vehicles. Development giving rise to a significant number of travel movements will only be <del>permitted</del> <u>refused on transport grounds</u> if it:</p> <ul style="list-style-type: none"> <li>• is <del>not</del>-likely to have a severe residual cumulative impact on traffic congestion <del>or</del> <u>generate traffic that cannot be accommodated without demonstrable harm to the or on the</u> character and function of the surrounding area; <del>and or</del> <u>and or</u></li> </ul>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			unless the impacts of transport are severe.		<ul style="list-style-type: none"> <li>is <u>not</u> accessible by non-car modes and <u>cannot</u> readily be integrated with public transport, cycleway and footpath links, and bridleways where appropriate.</li> </ul>
DM24: Safety, traffic and provision of infrastructure, etc. associated with development	Campaign to Protect Rural England	705793//8	<p>DM24 Safety, traffic and the provision of infrastructure etc. associated with development</p> <p>We support the proposals that all infrastructure provision will need to be made in tandem with the development and that revenue support may be required for bus services during the initial phase of development.</p>	Support noted and welcomed	None
DM24: Safety, traffic and provision of infrastructure, etc. associated with development	Federation of Small Businesses	11935137//2	The policy does not reflect the NPPF requirement that sustainable transport solutions will vary from urban to rural areas (NPPF 29). Quite clearly access to non-car modes and the levels of highway / transport infrastructure will vary from urban to rural areas.	There is nothing to suggest that DM24 does not comply with national policy in this respect. The NPPF does not require an artificial distinction between urban and rural areas regardless of the issues to be addressed.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			The policy should be modified to it clear that development in rural areas should not be overburdened and that policy requirements that apply to urban and rural areas will differ.		
DM24: Safety, traffic and provision of infrastructure, etc. associated with development	Highways Agency	10224641//7	<p>Highway safety is imperative and the agency fully supports DM24 which does not allow development that would prejudice highway safety or inhibit necessary access for emergency, public transport and service or waste collection vehicles. If development is likely to affect the SRN the Agency will provide comments relating to it which include the consideration of safety issues.</p> <p>Development which gives rise to significant detrimental impact on the SRN will only be permitted where acceptable mitigation can be provided. Developers will need to determine the transport needs arising from their development in the form of a robust transport evidence base.</p>	Support noted and welcomed	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM24: Safety, traffic and provision of infrastructure, etc. associated with development	Kingston Seymour Parish Council	9144609//1	<p>Policies DM 24 and 25</p> <p>In the text of the justification for Policy DM24. page 61, lines 9-12, it is stated that developers will not normally be expected to make a contribution towards resolving existing transport problems although a contribution towards funding improvements to accommodate the increase generated by the development might be sought. However, Policy DM25 states (end of first para) that development should seek to address existing access issues. Since the existing problems referred to in Policy DM24 could include deficiencies in the PROW infrastructure, it is suggested that a little clarification would be helpful to ensure that these two policies cannot be used to negate each other.</p>	The supporting text to DM24 refers to a general position and DM25 is an exception to this and refers specifically to public rights of way and cycle access.	None
DM24: Safety, traffic and provision of infrastructure, etc. associated	Pegasus Group	11219713//9	DM24: Safety, Traffic and Provision of Infrastructure	Agree that the policy should be positively worded, referring to severe residual cumulative impact rather than demonstrable harm.	Amend policy as follows: "Development will not be permitted if provided it would

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
with development			<p>Bullet 2 of draft Policy DM24 implies two tests for transport impacts:</p> <p>? No severe residual cumulative impact on traffic congestion; and</p> <p>? No demonstrable harm to the character and function of the surrounding area.</p> <p>This is contrary to the NPPF, which at paragraph 32 sets the test of</p> <p>"severe" in relation to transport impacts of the development, and indicates that development can only be prevented or refused where impacts are severe. The second part of the 'test' contained within Policy DM24 does not meet this standard, and implies that the Council would refuse applications if demonstrable harm was demonstrated. This is inconsistent with national policy, and would render the policy unsound under paragraph 182 of the NPPF.</p>	<p>It is reasonable to expect that any mitigation measures needed to address severe residual cumulative impact on traffic congestion take into account the character of an area. For example, large visibility splays in rural locations can have a detrimental impact on the character of that area.</p>	<p><del>not</del> prejudice highway safety or inhibit necessary access for emergency public transport, service or waste collection vehicles. Development giving rise to a significant number of travel movements will only be <del>permitted</del> <u>refused on transport grounds</u> if it:</p> <ul style="list-style-type: none"> <li>• is <del>not</del> likely to have a severe residual cumulative impact on traffic congestion <del>or generate traffic that cannot be accommodated</del> without demonstrable <del>harm to the</del> <u>or on the</u> character and function of the surrounding area; <del>and</del> <u>or</u></li> <li>• is <u>not</u> accessible by non-car modes and <del>cannot</del> readily be integrated with public transport, cycleway and footpath links, and bridleways where appropriate.</li> </ul>

**Policy** DM25: Public rights of way, pedestrian and cycle access

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM25: Public rights of way, pedestrian and cycle access	Highways Agency	10224641//8	The agency supports the protection and enhancement of the existing public rights of way network and strategic cycle routes and ensuring the provision of new and improved multi-user routes connecting with new developments. This will reduce the need to travel by private car.	Support noted and welcomed	None
DM25: Public rights of way, pedestrian and cycle access	Kingston Seymour Parish Council	9144609//2	Policies DM 24 and 25  In the text of the justification for Policy DM24, page 61, lines 9-12, it is stated that developers will not normally be expected to make a contribution towards resolving existing transport problems although a contribution towards funding improvements to accommodate the increase generated by the development might be sought. However, Policy DM25 states (end of first para) that development should seek to address existing access issues. Since the existing problems referred to in Policy DM24 could include	The supporting text to DM24 refers to a general position and DM25 is an exception to this and refers specifically to public rights of way and cycle access.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			deficiencies in the PROW infrastructure, it is suggested that a little clarification would be helpful to ensure that these two policies cannot be used to negate each other.		
DM25: Public rights of way, pedestrian and cycle access	Persimmon Homes Severn Valley (cprewett)	11809729//10	The Schedule for Policy DM25 refers to locations which are unclear, namely West Wick and Weston Villages - Various. Persimmon Homes Severn Valley consider the Council should be in a position to describe the West Wick requirements more accurately. In relation to Weston Villages, where we appreciate proposals are still emerging, the reference could be to 'Weston Villages – routes as identified in planning applications', which would provide an appropriate mechanism for dealing with new provision.	The routes are shown in the Proposals Map Amendments (February 2015). They are extensive and therefore best described in general terms. For Weston Villages agree to amend schedule to read Weston Villages - <u>Various Routes as identified in planning applications</u>	Amend schedule to read Weston Villages - <u>Various Routes as identified in planning applications</u>
DM25: Public rights of way, pedestrian and cycle access	Portishead Town Council	4193569//2	We are concerned that no strategic cycle route is proposed for Portishead, but we agree with the proposals for routes from Portishead to Clapton Court and Portishead to Clevedon.	Support noted and welcomed	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Portishead Town Council - Minute No. 2422 - 11.03.15		

**Policy**

**DM26: Travel plans**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM26: Travel plans	Campaign to Protect Rural England	705793//9	<p>DM26 Travel Plans</p> <p>To ensure they are appropriate and effective travel plans should be in place at the granting of permission rather than at occupation.</p>	It is usual for Travel Plans to be required by condition rather than at the grant of planning permission because details of the proposed occupier may not be available at that stage.	None
DM26: Travel plans	Federation of Small Businesses	11935137//21	<p>The requirement to provide Travel Plans for small business proposals would add an unnecessary burden on small businesses. The policy also does not reflect the NPPF requirement that sustainable transport solutions will vary from urban to rural areas - NPPF (29). The policy should be modified to make it clear that development in rural areas should not be assessed in the same manner as development in urban areas where the level of public transport provision will likely differ.</p>	There is nothing to suggest that DM26 does not comply with national policy in this respect. The NPPF does not require an artificial distinction between urban and rural areas regardless of the issues to be addressed. The policy is geared to the scale of the transport issues arising from the development, not the scale of the developer.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			The requirement therefore does not accord with either NPPF or PPG and is not sound.		
DM26: Travel plans	Hallam Land Management (F Robinson)	11931457//4	<p>The final sentence within the policy wording refers to the imposition of conditions or suitable planning obligation that will require the adoption of a Travel Plan prior to occupation and its successful implementation post occupation.</p> <p>The policy as currently worded is not effective, neither conditions nor planning obligations can seek successful implementation of travel plans, whether they are successful or not depends on a number of factors outside of the developer's control, such as the travel choices of residents and attitudes towards various transport modes.</p> <p>To ensure the policy is effective and therefore sound the word "successful" should be deleted from the policy.</p>	<p>Disagree. It would be likely that a Travel Plan would include provision for its modification if initially unsuccessful.</p> <p>Further guidance on Travel Plans can be found in the North Somerset Travel Plan SPD (2010).</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM26: Travel plans	Highways Agency	10224641//9	The requirement for Travel Plans for all developments likely to have significant transport implications is supported by the Agency. it is important that whether a Travel Plan is required by planning condition or obligation that the requirements for these documents are clearly set out and that they are kept up to date in order to effectively reduce private car use generated by the development.	Support noted and welcomed	None
DM26: Travel plans	Pegasus Group	11219713//10	<p>DM26: Travels Plans</p> <p>We support the requirement for Travel Plans and the recognition that the scope of Travel Plans will be related to the scale and kind of development.</p> <p>The test in the draft policy that all developments</p> <p><i>"likely to have significant transport implications"</i> varies from the test set in the NPPF (paragraph 36) and the PPG (section 42 paragraph 009 06-03-2015) which sets a test of developments which <i>"generate significant amounts of</i></p>	Agree that DM26 should closely follow the NPPF wording	Change "likely to have significant transport implications" to "which generate significant amounts of movement". For consistency, change "significant amounts of travel" to "significant amounts of movement".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<i>transport movement</i> ". The draft policy should be re-worded to reflect this.		

**Policy**

**DM27: Bus accessibility criteria**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM27: Bus accessibility criteria	Del Piero Ltd	9140289//1	<p>Whilst the policy does recognise a difference between the assessment of urban and rural businesses that is not recognised in policies DM24 and DM26, it still, unreasonably, requires that a rural area must have a 60 minute bus service that operates throughout the hours that a facility is open.</p> <p>Small businesses, especially those working from home or in Farm diversification scheme, will, in the majority of occasions, operate in areas where such a bus, or alternative, service does not exist. Any proposal for such development would thus fall foul of this policy.</p> <p>Central government has, in order to boost the rural economy, recently amended permitted development rights to allow for the conversion of agricultural buildings to Class A1, A2, A3, B1, B8, C1 and D1 uses, though all</p>	<p>Policy DM27 includes a threshold for non-residential development of 1,000 sqm. It is reasonable that such a large facility should have good public transport access, whether located in an urban or a rural area. It is Government policy that developments that generate significant movement are located where the use of sustainable transport modes can be maximised (NPPF, para. 34). The use of a threshold ensures that there is no conflict with para. 28 of the NPPF, which promotes sustainable new development only.</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>such proposals would fall foul of this policy.</p> <p>PPG was amended on 6th March 2015 as a direct response to Local Authorities attempting to use negative development plan policies to resist permitted development. It would be quite wrong for such a policy to be incorporated into an emerging development plan.</p> <p>It is not sound to have policy which seeks to restrict government initiative to boost economic growth. The policy is neither positive, justified nor consistent with NPPF.</p>		
DM27: Bus accessibility criteria	Federation of Small Businesses	11935137//22	<p>Whilst the policy does recognise a difference between the assessment of urban and rural businesses that is not recognised in policies DM24 and DM26, it still, unreasonably, requires that a rural area must have a 60 minute bus service that operates throughout the hours that a facility is open.</p>	<p>Policy DM27 includes a threshold for non-residential development of 1,000 sqm. It is reasonable that such a large facility should have good public transport access, whether located in an urban or a rural area. It is Government policy that developments that generate significant movement are located where the use of sustainable transport modes can be maximised (NPPF, para.</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Small businesses, especially those working from home or in farm diversification scheme, will, in the majority of occasions, operate in areas where such a bus, or alternative service does not exist. Any proposal for such development would thus fall foul of this policy.</p> <p>Central government has, in order to boost the rural economy, recently amended permitted development rights to allow for the conversion of agricultural buildings to class A1, A2, A3, B1, B8, C1 and D1 uses, though all such proposals would fall foul of this policy.</p> <p>PPG was amended on 6 March 2015 as a direct response to local authorities attempting to use negative development plan policies to resist permitted development. It would be quite wrong for such a policy to be incorporated into an emerging development plan.</p> <p>It is not sound to have policy which seeks to restrict government initiative to boost economic growth. The policy</p>	<p>34). The use of a threshold ensures that there is no conflict with para. 28 of the NPPF, which promotes sustainable new development only.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			is neither positive, justified nor consistent with NPPF.		
DM27: Bus accessibility criteria	Gladman Developments	9140737//6	<p>Gladman consider that the approach of Policy DM27 is too narrow and inflexible, and fails to recognise the cost benefit approach of the Framework.</p> <p>Gladman are surprised by the dismissive nature of the policy to the diversion of bus routes as a mechanism to overcome a potential conflict with the policies sustainability standards. The policy should provide flexibility to enable developers and service providers to work together to explore amicable arrangements in order to assist the delivery of new sustainable development including the provision of new bus stops or the diversion existing bus routes. This approach may also lead to significant benefits for existing communities as well as new residents.</p> <p>Gladman believe that the policy provides insufficient recognition of the benefits to existing public transport</p>	Disagree. The policy sets out a clear test for when diversion of existing bus routes will or will not be an acceptable solution. Other material considerations will be taken into account as such but do not affect the plan's starting position that sustainable solutions should not inconvenience existing passengers.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			services that can be achieved from new developments, such as extra funding or patronage that may help improve the quality of services or secure/prolong routes that may otherwise be under threat. This is a material consideration that in Gladman's view should weigh heavily in favour of the development.		
DM27: Bus accessibility criteria	Highways Agency	10224641//10	The Agency supports the need for residential development in excess of 10 dwellings and other development in excess of 1000sqm to be within reasonable walking distance via a direct pedestrian route of a bus stop which provides an appropriate level of service. It is important that these options are provided to reduce the reliance on the private car. New bus services should be promoted with incentives through the Travel Plan as appropriate.	Support noted and welcomed	None
DM27: Bus accessibility criteria	Pegasus Group	11219713//11	DM27: Bus Accessibility Criteria  The intentions of this policy are noted, and it is recognised that the bus service	The distance of 400m is a well-established target in public transport planning. Given that an ageing population is likely to become less	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>frequency highlights rural and urban distinctions, and sets targets rather than definitive standards. This flexibility is supported.</p> <p>The identification within the text that a reasonable distance to a bus stop is a maximum of 400metres is concerning. The Local Transport Note 01/04 'Policy, Planning and Designing for Walking and Cycling' identifies 5 core principles for walking and cycling which include; convenient; accessible; safe; comfortable and attractive. It is therefore important that the policy allows a level of flexibility with regards to walking distances to allow for the consideration of the 5 core principles, rather than setting a maximum standard. Beyond this, it is noted that the maximum distance used within large urban areas is 640m. The text should be amended to change the 400m to an indicative rather than maximum standard.</p>	<p>mobile, the minimum distance should not be increased.</p>	

**Policy**

**DM28: Parking standards**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM28: Parking standards	Federation of Small Businesses	11935137//4	<p>The policy again seeks to introduce an unreasonable requirement for all development proposals, even the very smallest, to produce Travel Plans as this is the only method of justifying a proposal that does not meet full car parking standards referred to in the policy.</p> <p>The policy, unreasonably, requires all development proposals, no matter what the size, to provide adequate parking for vehicles waiting to load or unload. This requirement could also, unreasonably, constrain or over-burden small businesses and thus be harmful to the economy, particularly the rural economy.</p>	DM28 does not require the production of a Travel Plan, only that regard is had to any that are submitted. No additional justification is required for a proposal that meets the full car parking standards. Adequate loading / unloading space is required for highway safety reasons. The policy is clear that parking on the highway will be regarded as adequate where no safety or obstruction issue arises.	None
DM28: Parking standards	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//4	A requirement that development proposals 'must' meet the Council's standards for parking is too onerous. The standards are set out in the SPD and are not intended to have the status	Parking standards are set out in an SPD so that they can be revised promptly as required. DM28 creates a presumption that the standards will be respected, which is essential if they are to be	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>of a DPD and Policy. To include a requirement in the DPD that development must meet the prescribed standards would put any proposal that failed to do so in conflict with the Development Plan. This would be an undesirable consequence having regard to the consequences and presumptions that follow from such conflict.</p> <p><i>Amend the policy text to omit the requirement for development proposals to 'meet' the Council's parking standards. Similarly to Policy DM32, the requirement should not extend beyond 'having regard' to the SPD.</i></p>	<p>effective. Given the policy aim of DM28, it is not unreasonable to expect that any deviation from the standards will be specifically justified as an overriding material consideration.</p>	
DM28: Parking standards	Moor Park (North Somerset) Ltd (T Roche)	11854273//4	<p>A requirement that development proposals 'must' meet the Council's standards for parking is too onerous. The standards are set out in the SPD and are not intended to have the status of a DPD and Policy. To include a requirement in the DPD that development must meet the prescribed standards would put any proposal that failed to do so in conflict with the Development Plan. This would be an</p>	<p>Parking standards are set out in an SPD so that they can be revised promptly as required. DM28 creates a presumption that the standards will be respected, which is essential if they are to be effective. Given the policy aim of DM28, it is not unreasonable to expect that any deviation from the standards will be specifically justified as an overriding material consideration.</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>undesirable consequence having regard to the consequences and presumptions that follow from such conflict.</p> <p>Amend the policy text to omit the requirement for development proposals to 'meet' the Council's parking standards. Similarly to Policy DM32, the requirement should not extend beyond 'having regard' to the SPD.</p>		

## Policy

## DM30: Off-airport car parking

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM30: Off-airport car parking	Bristol Airport (E Summers)	10921473//2	<p><b>Policy DM30: Off-airport car parking</b></p> <p>Bristol Airport welcomes and supports Policy DM30. However, we would like to reiterate previous comments that we are concerned that without an upper limit on car parking spaces, the policy could result in significant off-airport car parking if applied to larger hotels.</p>	Support noted and welcomed. The possibility exists that large hotels will create large amounts of airport parking but the link to bedrooms provides a constraint that is fair to all operators of overnight accommodation outside the Green Belt.	None
DM30: Off-airport car parking	Campaign to Protect Rural England	705793//10	<p>DM30 Off-airport car parking</p> <p>We support the policy to encourage sustainable travel to and from Bristol Airport by constraining car parking.</p> <p>Wording of the policy could be made clearer 'Airport related parking outside of the Green Belt inset, apart from that approved under DM50 will only be permitted in association with existing</p>	Disagree. DM30 does not allow airport parking in the Green Belt. This restriction also applies to parking at overnight accommodation in the Green Belt. It would therefore be incorrect to change 'Green Belt' to 'Green Belt inset' as this would alter the geographical extent of the policy.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			overnight accommodation located on the same site, provided that the number of car parking spaces does not exceed three times the number of bedrooms’.		
DM30: Off-airport car parking	Parish Council's Airport Association	11840097//4	<p><b>DM30 off - airport car parking</b></p> <p>The PCAA welcome the continued protection of the Green Belt but believe that Policy DM30 benefits Bristol Airport and not the local community. North Somerset Council has effectively created a monopoly over parking in the area of the airport in which Bristol Airport receives significant monetary rewards from car parking on the Green Belt. There is a conflict of between Bristol Airport's reliance on income from car parking, protection of the Green Belt and sustainable transport policies which benefit the community by encouraging passengers to travel by public transport.</p> <p>The PCAA objected in the 2009 planning application 09/P/0120/OT2 to increased car parking on the Green Belt.</p>	DM30 does not relate to parking at the airport but only to parking in other locations.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Policy DM30 is unfair to local communities. The PCAA no longer supports North Somerset Council's closure of off site car parking. North Somerset Council should insist on Bristol Airport building only <b>multi storey car parks</b> on the North side of the airport. This is consistent with the spirit, and probably the letter, of the NSC planning permission allowing the airport to expand to 10 million passengers per annum. The Silver Zone should be reduced in size and turned back to green fields. This would encourage passengers to travel by public transport.</p> <p>North Somerset Council should not grant any more Green Belt to Bristol Airport.</p>		
DM30: Off-airport car parking	Taylor Wimpey	11933281//2	<p>The Policy is particularly restrictive in that outside of the Green Belt, airport-related car parking additional to that approved at Bristol Airport will only be permitted in association with existing overnight accommodation located on the same site, provided that the number</p>	<p>The parking needs of Bristol Airport were considered in granting planning permission for its further development. After making reasonable allowance for increased use of more sustainable modes of travel, those needs can be met on-site. The possibility of a park-and-</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>of car parking spaces does not exceed three times the number of bedrooms. It is not clear how this Policy has taken into consideration the economic growth and expansion plans for Bristol International Airport, including capacity for infrastructure to accommodate this growth. Such infrastructure may, for example, include car parking areas in sustainable locations that are not necessarily on-site. This could, by way of further example, include a Park and Ride scheme.</p> <p>We recognise that the Council wish to restrict small scale parking but the application of such a broad, blanket policy approach is inappropriate and unduly restrictive.</p>	<p>ride scheme at Weston-super-Mare was examined but discounted. The reference to a park-and-ride scheme, included in Replacement Local Plan Policy T/12, has therefore not been carried forward into the Sites and Policies Plan.</p>	

## Policy

## DM31: Air safety

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM31: Air safety	Bristol Airport (E Summers)	10921473//3	Bristol Airport welcomes and supports the wording within this policy.	Support noted and welcomed	None
DM31: Air safety	Moor Park (North Somerset) Ltd (T Rocke)	11854273//5	<p>The Helicopter Safeguarding Zone shown on the Proposals Map affects part of the Moor Park Business Park, which is already in business use. The written text of Policy DM31 indicates that parameters associated with flight activity of the Helicopter Museum will be addressed and integrated with development proposals at the Weston Villages in line with the Weston Villages SPD and expert guidance. It also states that the safeguarded corridor to allow safe and environmentally acceptable flight activity at the Helicopter Museum is shown on the Proposals Map.</p> <p>There is a complete lack of clarity regarding the implications of this policy for the Moor Park Business Park. Whilst a safeguarded corridor is</p>	The plan has to have regard to the existing helicopter museum and its flight path. For public safety and noise reasons it is necessary to identify the Helicopter Safeguarding Zone as an existing constraint that must be taken into account when determining applications.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>identified on the Proposals Map, it appears that the development control parameters are to be identified through another process that will not comprise a DPD and will not be subject to the same consultation and examination requirements. Moreover, that process would not appear to involve those with land interests at Moor Park that is affected by the designation since the intention is to address and integrate parameters with development at the Weston Villages, in which the landowners at Moor Park are not involved. This is completely irregular and could preclude affected landowners from understanding the implications of a designation on the Proposals Map in terms of potential restraints on development of their land, and from making meaningful representations in respect of it.</p> <p>The safeguarded corridor to allow safe and environmentally acceptable flight activity at the Helicopter Museum should be deleted from the Proposals Map insofar as it affects land at Moor Park Business Park.</p>		

<b>Policy</b>	<b>Respondent</b>	<b>Comment ID</b>	<b>Comment</b>	<b>Council Response</b>	<b>Document Changes</b>
DM31: Air safety	Parish Council's Airport Association	11840097//5	PCAA has no comment.	Noted	None

## Policy DM32: High quality design and place-making

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM32: High quality design and place-making	Bloor Homes	11844353//3	<p><b>Policy DM32</b></p> <p>Whilst we recognise that in developments of 100 homes and above, it is appropriate for preparation of detailed masterplans and inclusion of key urban design features such as landmark buildings, focal points etc, we do not consider it appropriate to require design codes for this scale of development. Design Codes should only be required for larger scale developments that are likely to come forward through phase development where it is necessary to detail the character of each area. Otherwise the Design Code would simply duplicate work that would otherwise be required for Reserved Matters and delay the commencement of development.</p>	Comment noted. A change is suggested to this policy to provide greater flexibility to only require design coding or similar where appropriate to the scheme.	<p>8th bullet point:</p> <p>"This will be supported by the production of masterplans and <del>design coding associated</del> <b>design principles. The use of design coding or other similar process should be considered if appropriate to the delivery of the development.</b>"</p>
DM32: High quality design and place-making	English Heritage (R Torkildsen)	8140417//3	<p><b>DM32: High quality design and place-making</b></p>	In relation to Conservation Areas there is a similar provision already in DM3 but no reference to heritage assets.	Modifications to DM3 instead of DM32 to reflect this

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>To reflect paragraph 137 of the NPPF this policy might also include the following criteria:</p> <p><i>The Council will look for opportunities from new development within Conservation Areas and within the setting of heritage assets to enhance or better reveal their significance.</i></p>	<p>DM3 will be amended accordingly to include reference to heritage assets.</p>	<p>suggestion building upon what is already in bullet point 2.</p>
DM32: High quality design and place-making	Federation of Small Businesses	11935137//5	<p>Policy DM32 is 2 pages long and comprises, generally, subjective statements that are neither focussed, concise nor accessible to the general public.</p> <p>Statements such as ‘<i>enhance the area taking into consideration any specific opportunities present</i>’, ‘<i>Proposals that reflect community aspirations and values</i>’, ‘<i>the site integrates with the surrounding fabric</i>’ are vague and open to interpretation as to be rendered meaningless.</p>	<p>Comments noted. The policy has been reviewed in order to clarify the statements referred to and other parts.</p> <p>The provision relating to adverse weather conditions seeks to facilitate development that offers opportunities to mitigate and adapt to weather conditions e.g. by orientation, shading etc. Also relates to issues such as flooding.</p>	<p>The following changes are recommended:</p> <p>"The design and planning of development proposals should demonstrate sensitivity to the local character, <del>including and</del> setting, and enhance the area taking into consideration <b>the existing context</b> <del>any specific opportunities present.</del>"</p> <p>In respect of the following policy text, "Proposals that</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>The FSB does not support the use of design vagaries as it makes policy inaccessible to the majority of professionals; let alone the general public or small business owners.</p> <p>The requirement that all development proposals facilitates inclusive access will unreasonably constrain or overburden small businesses and thus be harmful to the economy, particularly the rural economy. Again, this is not a requirement of permitted development, but could be used by the Council to resist such permitted development or development of small businesses that would otherwise be acceptable. How would an expanding small business working from home comply with such a requirement?</p> <p>In addition, what is referred to by all development having to take account of potential adverse weather conditions particularly in relation to the likely impacts of future climate change?</p> <p>Much of the policy is already set out within NPPF and PPG: It could be</p>		<p>reflect community aspirations and values will be encouraged." insert the following text within the supporting text as a new second paragraph,</p> <p><b>"The policy seeks to encourage development proposals that reflect community aspirations and values in order to facilitate development that fits well within the local community and benefits from a sense of community ownership and participation. Practical examples of how this could be achieved include early community engagement processes including more structured arrangements such as Enquiry by Design. Another example is bringing forward development proposals that reflect and are clearly influenced by any adopted local design principles for example</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>deleted and have no harmful impact on Development management decisions.</p> <p>The policy should be deleted as it is not positively prepared, nor justified and will not be effective.</p>		<p><b>established through Neighbourhood Plans, or Character Statements."</b></p> <p>2nd bullet point:</p> <p>"The site integrates well with the surrounding <b>environment</b> <del>fabrie</del> including streets..."</p> <p>5th bullet point:</p> <p>"The design <b>reflects</b> <del>facilitates</del> <del>inclusive access to all</del> and the need to deter crime and enhance security; and,"</p> <p>Reason: this aspect is covered by DM33 and DM42.</p>
DM32: High quality design and place-making	Hallam Land Management (F Robinson)	11931457//5	The policy refers to the production of design codes for developments of 100+ dwellings. This stipulation is not justified in that it doesn't consider any such alternative mechanism through which design quality could be delivered. To provide the necessary	<p>It is agreed to provide some flexibility as suggested. The following is suggested:</p> <p>"This will be supported by the production of masterplans and <b>associated design principles. The use</b></p>	<p>8th bullet point:</p> <p>"This will be supported by the production of masterplans and <del>design coding</del> <b>associated design principles. The use of design coding or other</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>flexibility, to ensure the plan is sound, the policy should be re-worded as below</p> <p>"</p> <p><i>On developments of 100+ dwellings.....This will be supported by the production of masterplans and associated design principles that could be demonstrated through a design code or similar".</i></p>	<p><b>of design coding or other similar process may be considered if appropriate to the delivery of the development."</b></p>	<p><b>similar process should be considered if appropriate to the delivery of the development."</b></p>
DM32: High quality design and place-making	Hallam Land Management (F Robinson)	11931457//11	<p>The policy refers to the production of design codes for developments of 100+ dwellings. This stipulation is not justified in that it doesn't consider any such alternative mechanism through which design quality could be delivered. To provide the necessary flexibility, to ensure the plan is sound, the policy should be re-worded as below:</p> <p><i>"On developments of 100+ dwellings...This will be supported by the production of masterplans and design coding associated design</i></p>	<p>It is agreed that having some scope for alternative processes may be beneficial in some cases. The following change is suggested:</p> <p>"This will be supported by the production of masterplans and <del>design coding-associated design principles.</del> <b>The use of design coding or other similar process should be considered if appropriate to the delivery of the development."</b></p> <p>It is considered that this change is broadly in line with the respondents</p>	<p>8th bullet point:</p> <p>"This will be supported by the production of masterplans and <del>design coding-associated design principles.</del> <b>The use of design coding or other similar process should be considered if appropriate to the delivery of the development."</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<i>principles, demonstrated through design and access statements or similar".</i>	suggested change, whilst still allowing for design coding where appropriate. This offers flexibility to adopt a specific course of action depending on the circumstances of the scheme.	
DM32: High quality design and place-making	Pegasus Group	11219713//12	We support this policy. Reference in bullet point 8 to the production of masterplans and design coding should be qualified with " <i>where appropriate</i> ".	Agreed in relation to design coding. The policy has a suggested change that includes flexibility to only require design coding where appropriate. It is always considered appropriate to have a masterplan for such schemes.	8th bullet point: "This will be supported by the production of masterplans and <del>design coding associated</del> <b>design principles. The use of design coding or other similar process should be considered if appropriate to the delivery of the development.</b> "
DM32: High quality design and place-making	Sport England (Maggie Taylor)	11831169//2	Sport England generally endorses the policy but, with the aim of delivering health and well being through design, we would recommend the concept of 'Active Design' is embodied in the above policy:	Agreed.	First paragraph: "The design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places <b>where opportunities for physical</b>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<a href="http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/">http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/</a>		<b>activity and recreation are maximised."</b>

**Policy** DM33: Inclusive access into non-residential buildings and spaces

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM33: Inclusive access into non-residential buildings and spaces	Federation of Small Businesses	11935137//6	<p>The FSB strongly supports the provision of inclusive access. However, also recognising that many small businesses cannot provide such access due to the scale of the business. e.g. Working from home etc.</p> <p>The requirement that all new development 'must provide' inclusive access is an unreasonable burden on small business that will materially affect viability and will therefore stop businesses growing to the detriment of the local economy.</p> <p>The requirement that such access proposals should be demonstrated through a design and access statement is also an unreasonable burden on business. The government amended the requirements for the production of a DAS in order to reduce the burden upon development for most applications, yet this policy could be</p>	<p>Whilst seeking to encourage inclusive access, the policy does recognise that there may be barriers to achieving this in the second paragraph. Specific alternatives are referred to but not stipulated.</p> <p>It is recognised that the Building Regulations require a minimum standard of accessibility in any case. This policy seeks to encourage application of inclusive principles across a development proposal; not just the building.</p> <p>The DAS is only used as an example. Other documents/drawings could demonstrate how these principles have been taken into account.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>used to re-introduce it or a document very similar for all applications.</p> <p>Access for all is covered by the Building Regulations and is a matter that should not be introduced through a development plan.</p>		

**Policy**

**DM34: Housing type and mix**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM34: Housing type and mix	Bloor Homes	11844353//2	Policy DM34 The wording within the first paragraph of draft Policy DM34 is unclear in its reference to the inclusion of “small-scale local builders, individually designed homes and self-build schemes.” Whilst we do not object to the policy if the intention is to support proposals that include these measures, their inclusion should not be a requirement of development and the role of regional and national housebuilders also needs to be taken into account in delivering the homes required to meet housing need. Whilst it may be appropriate on some sites, applying a blanket requirement for the provision of an element of self-build or individually designed homes would have a negative impact on delivery and viability.		
DM34: Housing type and mix	Campaign to Protect Rural England	705793//11	Support small scale builders.  Sites of 100+ - We recognise the positive aspects of this policy and	Comments noted.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			would want a more radical approach by reducing the minimum number within the development (10) where this policy applies to ensure small local builders can enter the market more frequently and the economic benefit remains local.		
DM34: Housing type and mix	Federation of Small Businesses	11935137//7	<p>Whilst the FSB actively supports a policy position that positively supports units, objected to is the negative wording of the proposed policy.</p> <p><i>To state that ‘Proposals for live/work units are supported throughout the district but particularly as part of any proposals in the service and infill villages in order to help limit the amount of out-commuting and support local employment opportunities’ is an attempt to introduce a policy that resists live/work units in rural areas.</i></p> <p>The policy does not facilitate flexible working practices such as the integration of residential and</p>	Disagree. The policy is supportive of live/work units.	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>commercial uses within the same unit as required by NPPF(21).</p> <p>This policy will be harmful to the rural economy, will be harmful to the set-up of small businesses and is not sound as it is neither positively prepared, justified nor consistent with National Policy.</p>		
DM34: Housing type and mix	Hallam Land Management (F Robinson)	11931457//8	<p>The intention of the policy is to demonstrate support for the creation of socially mixed communities and the delivery of a range of building types and tenures to include opportunities relating to housing construction. Paragraph 1 of the policy is currently unclear and presents uncertainty for its implementation. We therefore suggest that to ensure clarity, the policy should be reworded as set out below</p> <p><i>"The Council will require proposals on strategic housing sites (100+houses) to include a range of building types and tenures. Proposals should also</i></p>	<p>Comments and suggested changes noted. Alternative changes to clarify first sentence proposed:</p> <p><u>"Where there is evidence of demand proposals should facilitate opportunities supporting those proposals which include small-scale local builders, individually designed homes and self-build schemes"</u>.</p>	<p>Amend second sentence of first paragraph to read:</p> <p><u>"Where there is evidence of demand proposals should facilitate opportunities supporting those proposals which include small-scale local builders, individually designed homes and self-build schemes"</u>.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<i>facilitate opportunities supporting these proposals which include small-scale local builders, individually designed homes and self-build schemes, will be supported.</i>		
DM34: Housing type and mix	Home Builders Federation Ltd (S Green)	9138657//1	<b>In Policy DM34 – House Type &amp; Mix</b> the Council refers to facilitating opportunities for small-scale builders and / or self-builders on sites of more than 100 dwellings. The Council should clearly define its intentions so the policy is effective and justified by appropriate supporting evidence. If the Council wishes to encourage self-build based on evidence that such a need exists this should be done positively to increase the overall amount of new housing development rather than by a restrictive policy requirement for inclusion of such housing on larger development sites. Such a policy approach only changes the form of delivery of allocated / permissioned dwellings from a national volume or medium sized regional house building company to a small-scale builder / self-builder without any consequential	Comments regarding self-build schemes noted. Suggest amendment to second sentence of first paragraph to read:  " <u>Where there is evidence of demand</u> proposals should facilitate opportunities supporting those proposals which include small-scale local builders, individually designed homes and self-build schemes".	Amend second sentence of first paragraph to read:  " <u>Where there is evidence of demand</u> proposals should facilitate opportunities supporting those proposals which include small-scale local builders, individually designed homes and self-build schemes".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>                     additionality to boosting housing supply. Indeed if these plots are not developed then the Council has caused an actual delay to housing delivery. Moreover the Council should give detailed consideration to the practicalities (for example health &amp; safety implications, working hours, length of build programme, etc.) of implementing this policy and all proposals should be subject to appropriate viability testing. It is also noted that there is no definition of self-build in the Glossary. The Council should include such a definition. Perhaps the Council should consider a specific separate policy to encourage self-build / custom build rather than as part of Policy DM34.                 </p> <p>                     The Council should be mindful that when identifying locations for growth and site allocations to meet OAHN the widest variety of sites by size, location and market type should be considered to enable the house building industry to maximise housing delivery.                 </p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Where the Council is seeking to address deficiencies in housing mix for particular users or in specific localities (Policies DM34, DM35 and DM40) this mix should be determined at the time of an outline or full planning application submission.		
DM34: Housing type and mix	Pegasus Group	11219713//13	Whilst recognising the intentions of this policy, it is unclear how the policy would function in practice. Additional detail must be added to this draft policy and its justification, to ensure that the policy is effective under paragraph 182 of the NPPF.	Comments noted.	None
DM34: Housing type and mix	Persimmon Homes Severn Valley (cprewett)	11809729//11	Persimmon Homes Severn Valley (PHSV) accept that opportunity should be taken to provide a range of building types and tenures on housing sites of 100 plus houses. However the evidence base for the mix needs to be provided through and SHMA which would provide an objective assessment of housing needs from which the Council should derive its overall strategy to provide a framework for consideration	Comments noted. Proposed amendment to second sentence of first paragraph to read:  " <u>Where there is evidence of demand</u> proposals should facilitate opportunities supporting those proposals which include small-scale local builders, individually designed homes and self-build schemes".	Amend second sentence of first paragraph to read:  " <u>Where there is evidence of demand</u> proposals should facilitate opportunities supporting those proposals which include small-scale local builders, individually designed homes and self-build schemes".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>of Planning Applications. It should also be noted that not all schemes would be suitable to support small scale builders, individually designed homes and self-build schemes. However we also have some fundamental objections to self build schemes.</p> <p>The NPPF and NPPG provides guidance on the need to assess demand for custom build housing and it is less clear on how that need should be met. The NPPG identifies a number of secondary data sources for assessing demand, but says ‘such data is unlikely on its own to provide reliable local information on the local demand for people wishing to build their own homes’. It advises that ‘plan makers should therefore consider surveying local residents, possibly as part of wider surveys, to assess local housing need for this type of housing and compile a local list or register of people who want to build their own homes’. We consider that such a survey should be a prerequisite evidence base requirement for any DPD Policy.</p>	<p>Also inclusion of the following sentence in the justification:</p> <p><u>The Strategic Housing Market Assessment (SHMA) is the evidence base for housing need and this should be taken into account in the consideration of housing proposals.</u></p>	<p>Add the following sentence to the justification:</p> <p><u>The Strategic Housing Market Assessment (SHMA) is the evidence base for housing need and this should be taken into account in the consideration of housing proposals.</u></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>With no evidence base, the Policy fails to provide guidance on the number of custom build sites required.</p> <p>We do not consider it is appropriate to provide self build plots on sites of more than 100 dwellings where this could impact on:</p> <ul style="list-style-type: none"> <li>• Design and layout and the requirements of the Design and Access Statement.</li> <li>• Phasing and completion of the site.</li> <li>• Section 106 contributions due to the exemption that applies to custom build housing.</li> <li>• Delivery of housing in accordance with Paragraph 47 of the NPPF ‘to boost significantly housing supply’, where delivery on an ad-hoc basis by self builders is likely to be slow compared with the remainder of the site or even not take place at all.</li> </ul> <p>We note that NPPG guidance refers to:</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<ul style="list-style-type: none"> <li>• Meeting ‘strong latent demand’ for self build housing.</li> <li>• ‘Additional local demand over and above current levels of delivery can be identified’.</li> </ul> <p>In our view if the demand for self build housing is latent and above current levels of delivery, it should be considered additional to demand identified for market and affordable housing and therefore should be met through the identification of additional specific exception sites and should not be accommodated on allocated residential and mixed use sites.</p> <p>The Policy supports aspirational housing at Weston Super Mare. Whilst this is an important aspiration, the need for aspirational housing should be looked at on a district wide basis to attract those that will be more interested in towns and village locations as well as Weston Super Mare. It is better to attract high value households to the Council’s area rather than seeing them locate in village</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>locations which are available near to Weston Super Mare in other districts.</p> <p>Identification of specifically designed live/work units is counterproductive and restricts choice; any standard house will potentially form a live/work function anyway and in new houses can be converted as they are built to meet the needs of the occupier.</p> <p>In our view the Policy only sets out requirements for certain types of housing and fails to meet the justification for the policy in the SA to create socially mixed communities, does not provide a specific reference to what is meant by 'mixed and balanced community' and does not provide guidance on what is required in particular locations as set out in the SA.</p>		
DM34: Housing type and mix	South West HARP Planning Consortium	6235201//2	It is wrong to angle this towards 'aspirational' housing at the expense of affordable housing which is very much needed, forms an essential part of any mix (as recognised by the NPPF) but is not even mentioned.		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>In the recent appeal decision concerning land at Scot Elm Drive in Weston-super-Mare, for which I gave evidence on behalf of the appellant, the Inspector acknowledged the Council's poor delivery record on affordable housing versus a large housing waiting list (APP/D0121/A/14/2223975). Clearly this needs to be addressed and, as drafted, neither DM34 nor the DPD more generally does this.</p> <p>With reference to the Replacement Local Plan, Core Strategy Policy CS16 sets a target of 30% affordable housing on qualifying sites. As currently stated this is seeking on-site provision or off-site contributions on sites below the 10 unit threshold, which is now overruled by the recent introduction of the 10 unit minimum threshold in the PPG. Recent appeal decisions show that the PPG carries greater weight in decision making for example 38-44 Buckles Way, Banstead, Surrey of 5 January 2015 (APP/L3625/W/14/3000049). With the exception of North Somerset's designated rural areas under the Section 157 of the Housing Act 1985 and</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Statutory Instrument 1997 No. 621, this policy threshold cannot continue to operate.</p> <p>This is raised for two reasons. Firstly, because this will limit the number of sites from which affordable housing can be delivered especially in the urban areas where the PPG threshold takes precedence. In reality, the opportunities available in the designated rural areas are also limited, owing to the operation of the Affordable Housing SPD which restricts rural exception sites by erroneous reference to the need for very special circumstances to be demonstrated in Green Belt locations and further by the restriction on cross-subsidy, our representation on the draft SPD of June 2013 previously referred (M5/1118-14).</p> <p>It is with concern that we note that this misinterpretation of Green Belt policy is not only encapsulated in the Core Strategy's rural exception sites policy CS17 but is now carried forward in DM46, page 109 of the DPD which states that: "<i>Within the Green Belt, new</i></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i> dwellings (other than replacement dwellings) outside settlement boundaries will not normally be permitted except for the purposes of agriculture or forestry and it would be inappropriate to make a further exception for other rural uses". The NPPF clearly states that rural exception schemes <u>are</u> an appropriate use of Green Belt land, where adjacent to settlement boundaries - please refer to paragraph 89 of the Government policy. Moreover, the DPD hints at the need for such schemes to be delivered in North Somerset where stating that the lack of affordable housing is a concern in the rural areas and "particularly in the Green Belt" (Justification to DM34, page 83).</i></p> <p>The Council must be proactive in its policy making if it is to resolve the affordable housing shortfall. This brings us to our second reason which is the urgent need for the above matters to be rectified through thorough assessment of the Council's affordable housing policy.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Of further concern in relation to DM34 and DM35 is the apparent lack of evidence base supporting to proposed housing mix. The current SHMA must form the basis and is notably not referenced, which raises questions about the robustness of the Council's request for the prescribed range of house types in these policies. This is especially relevant to DM35 which sets out a very specific house size profile for residential developments in Nailsea. 2011 Census data could also be used.</p> <p>We have already mentioned aspirational housing mentioned at the expense of affordable housing; an additional point is that focussing on aspirational housing as an explicit form of social engineering is not acceptable to our clients.</p> <p>Finally, the reference to self-build would need to be expanded on and a separate policy may be of benefit. This should ensure a distinction between self-build and custom-build; the latter being a separate product often mistakenly referred to as self-build but</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			which can play an equally important role in house building.		
DM34: Housing type and mix	Taylor Wimpey	11933281//3	<p>The Policy states that proposals on strategic housing sites (defined as 100+ dwellings) should facilitate opportunities for a range of building types and tenures which include small scale local builders and self build schemes. Whilst there is no definition of self-build provided, it is assumed this would follow that which is included in the government's Planning Practice Guidance (under 'Community Infrastructure Levy') and clarification on this point would be helpful.</p> <p>Such a measure would appear to support the underlying Policy objective of paragraph 50 in the NPPF; however, this depends on the evidence and full justification. Policy DM34 therefore requires appropriate supporting evidence to justify the wording. Evidence should be presented by the Council on the demand for self build units on a development site.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>The Council should be careful to ensure that there is no adverse impact in applying a restrictive policy requirement for a certain element of self build on strategic housing sites only, by means of essentially shifting the delivery method from larger volume house builders to small scale or individual self builders. Furthermore, the Policy needs to be subject to viability testing on sites, given the different funding mechanisms which would be required on self build elements. Evidence on the cost of self build plots is therefore important. Clarification on whether such plots would be sold at market value should also be made.</p> <p>The NPPF is clear that local planning authorities should identify and update annually a supply of specific deliverable sites to boost significantly the supply of housing<sup>[1]</sup>. Increasing the overall amount of housing together with a variety of sites by location, type and size would help deliver the greatest range of housing for North Somerset (including self-build units), rather than</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			shifting the form of delivery on larger site allocations. <a href="#">[1]</a> Paragraph 47, National Planning Policy Framework, March 2012		

**Policy**

**DM35: Nailsea housing type and mix**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM35: Nailsea housing type and mix	David Gray	8053281//1	<p>The inclusion of this policy is welcome as a means of improving Nailsea's the age structure. It is much needed as the 2011 census (see chart below) shows that, roughly speaking, relative to the English national age structure, Nailsea has half the proportion of 20 to 40 year olds and twice the proportion at retirement age.</p> <p>Specific restriction of the number of larger properties to be developed will be most helpful.</p> <p>The policy wording does not restrict construction of 5 bedroom and larger homes. The policy wording should restrict the number of "4 bedroom and larger" properties.</p> <p>The Nailsea Evidence Paper was issued for the 2013 Sites and Policies Document consultation. Its "House sizes in North Somerset by area" chart shows that, in addition to having one of</p>	<p>Comments noted and support welcomed. The policy does restrict the proportion of dwellings which are "four bedrooms or more" and so does restrict the construction of 5+ bedroom homes.</p>	<p>None.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>the highest proportions of 4 bedroom homes, the town also has the highest proportion of 3 bedroom homes in the District. Consequently, the proportion of 3 bedroomed homes could justifiably be restricted along the lines of the number of “3 bedroom and larger” properties.</p> <p>The supporting text refers to the influence of home extensions on the existing mix. Consequently the policy wording could be justifiably be strengthened by preferring homes that cannot be extended (e.g. flats).</p>		
DM35: Nailsea housing type and mix	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//5	<p>The policy is too prescriptive in setting out specific requirements for new housing in terms of type and mix. The specific requirements for particular locations are properly identified through the SHMAA, which is updated on a rolling basis and in the light of the delivery of market and affordable housing. To include specific requirements in a development plan policy that is intended to span a 20-period would be inconsistent with</p>	<p>Core Strategy Policy CS15: Mixed and Balanced communities states that "The Council will seek to ...reduce an existing proliferation of one housing type within an area through encouraging the development of a range of housing types that better meet housing needs, contribute to an improved local environment and support greater community cohesion".</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>the requirement for it to be ‘positively prepared’ and ‘effective’.</p> <p>As is acknowledged in the justification to Policy DM34, the housing mix and type proposed should be derived with reference to the latest SHMA and local needs surveys. In particular, there is no justification for restricting the proportion of new dwellings with 4 bedrooms or more, and including such specific provisions in a Development Plan policy has the potential to create inflexibility to respond to evolving needs and a policy framework that is not up-to-date.</p> <p>The imbalance in age structure of the town to which reference is made in the policy justification is symptomatic of the lack of significant housing development at Nailsea for a considerable period of time, not least because the allocated site at North-West Nailsea on which reliance was placed in the Adopted Local Plan, has failed to come forward. The need to respond to this problem, which will require allocation of significant</p>	<p>Nailsea Town Council raised the proliferation of 4 bedroom properties as an issue during the Consultation Draft stage of the Sites and Policies Plan and had gathered a strong evidence base to support a separate policy for Nailsea. None of the other parishes in North Somerset have raised this as a particular issue to them during either the consultation draft or publication version consultations.</p> <p>Policy DM35 therefore provides the detail in which the implement the aims set out in CS15.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>deliverable sites at Nailsea, must be addressed through the allocation of sites in the Part II Plan.</p> <p>Amend the policy to refer to the type and mix of housing to be justified having regard to the latest SHMAA. Provision should be made for Aspirational housing at Nailsea to allow for choice of location by those socio-economic groups at whom such housing is targeted, and whose aspirations may extend to locations elsewhere than Weston-super-Mare.</p> <p>Consideration should be given to whether this is appropriately a Nailsea-specific policy, or one that relates to the overall district through incorporating such amendments into Policy DM34 and deleting Policy DM35 with its specific focus on Nailsea.</p>		
DM35: Nailsea housing type and mix	Messrs A J and D W Baker	4601153//2	It is expected that Part 2 of the Sites and Policies Plan will include proposals for significant new development within Nailsea and, if adopted, we consider	Core Strategy Policy CS15: Mixed and Balanced communities states that "The Council will seek to ...reduce an existing proliferation of one housing	No changes necessary

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>that Policy DM35 would impose unrealistic and unnecessary restrictions on the future mix of housing within the town over the plan period (i.e. it is considered too prescriptive). We consider that this is contrary to the need to retain flexibility in Local Plans to accommodate change, as required by the National Planning Policy Framework.</p> <p>We also question whether this problem is solely restricted to Nailsea, or whether it affects other towns and settlements throughout the district - we suspect that the problem is probably more wide-spread than just Nailsea.</p> <p>We do not consider it justified to roll-out this policy without examining the position in other towns and settlements on the grounds that solving a perceived problem in one location may create other problems elsewhere.</p>	<p>type within an area through encouraging the development of a range of housing types that better meet housing needs, contribute to an improved local environment and support greater community cohesion".</p> <p>NPPF para 50 states that:</p> <p>"Local planning authorities should...plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community and identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand".</p> <p>Nailsea Town Council raised the proliferation of 4 bedroom properties as an issue during the Consultation Draft stage of the Sites and Policies Plan and had gathered a strong evidence base to support a separate policy for Nailsea. None of the other parishes in North Somerset have raised this as a particular issue to them during</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p>either the consultation draft or publication version consultations.</p> <p>Policy DM35 therefore provides the detail in which the implement the aims set out in CS15 and reflects guidance set out in the NPPF.</p>	
DM35: Nailsea housing type and mix	Persimmon Homes Severn Valley (cprewett)	11809729//12	<p>It is not clear why Nailsea has been singled out for a specific Policy on Housing Type and Mix in order to redress an imbalance in property type in Nailsea. Many settlements in North Somerset also have an imbalance in the age structure of the settlement, particularly a decline in the number of residents under 45 years old and a disproportionate number in older age groups. For example we are aware that there is a similar imbalance in neighbouring Backwell. If there is a genuine need to address imbalances in the age structure of populations within North Somerset this should be dealt with on a comprehensive basis rather than singling out one settlement.</p>	<p>Core Strategy Policy CS15: Mixed and Balanced communities states that "The Council will seek to ...reduce an existing proliferation of one housing type within an area through encouraging the development of a range of housing types that better meet housing needs, contribute to an improved local environment and support greater community cohesion".</p> <p>NPPF para 50 states that:</p> <p>"Local planning authorities should...plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community and identify the size, type, tenure and range of housing that is</p>	No changes necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Also Persimmon Homes Severn Valley consider the Policy will have little effect in Nailsea where no new housing developments are proposed and any development is likely to be on very small scale infill sites, such that in any event there will be few sites of 5 or more dwellings which the Policy seeks to influence.	<p>required in particular locations, reflecting local demand".</p> <p>Nailsea Town Council raised the proliferation of 4 bedroom properties as an issue during the Consultation Draft stage of the Sites and Policies Plan and had gathered a strong evidence base to support a separate policy for Nailsea. None of the other parishes in North Somerset have raised this as a particular issue to them during either the consultation draft or publication version consultations.</p> <p>Policy DM35 therefore provides the detail in which the implement the aims set out in CS15 and reflects guidance set out in the NPPF.</p>	
DM35: Nailsea housing type and mix	South West HARP Planning Consortium	6235201//3	Of further concern in relation to DM34 and DM35 is the apparent lack of evidence base supporting to proposed housing mix. The current SHMA must form the basis and is notably not referenced, which raises questions about the robustness of the Council's request for the prescribed range of	Core Strategy Policy CS15: Mixed and Balanced communities states that "The Council will seek to ...reduce an existing proliferation of one housing type within an area through encouraging the development of a range of housing types that better meet housing needs, contribute to an	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>house types in these policies. This is especially relevant to DM35 which sets out a very specific house size profile for residential developments in Nailsea. 2011 Census data could also be used.</p>	<p>improved local environment and support greater community cohesion".</p> <p>Nailsea Town Council raised the proliferation of 4 bedroom properties as an issue during the Consultation Draft stage of the Sites and Policies Plan and had gathered a strong evidence base to support a separate policy for Nailsea. None of the other parishes in North Somerset have raised this as a particular issue to them during either the consultation draft or publication version consultations.</p> <p>Policy DM35 therefore provides the detail in which the implement the aims set out in CS15.</p>	

**Policy**

**DM36: Residential densities**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM36: Residential densities	Highways Agency	10224641//11	The Agency supports the encouragement of a range of housing densities appropriate to their location, with higher densities concentrated in particularly accessible locations. We note that particular attention when determining suitable residential densities will be given to the proximity to public transport opportunities, transport corridors, cycle routes and pedestrian linkages and welcome this.	Comments noted and support welcomed.	No changes necessary
DM36: Residential densities	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//6	For reasons set out in relation to Policy DM28, it should not be a policy requirement for parking to be in accordance with parking standards set out in SPD, failure to comply with which would put development in conflict with the Development Plan. An inflexible approach to parking provision is not necessarily consistent with achieving the optimum residential density and the flexible approach to	The Council's Parking Standards allow a flexible approach to parking provision for residential development and therefore this does not need to be re-iterated in this policy.	No changes necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>assessing the appropriate density for a site, which is the objective of this policy. The appropriate level of parking should also reflect the accessibility of the site to urban facilities, including transport nodes. This is consistent with the requirements of paragraph 39 of the NPPF.</p> <p>Amend the policy text to require residential development to 'have regard' to the Council's parking standards.</p>		
DM36: Residential densities	Moor Park (North Somerset) Ltd (T Rocke)	11854273//6	<p>For reasons set out in relation to Policy DM28, it should not be a policy requirement for parking to be in accordance with parking standards set out in SPD, failure to comply with which would put development in conflict with the Development Plan. An inflexible approach to parking provision is not necessarily consistent with achieving the optimum residential density and the flexible approach to assessing the appropriate density for a site, which is the objective of this policy. The appropriate level of parking</p>	<p>The Council's Parking Standards allow a flexible approach to parking provision for residential development and therefore this does not need to be re-iterated in this policy.</p>	<p>No changes necessary.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>should also reflect the accessibility of the site to urban facilities, including transport nodes. This is consistent with the requirements of paragraph 39 of the NPPF.</p> <p>Amend the policy text to require residential development to 'have regard' to the Council's parking standards.</p>		
DM36: Residential densities	Pegasus Group	11219713//14	We support this policy, and its ability to apply flexibility to housing density based upon site specific conditions.	Support welcomed.	No changes necessary.

**Policy** DM37: Residential development in existing residential areas

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM37: Residential development in existing residential areas	Pegasus Group	11219713//15	<p>The addition of <i>"other sites within predominately residential areas"</i> and the comment in respect to <i>"other spaces for additional housing"</i> in the justification text, introduces significant uncertainty in respect to the application of this policy. This wording should be reconsidered to ensure the policy is applied in respect to traditional infill and backland development only, which is seemingly the intention.</p> <p>It is noted that wider concerns on the impact of development on local character and setting, are appropriately addressed through draft Policy DM32.</p>	<p>The phrases quoted of <i>"other sites within predominately residential areas"</i> and <i>"other spaces for additional housing"</i> do not provide significant uncertainty in respect of the application of the policy. They allow the flexibility for sites within predominately residential areas to be assessed under the criteria of this policy if necessary.</p>	No change necessary.

**Policy**

**DM38: Extensions to dwellings**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM38: Extensions to dwellings	Kingston Seymour Parish Council	9144609//3	It is suggested that the third bullet point should be split into two (or even three) parts, for clarity and in the interest of good grammar.	<p>The third bullet point is dealing with living conditions and private amenity and the requirements should be kept as one bullet point for consistency. However, the wording could be slightly altered for clarity to:</p> <p>"would not prejudiced the living conditions of occupiers <del>and</del> adjoining properties, and ensures the retention of adequate private amenity space, and complies with <i>the councils adopted</i> parking standards".</p>	<p>Change third bullet point to read:</p> <p>"would not prejudiced the living conditions of occupiers <del>and</del> adjoining properties, and ensures the retention of adequate private amenity space, and complies with <i>the councils adopted</i> parking standards".</p>

**Policy DM40: Retirement accommodation and supported independent living for older and vulnerable people**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM40: Retirement accommodation and supported independent living for older and vulnerable people	Bloor Homes	11844353//4	This draft policy suggests that large developments should be required to assess the need for retirement and supported independent living schemes and make appropriate provision. We object to this requirement as it should be for the Plan Making Process to “identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand” (NPPF, paragraph 50).	Comments noted. Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".	Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".
DM40: Retirement accommodation and supported independent living for older and vulnerable people	Blue Cedar	8620193//2	Blue Cedar Homes, as a retirement homes provider welcome reference in the Development Management Policies document in meeting the needs of an increasing ageing population. We support the overall drive to provide more housing for the elderly. As set out in the text, there is increased demand for a variety of types of schemes that support a level of independent living for older people.	Comments noted.	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Therefore, reference to the provision of specialist, market housing for the elderly is a necessity.</p>		
<p>DM40: Retirement accommodation and supported independent living for older and vulnerable people</p>	<p>Gladman Developments</p>	<p>9140737//7</p>	<p>Gladman consider that the approach of the policy in only supporting proposals for retirement accommodation within the settlement boundary does not align with the cost benefit approach of the Framework. Should a development come forward that meets the remaining points of the Policy and does not have a significant and demonstrable effect on landscape, local biodiversity or heritage, then it would be approved. Whether a development proposal is located on greenfield or brownfield, or represents infill development is not representative of the approach taken by national policy.</p> <p>The provision by the policy to require all residential schemes of over 100 dwellings to assess the need for retirement and supported independent living schemes needs to be properly supported by evidence demonstrating that viability of schemes across the</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			borough will not be implicated by this requirement. Gladman cannot find any evidence provided by the Council to demonstrate that the authority has considered this. The protection of development viability is a key consideration of the Framework. Policy makers need to be careful that developments are not prevented from being delivered due to over cumbersome policy requirements (S173 of the Framework).		
DM40: Retirement accommodation and supported independent living for older and vulnerable people	Hallam Land Management (F Robinson)	11931457//9	The final paragraph within this policy requires residential schemes for over 100 dwellings to assess the need for retirement and supported independent living and make appropriate provision, dependent on suitability and viability. We consider that there is a lack of evidence to demonstrate that such an approach, that which consideration of the provision of this specific housing type, is appropriate or justified in relation to the delivery of overall housing for schemes of 100+. We therefore consider that this final	Comments noted and accepted. Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".	Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			paragraph should be deleted from the policy.		
DM40: Retirement accommodation and supported independent living for older and vulnerable people	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//7	<p>Similarly to the assessment of the housing type and mix in accordance with Policy DM35, assessment of the need for retirement and supported independent living schemes should be derived from the latest SHMAA. There should not be a requirement to undertake such assessment with individual planning applications.</p> <p>Amend the wording to refer to the requirement to consider the need for such housing having regard to the findings in the latest SHMAA.</p>	Comments noted and accepted. Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".	Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".
DM40: Retirement accommodation and supported independent living for older and vulnerable people	Moor Park (North Somerset) Ltd (T Rocke)	11854273//7	Similarly to the assessment of the housing type and mix in accordance with Policy DM35, assessment of the need for retirement and supported independent living schemes should be derived from the latest SHMA. There should not be a requirement to undertake such assessment with individual planning applications.	Comments noted and accepted. Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".	Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Amend the wording to refer to the requirement to consider the need for such housing having regard to the findings in the latest SHMA.		
DM40: Retirement accommodation and supported independent living for older and vulnerable people	Pegasus Group	11219713//16	<p>The requirement to undertake a local care needs assessment, and the provision of some retirement and supported independent living on site, is inappropriate. The NPPF and PPG places the need to undertake housing need assessments for specialist older persons housing as the sole responsibility of the local authority (paragraph 159, NPPF). It is inappropriate for the Council to request this information in the submission of all developments over 100 units.</p> <p>The provision of a requirement for delivery of retirement and supported independent living schemes on 'standard' housing sites, must be justified through a Local Plan viability assessment (as per paragraph 173, NPPF).</p>	Comments noted. Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".	Include in paragraph 4 of the justification that "the Strategic Housing Market assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM40: Retirement accommodation and supported independent living for older and vulnerable people	Persimmon Homes Severn Valley (cprewett)	11809729//13	Persimmon Homes Severn Valley supports the first paragraph of the Policy and the three bullet points. That should then be sufficient to enable the provision of retirement accommodation in accordance with the need to identify in the emerging SHMA without requiring an assessment on all residential schemes of 100 dwellings or more. If there was a need and a market for retirement accommodation it will come forward. In addition there is no justification in the Policy or in the SA as to why this requirement relates to schemes for 100 dwellings or more.	<p>Developments of 100+ dwellings are considered major housing schemes and are of a size that could incorporate retirement and/or supported independent living schemes if there was an evident need. This policy has been modified from the consultation draft version which had a blanket requirement for the provision of accommodation aimed at achieving various degrees of supported independent living for older and vulnerable people on all developments over 100 dwelling.</p> <p>It would be useful to have reference in the supporting text to the Strategic Housing Market Assessment (SHMA) as the main evidence base for assessing need.</p>	<p>Include in paragraph 4 of the justification the following sentence:</p> <p><u>"the Strategic Housing Market Assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes".</u></p>
DM40: Retirement accommodation and supported independent living for older and vulnerable people	South West HARP Planning Consortium	6235201//4	We wholly support the aim of this policy. However, the comments we made previously in M5/1118-13 still stand, namely the request for allowance for schemes within <u>or adjacent</u> to settlement boundaries. This is especially important if sufficient	Any detailed review of North Somerset's Council's affordable housing policy would be undertaken through a review of the Affordable Housing SPD.	No change necessary.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>land is to be found to accommodate the extra care schemes which are referenced in the Justification, page 96. Such developments come with requirements for ancillary recreational and community facilities which add considerably to the footprint and cannot always be accommodated within a settlement boundary.</p> <p>Summary</p> <p>To conclude, we feel that the above concerns demand a more thorough reconsideration of detailed affordable housing policies for urban and rural areas. Rather than wait for the Core Strategy review, we feel it would be appropriately placed within this DPD. This would also overcome current deficiencies in the SPD by providing more robust content. Failure to do so will only serve to ensure that affordable housing delivery remains at an unacceptably low level for the next few years and this is of grave concern to us and to our clients.</p>		

**Policy** DM41: Nursing and care homes for older people and other vulnerable people

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM41: Nursing and care homes for older people and other vulnerable people	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//8	A blanket restraint on additional care or nursing homes is untenable. The NPPF requirement is to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, including older people (para. 50). Whilst acknowledging that provision for older people is changing as more people wish to remain in their own homes or live as independently as possible, it is acknowledged that the local population is ageing. Even if a greater proportion are able to remain independent for longer, with an ageing population a smaller proportion of a larger sector is likely to result in a requirement for additional care accommodation. It is inconsistent with meeting full objectively assessed needs to seek to restrict additional care accommodation to replacement of an existing sized similar facility already in the district. Moreover, since one of the concerns set out in the justification is	This policy is reasonable and justified. The policy doesn't apply a blanket restriction on additional care or nursing homes. It states that planning permission will not be granted for extensions to or new residential care or nursing homes unless they can meet certain criteria. One of these criteria is where it can be demonstrated that there is insufficient provision in the locality to meet local need for that type of specialist care. Therefore, the policy is fully consistent with the NPPF requirement to meet full objectively assessed needs and to plan for a mix of housing, including for older people.	No changes necessary

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>the datedness and poor quality of existing accommodation, there is a need to allow new entrants and the development of modern facilities to raise the benchmark standard and provide beneficial competition in the sector.</p> <p>This policy should be deleted from the plan since it is inconsistent with the NPPF requirement to meet full objectively assessed needs and to plan for a mix of housing, including for older people.</p>		
DM41: Nursing and care homes for older people and other vulnerable people	Moor Park (North Somerset) Ltd (T Rocke)	11854273//8	A blanket restraint on additional care or nursing homes is untenable. The NPPF requirement is to plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community, including older people (para. 50). Whilst acknowledging that provision for older people is changing as more people wish to remain in their own homes or live as independently as possible, it is acknowledged that the local population is ageing. Even if a	This policy is reasonable and justified. The policy doesn't apply a blanket restriction on additional care or nursing homes. It states that planning permission will not be granted for extensions to or new residential care or nursing homes unless they can meet certain criteria. One of these criteria is where it can be demonstrated that there is insufficient provision in the locality to meet local need for that type of specialist care. Therefore, the policy is fully consistent with the NPPF	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>greater proportion are able to remain independent for longer, with an ageing population a smaller proportion of a larger sector is likely to result in a requirement for additional care accommodation. It is inconsistent with meeting full objectively assessed needs to seek to restrict additional care accommodation to replacement of an existing sized similar facility already in the district. Moreover, since one of the concerns set out in the justification is the datedness and poor quality of existing accommodation, there is a need to allow new entrants and the development of modern facilities to raise the benchmark standard and provide beneficial competition in the sector.</p> <p>This policy should be deleted form the plan since it is inconsistent with the NPPF requirement to meet full objectively assessed needs and to plan for a mix of housing, including for older people.</p>	<p>requirement to meet full objectively assessed needs and to plan for a mix of housing, including for older people.</p>	

**Policy**

**DM42: Accessible and adaptable housing**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM42: Accessible and adaptable housing	Bloor Homes	3399393//5	Draft policy DM42 seeks Category 2 standards (replacement for Lifetime Homes) based on evidence of need. It is likely that such standards will be introduced through the National Housing Standards Review and therefore this policy may become immediately superseded by government guidance. We therefore suggest that to avoid duplication (or being inconsistent with national policy) that this policy should be deleted.	<p>The policy as proposed is in line with national guidance and Building Regulations that allow this optional standard to be sought based on local needs and through local policy.</p> <p>The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.</p>	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>
DM42: Accessible and adaptable housing	Campaign to Protect Rural England	705793//12	Category 2 or Lifetime Homes need to have wider promotion as many people will want to stay in their homes as they age.	Comment noted.	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.	<p><b>evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>
DM42: Accessible and adaptable housing	Gladman Developments	9140737//2	There is no certainty provided by this policy. There is a complete absence of any evidence to justify that this policy is responsive to the needs of the district. The mechanism for delivery outlined within the Policy would appear to imply that it will be implemented on an ad-hoc basis. This means that the success of the policy will be hard to measure but also could be used by the Council as a reason to refuse unwanted development,	<p>The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.</p> <p>Evidence will be required to justify the requirement for these standards to be met. The Council will consider the need for further guidance in addition to this policy to provide greater certainty.</p>	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>particularly if the requirement for provision is made late on in the planning application process.</p> <p>Should evidence emerge to justify the necessity for this Policy, the Council should make clear that requests for provision in response to the Policy will be made by the local planning authority at an early stage in the application process to enable applicants to consider the implications for its delivery and reduce the likelihood of any delay in the determination of planning applications.</p>		<p><b>Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>
DM42: Accessible and adaptable housing	Hallam Land Management (F Robinson)	11931457//10	<p>The policy as currently drafted does not provide sufficient flexibility to support a justified and proportionate implementation of the aspirations of the policy. We therefore suggest a minor amendment to the policy wording to</p> <p>"The Council will seek to deliver accessible and adaptable homes. Based on evidence of need, the Council will</p>	The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			expect support development proposals to that provide accessible and adaptable homes built to Category 2 standards where practical and viable.		<p><b>optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>
DM42: Accessible and adaptable housing	Home Builders Federation Ltd (S Green)	9138657//2	<p>Under <b>Policy DM42 – Accessible and Adaptable Housing</b> the Council is seeking to apply the optional requirement in Part M of the Building Regulations with regard to Category 2 – accessible and adaptable dwellings. The Council should justify its proposed adoption of the optional requirement in Part M by assessing the impact and effect on need, viability, affordability and timing in the local area of this policy. At the moment the Council has provided no evidence in the supporting documentation on such matters. The Council should re-view <b>Policy DM42</b> for compliance with national policy in particular the Written Ministerial Statement dated 25th March 2015. The</p>	<p>The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.</p> <p>It is recognised that further evidence will be required to implement the policy.</p>	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Council should also re-check <b>Policy DM28 - Parking Standards</b> for compliance with the Written Ministerial Statement.		<b>of need and will be subject to feasibility and viability.</b>
DM42: Accessible and adaptable housing	Mactaggart & Mickel Homes (Rocke Assoc)	11936993//9	<p>It is unclear whether the requirement to deliver accessible and adaptable homes is intended to apply to all new homes that are built, or a proportion according to need. To require all new homes to be built to such standards would be onerous, unnecessary and undesirable.</p> <p><i>Amend the policy to clarify that only a proportion of homes will be required to be delivered to Category 2 standards, the proportion to be based on evidence of need.</i></p>	<p>It is the intention that the requirement will apply to homes on the basis of need so it would not be expected that all homes would have to meet Category 2 status.</p> <p>The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.</p>	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM42: Accessible and adaptable housing	Moor Park (North Somerset) Ltd (T Rocke)	11854273//9	<p>It is unclear whether the requirement to deliver accessible and adaptable homes is intended to apply to all new homes that are built, or a proportion according to need. To require all new homes to be built to such standards would be onerous, unnecessary and undesirable.</p> <p><i>Amend the policy to clarify that only a proportion of homes will be required to be delivered to Category 2 standards, the proportion to be based on evidence of need.</i></p>	<p>It is the intention that the requirement will apply to homes on the basis of need so it would not be expected that all homes would have to meet Category 2 status.</p> <p>The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.</p>	<p>Policy requires modification to clarify the requirement and how it will apply.</p> <p>The following replacement text is suggested:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>
DM42: Accessible and adaptable housing	Pegasus Group	11219713//17	<p>It is unclear how this policy would work in practice. It states that delivery of housing built to Category 2</p>	<p>The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.</p>	<p>Replacement policy as follows:</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>standards will be required based on evidence of need, but the policy does not indicate where the assessment of need is contained. As per the NPPF, assessments of specialist housing need fall to the responsibility of the local authority, and as such an up to date evidence base outlining such need should be published and referenced within this DPD (as per 159 of the NPPF).</p> <p>This has been affirmed in recent Government announcements in respect to the Housing Standards Review:</p> <p>"Application of the standard will be optional for local authorities to use and they will need to justify its application according to evidenced needs and subject to local plan viability testing. This will help to balance the needs of local communities whilst ensuring that the home building industry can deliver at volume in a cost effective manner" (p2, 'Supporting Note – Ministerial Statement, March 2014)</p>	<p>Evidence will be required to justify the requirement for these standards to be met. The Council will consider the need for further guidance in addition to this policy to provide greater certainty.</p>	<p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			As highlighted above, the requirement to deliver housing at a higher specification would require testing through a Local Plan viability report, as outlined in paragraph 173 of the NPPF.		
DM42: Accessible and adaptable housing	Persimmon Homes Severn Valley (cprewett)	11809729//14	Persimmon Homes Severn Valley considers this Policy is premature pending the completion of the Government's Housing Standard Review. Effectively the Policy applies the optional requirement in Part M of the Building Regulations with regard to Category 2 – Accessible and Adaptable Dwellings. In any event we consider the Policy needs considerable amendment by applying tests relating to need, viability and affordability.	The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM42: Accessible and adaptable housing	R Burrows	939361//1	<p>From the date the <a href="#">Deregulation Bill 2015</a> is given Royal Assent, local planning authorities and qualifying bodies preparing neighbourhood plans should not set in their emerging Local Plans, neighbourhood plans, or supplementary planning documents, any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. This includes any policy requiring any level of the <a href="#">Code for Sustainable Homes</a> to be achieved by new development; the government has now withdrawn the code, aside from the management of legacy cases. Particular standards or requirements for energy performance are considered later in this statement.</p> <p>Local planning authorities and qualifying bodies preparing neighbourhood plans should consider their existing plan policies on technical housing standards or requirements and update them as appropriate, for example through a partial Local Plan review, or a full neighbourhood plan replacement in due course. Local</p>	The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>planning authorities may also need to review their local information requirements to ensure that technical detail that is no longer necessary is not requested to support planning applications.</p> <p>The optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the <a href="#">National Planning Policy Framework and Planning Guidance</a>. Neighbourhood plans should not be used to apply the new national technical standards.</p> <p>For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the <a href="#">Planning and</a></p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><a href="#">Energy Act 2008</a> in the Deregulation Bill 2015.</p> <p>This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government's intention into account in applying existing policies and not set conditions with requirements above a Code level 4 equivalent. This statement does not modify the National Planning Policy Framework policy allowing the connection of new housing development to low carbon infrastructure such as district heating networks.</p> <p>Measures relating to flood resilience and resistance and external noise will remain a matter to be dealt with through the planning process, in line</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			with the existing national policy and guidance. In cases of very specific and clearly evidenced housing accessibility needs, where individual household requirements are clearly outside the new national technical standards, local planning authorities may ask for specific requirements outside of the access standard, subject to overall viability considerations.		
DM42: Accessible and adaptable housing	Taylor Wimpey	11933281//4	The Policy seeks to deliver accessible and adaptable homes that are built to Category 2 standards where practical and viable. The supporting text states that Category 2 homes are an optional intermediate standard set out in the Building Regulations. It is not clear in its current draft that Policy DM42 is seeking to apply the optional requirement in Part M of the Building Regulations to Category 2 standards. Given that an announcement on the final outcome on the government's Housing Standards Review is expected soon, the Council may have to review this Policy and in any case justify the optional requirement in Part M of the	<p>The policy has now been reviewed and redrafted to acknowledge the requirement to be needs based.</p> <p>Further evidence of need will have to be gathered to support the implementation of the policy.</p>	<p>Replacement policy as follows:</p> <p><b>In instances where the Council can demonstrate evidence of need, proposals for residential development should incorporate an appropriate proportion of those dwellings constructed to the optional Category 2 standard as set out in the Building Regulations Approved Document M.</b></p> <p><b>The appropriate proportion will be based on the evidence</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Building Regulations. This justification should demonstrate that the Policy requirements have been assessed for their impact on need and viability.		<b>of need and will be subject to feasibility and viability.</b>

**Policy**

**DM43: Residential annexes**

<b>Policy</b>	<b>Respondent</b>	<b>Comment ID</b>	<b>Comment</b>	<b>Council Response</b>	<b>Document Changes</b>
DM43: Residential annexes	Campaign to Protect Rural England	705793//13	We support the proposal for residential annexes and the provision for those outside settlement boundaries to be able to be incorporated into the main house once there is no longer a need. Approval should be conditioned to ensure annexes are part of the main residence and not sold as separate dwellings when the annex use is no longer required.	Comments noted.	No change necessary.

**Policy** DM44: Replacement dwellings in the countryside

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM44: Replacement dwellings in the countryside	Campaign to Protect Rural England	705793//14	We support this policy and the recognition of wider impacts on the countryside.	Support noted and welcomed.	None
DM44: Replacement dwellings in the countryside	Kingston Seymour Parish Council	9144609//4	In the Justification section, first para page 104 line 2, replace “buildings” with “building”.	Agreed.	First para page 104 line 2, replace “buildings” with “building”.

**Policy DM45: The conversion or re-use of redundant rural buildings to residential use**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM45: The conversion or re-use of redundant rural buildings to residential use	English Heritage (R Torkildsen)	8140417//4	<p>To ensure the historic and architectural significance of North Somerset's traditional agricultural buildings is conserved, might the following additional policy criteria be included:</p> <p><i>The architectural and historic significance of the building and its setting is conserved.</i></p> <p>In addition might the following text be included in the 'justification' section.</p> <p><i>An understanding of the essential features of the building, its relationship to the wider landscape setting and its sensitivity to change should inform the alterations that might be made. Appropriate materials should be used and also methods of repair that respect the buildings significance.</i></p> <p><i>As the fabric of the building will embody its character and interest, as much as possible should be retained.</i></p>	Comments noted and changes accepted.	<p>Amend policy to add additional bullet point:</p> <ul style="list-style-type: none"> <li><i><u>The architectural and historic significance of the building and its setting is conserved.</u></i></li> </ul> <p>Include the following text in the 'justification' section:</p> <p><i><u>An understanding of the essential features of the building, its relationship to the wider landscape setting and its sensitivity to change should inform the alterations that might be made. Appropriate materials should be used and also methods of repair that respect the buildings significance.</u></i></p> <p><i><u>As the fabric of the building will embody its character and</u></i></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>Good practice advice prepared by Historic England is available to help inform a sensitive approach to any conversion.</i></p> <p>These comments may also apply to <b>Policy DM56: Conversion and reuse of rural buildings for employment development.</b></p>		<p><i>interest, as much as possible should be retained.</i></p> <p><i>Good practice advice prepared by Historic England is available to help inform a sensitive approach to any conversion.</i></p>
DM45: The conversion or re-use of redundant rural buildings to residential use	Hutton Garden Centre	4601633//1	<p>This policy is not consistent with the NPPF in seeking as follows:</p> <ul style="list-style-type: none"> <li>• That the building be ‘traditional’ in character</li> <li>• That, prior to a residential re-use of redundant buildings, it must first be demonstrated that all reasonable attempts have been made to secure an economic use.</li> <li>• They are located in a ‘sustainable’ location.</li> </ul> <p>There are no such tests in the NPPF. Some of those tests were contained in previous national planning policy, but paragraph 55 of the NPPF no longer</p>	<p>The policy deals with circumstances only where permitted development rights to change to residential use would not apply. This may be because the landholding has exceeded the number of PD dwelling conversions. In such circumstances it is valid to consider matters such as promoting a sustainable economy and that the character of the building will contribute to the rural setting.</p> <p>The quote from para 55 of the NPPF allows for re-use of redundant or disused buildings (in isolated locations) where it would lead to an "enhancement to the immediate</p>	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>requires these. Paragraph 55 merely states that isolated homes in the countryside should be avoided unless there are special circumstances, including <i>'where the development would re-use redundant or disused buildings'</i>. There is no requirement for the building to be 'traditional' in character, or first tested for economic use, or to be in a 'sustainable' location.</p> <p>By seeking additional controls over the change of use of redundant buildings in rural areas the Council would therefore be putting forward a policy that does not follow national advice. Such a similar situation has been recognised at appeal, eg APP/D0840/A/13/2195668.</p>	<p>setting", which is reflected in the policy.</p> <p>See response to Kingston Seymour PC re "redundant".</p>	
DM45: The conversion or re-use of redundant rural buildings to residential use	Kingston Seymour Parish Council	9144609//5	In the light of new (if temporary) permitted development rights allowing farmers to convert redundant buildings for up to 3 residential units, is it still legitimate to require them to make reasonable attempts to secure an appropriate economic use?	Policy is needed for development falling outside the scope of the PD changes, but the use of the word redundant is now outdated and does not apply in the NPPF and therefore will be amended.	Remove word "redundant" from policy title and first line of policy and amend final para of justification to remove words "the building is truly redundant and".

**Policy**

**DM46: Rural workers dwellings**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM46: Rural workers dwellings	Campaign to Protect Rural England	705793//15	<p>We appreciate the need for housing rural workers and support agricultural and land based activities that care for and enhance the countryside but have concerns that this could be a route to market residential development in the countryside.</p> <p>Control and monitoring would need to be maintained for both built and mobile homes.</p>	Agreed.	None
DM46: Rural workers dwellings	Federation of Small Businesses	11935137//8	<p>The policy seeks to resist any residential development within rural areas to Rural Workers Dwellings and in doing so resists home/work units in rural areas or homes that would support local services and employers in rural areas.</p> <p>For example, live/work units could help improve the viability of an existing business or help fund</p>	Land based rural workers dwellings are out of necessity locationally restricted to the landholding concerned which is usually a countryside location. Other housing opportunities exist which can be taken up within villages etc to cater for other rural housing needs.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>expansion that creates jobs in rural areas.</p> <p>The rural economy is an important element of the economy, which should not be restricted by planning policy. With the pace of technology, rural working is not limited to agriculture, forestry or land based uses and therefore the provision of homes to meet the needs of the rural economy should not be so restricted by policy.</p> <p>NPPF sets a presumption in favour of sustainable development everywhere, including development that meets the needs of the rural economy. The policy should be amended to allow for the consideration of other homes for rural workers, subject of course to evidence of links to the business and viability and should not be an impediment to sustainable growth.</p>		
DM46: Rural workers dwellings	South West HARP Planning Consortium	6235201//5	It is with concern that we note that this misinterpretation of Green Belt policy	Policy DM46 relates only to rural workers dwellings (and not affordable	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>is not only encapsulated in the Core Strategy's rural exception sites policy CS17 but is now carried forward in DM46, page 109 of the DPD which states that: <i>"Within the Green Belt, new dwellings (other than replacement dwellings) outside settlement boundaries will not normally be permitted except for the purposes of agriculture or forestry and it would be inappropriate to make a further exception for other rural uses"</i>. The NPPF clearly states that rural exception schemes <u>are</u> an appropriate use of Green Belt land, where adjacent to settlement boundaries - please refer to paragraph 89 of the Government policy. Moreover, the DPD hints at the need for such schemes to be delivered in North Somerset where stating that the lack of affordable housing is a concern in the rural areas and <i>"particularly in the Green Belt"</i> (Justification to DM34, page 83).</p>	<p>housing). The policy makes no distinction between green belt and non green belt sites.</p>	

**Policy DM47: Proposals for economic development within towns and defined settlements**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM47: Proposals for economic development within towns and defined settlements	Federation of Small Businesses	11935137//9	<p>The FSB supports the policy in principle, but is concerned that it is not focussed, concise and accessible, and that it is not positively prepared.</p> <p>NPPF is very positive about economic development, stating that the planning system should do everything it can to support sustainable economic growth, should operate to encourage and not act as an impediment to sustainable growth. This positive approach is not reflected in this policy.</p> <p>The requirement that development ‘<i>is located in order to minimise travel impacts</i>’ is subjective, possibly meaningless and could potentially be harmful to the expansion of small businesses.</p> <p>A small business will often, at least initially, expand where it exists: If a planning officer then decides that it would minimise travel by moving that</p>	<p>It is agreed that the NPPF does set out a proactive approach towards economic growth but this is still in the context of sustainable development and not to the detriment of other policy objectives. The policy seeks to provide a set of criteria to help guide successful economic development within existing settlements focussing on suitability of the use for the specific location and compatibility with the overall settlement. Taken together with other Development Plan policy this is considered to create a proactive framework to encourage economic development.</p> <p>The reference to 'minimising travel impacts' seeks to ensure new development is located to avoid impacts on the strategic and local highway network including congestion. The text will be redrafted as follows: "the development is located <b>to encourage sustainable travel and</b></p>	<p>Policy text, fourth bullet point:  <del>"the development is located in order to encourage sustainable</del> <b>minimise travel and avoid adverse impacts on the highway network."</b></p> <p>Policy text, final paragraph:  <del>"[...]need to be of a scale appropriate to the settlement; meet locally identified needs,[...]"</del></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>business to a town centre the policy could be used to unreasonably refuse permission.</p> <p>The requirement that economic development within service and infill villages would also '<i>have to meet locally identified needs</i>', whatever that refers to, is neither focused nor concise and would be an unreasonable restriction on the expansion of small businesses within these locations. How could a small business working from a person's home prove that it is meeting an identified local need?</p> <p>The policy as submitted is not sound and requires significant modification.</p>	<p><b>avoid adverse impacts on the highway network."</b></p> <p>Comments in regard to meeting locally identified needs are accepted and are proposed to be deleted.</p>	
DM47: Proposals for economic development within towns and defined settlements	Gladman Developments	9140737//8	<p>As outlined in our response to Policy DM40, Gladman believe that the restriction of this policy to only support sites coming forward within settlement boundaries does not reflect the cost benefit approach of the framework. Gladman consider instead that the</p>	<p>The policy is in line with CS20 and directs economic development within settlements in order to protect the countryside and to encourage sustainable travel patterns. The policy seeks to allow economic growth throughout rural settlements and is</p>	<p>Last sentence of upper case policy:</p> <p>Within the settlement boundaries of Service and Infill Villages proposals for economic development would,</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>policy should be rewritten to state !Outside the Green Belt, proposals for economic development at the four towns of Weston-Super-Mare (including the Weston Villages), Clevedon, Nailsea and Portishead will be supported provided that..!</p> <p>Gladman believe that the preferential nature of the policy advancing the economic regeneration needs of Weston-Super-Mare ahead of the rural areas does not conform with the Framework's approach to growth within rural areas. To conform with the Framework the approach to growth applied within the rural area should also be rewritten to outline "Proposals for economic development at settlements within the rural area would, in addition to the above, need to be of a scale appropriate to the settlement, meet locally identified needs".</p>	<p>therefore in line with NPPF- <i>Supporting a Prosperous Rural Economy</i>.</p> <p>The strategic policy approach as set out in the Core Strategy seeks to focus economic growth at Weston-super-Mare and there are significant efforts being made to achieve this however this is not to the exclusion of appropriate economic growth elsewhere across North Somerset. The reference to not undermining the employment-led strategy at Weston-Super-Mare is seeking to discourage economic proposals that would, in planning terms detract from efforts at Weston-Super-Mare. In reviewing this policy however officers consider that the criteria that seek to regulate the scale of economic growth to within settlement boundaries is likely to be sufficient to not cause any adverse impact on the employment-led strategy. It is therefore recommended to delete the relevant text.</p>	<p>in addition to the above, need to be of a scale appropriate to the settlement, meet locally identified needs <del>and not undermine the strategy to deliver employment-led regeneration at Weston-super-Mare.</del></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM47: Proposals for economic development within towns and defined settlements	Highways Agency	10224641//12	The Agency has no objections in principle to economic development in sustainable locations where travel impacts can be minimised. The wording of the policy seeks to minimise the adverse impact on the local highway network. For the avoidance of doubt the Agency would wish for the SRN to also be explicitly identified within this wording.	Comment accepted. Reference will be made to the SRN.	Upper case policy text: fourth bullet point.  "Travel intensive uses should be readily accessible by public transport and seek to minimise the adverse impact on <b>the strategic road network</b> , the local road network and disturbance to residential neighbourhoods."

**Policy**

**DM48: Broadband**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM48: Broadband	Federation of Small Businesses	11935137//10	<p>Government has reduced local validation requirements in order to reduce the planning burden upon business. This policy, however, seeks to introduce a new requirement for all development proposals, being the presentation of a 'connectivity statement'.</p> <p>It is unreasonable and contrary to government policy to introduce such additional application validation requirements through policy. The policy will place an additional planning burden upon business, contrary to NPPF.</p> <p>In addition, the policy will place an unreasonable restriction upon businesses in rural areas where access to Broadband is restricted.</p> <p>To state that the costs of providing 'superfast' broadband can be taken into account in a viability assessment</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>simply places a further planning burden upon business. Viability Assessments are expensive to produce and negotiate, incurring costs that small business will often be unable to meet.</p> <p>Many locations that already have fibre-optic broadband, such as Kewstoke, cannot achieve 24Mbps. To set a requirements at this level is, currently, unreasonable.</p> <p>Policy DM48 is an unreasonable burden on business, is not sound and should be deleted in its entirety.</p>		
DM48: Broadband	Hallam Land Management (F Robinson)	11931457//12	<p>This policy as currently drafted is not justified, as it requires developers to demonstrate provision of access to superfast broadband, through the submission of a 'connectivity statement'.</p> <p>Whilst developers would seek to future proof any such telecommunications infrastructure, to ensure its compatibility with local network and any such future improvements to it, the</p>	<p>Comments noted and some amendments to text accepted. Change first paragraph to read:</p> <p>"All new residential and employment developments should demonstrate through the submission of a 'connectivity statement' how the proposal will <del>provide access to</del> <u>accommodate for</u> superfast broadband (24Mbps+) and be compatible with</p>	<p>Change first paragraph to read:</p> <p>"All new residential and employment developments should demonstrate through the submission of a 'connectivity statement' how the proposal will <del>provide access to</del> <u>accommodate for</u> superfast broadband (24Mbps+) and be compatible with broadband fibre networks where relevant."</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>developers themselves cannot ensure provision of superfast broadband if not currently implemented within the local area. Therefore the extent to which developers can provide superfast broadband within their site is wholly dependent the integration and implementation of the Government's BDUK Rural Programme.</p> <p>The policy should therefore be reworded to say</p> <p>"All new residential and employment developments should demonstrate through the submission of a 'connectivity statement' how the proposal will provide access to accommodate for superfast broadband (24Mbps+) and be compatible with broadband fibre networks where relevant. Where needed, multiple ducts will be provided to enable several providers access to the site.</p> <p>Appropriate technology will be identified that will deliver superfast broadband as part of infrastructure planning and should be considered</p>	<p>broadband fibre networks where relevant."</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			early as part of a comprehensive utility network plan."		
DM48: Broadband	Kingston Seymour Parish Council	9144609//6	In the Justification section, fourth para, penultimate line, delete "more". In the light of recent consents / applications for additional housing in some services villages considerably in excess of what would be permitted if an adopted Core Strategy had been in place, the Parish Council would like to see a requirement that any new development <i>should not worsen</i> the service received in communities further away from the exchange.	We would not support the addition of the words that any new development <i>should not worsen</i> the service received as this would be unreasonable.	No changes.
DM48: Broadband	Pegasus Group	11219713//18	The drafting of the policy currently indicates that a development would be refused where superfast broadband was not accessible. This is inappropriate, and the policy should be re-worded.  A development should provide the ability to retrofit superfast broadband when it becomes available in that locality.	The policy as currently drafted does not imply that an application will be refused where superfast broadband is not accessible. The Connectivity Statement submitted with an application needs to demonstrate how the proposal will provide access to superfast broadband whether this be at the beginning of the development or at a later date.	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes

**Policy**

**DM49: Royal Portbury Dock**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM49: Royal Portbury Dock	BS Estates	11856641//2	BS Estates support the principle of Policy DM49, but consider that it should be amended to reflect that it is possible that the needs of the Dock may not extend to the full extent of the area shown on the plan. In this eventuality, given that the principle of development is accepted, other alternative uses which meet the three criteria set out in the Policy, should be considered appropriate.	Disagree. The land was removed from the Green Belt to provide for the long-term land requirements of the Port. These cannot be accommodated away from the Port. Releasing the land for other uses that do not have a specific need to be in this location would reduce the flexibility available to the Port for long-term expansion, a matter of at least sub-regional importance. In the event that circumstances change, para. 22 of the NPPF already allows for alternative uses to be considered on their merits.	None
DM49: Royal Portbury Dock	Campaign to Protect Rural England	705793//16	Land is reserved at Court House Farm for port expansion. Currently there is no multi story parking within this site. Expansion into the reserved land should be conditional on achievement of more efficient land use within the existing docks boundary including	Decked car parking was considered at the time of the Replacement Local Plan inquiry (2005) and was not supported in the Local Plan Inspector's Report. He recognised that existing contracts / leases limited the flexibility available to the Bristol Port Company in arranging the use of port land. There is	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			multi story parking for the cars that pass through to docks.	nothing to suggest that the balance of argument has changed since. However, DM49 is subject to a test of need; an assessment would therefore have to consider whether the need could be accommodated elsewhere within the Port estate.	
DM49: Royal Portbury Dock	Highways Agency	10224641//13	The location of the Royal Portbury Dock is such that development is likely to have impacts on the sRN. The Agency does not have any objections in principle to development in this location but development will need to ensure that mitigation for neighbouring M5 junctions is carried out prior to development if any adverse impacts are perceived to be caused by it.	Support noted and welcomed. DM24 provides for mitigation of the transport impacts of development.	None
DM49: Royal Portbury Dock	Portishead Town Council	4193569//3	Assurances were given a number of years ago, that when the rail line became operational, the cycle track which runs beside the track in the tunnels under the M5 and the Royal Portbury Dock Road, would be moved (the permission for the cycle track was only temporary). There is no mention	Current plans aim to provide enough room under the bridges for both the railway line and a cycle path. This is subject to the next stage of Network Rail's engineering work which is about to get underway. Alternative routes have been identified should there not be room; where these are not public rights of way they need to be	None to DM49, but small changes to the Proposals Map are referenced under DM25.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>of land being safeguarded for this purpose.</p> <p>Portishead Town Council - Minute No. 2422 - 11.03.15</p>	<p>safeguarded and will be protected under DM25.</p>	

**Policy**

**DM50: Bristol Airport**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM50: Bristol Airport	Bristol Airport (E Summers)	10921473//4	As previously stated, it would be more appropriate for this policy to refer to land within the demise of the 2011 planning permission. However, we do support the acknowledgement that airport development will not be considered inappropriate in the Green Belt should it only require a planning permission through the EIA Regulations.	Support noted and welcomed. The 2011 planning permission includes development within the Green Belt, for which very special circumstances were demonstrated. Further major development is not anticipated and there is therefore no basis for changing the planning status of this wider area in order to accommodate it.	None
DM50: Bristol Airport	Campaign to Protect Rural England	705793//17	<p>Para following bullet points is not clear:</p> <p>‘Airport related development will not be regarded as inappropriate in the Green Belt if the sole reason that planning permission is expressly required is that an environmental impact assessment is required’</p> <p>The remainder of the policy wording is clear and refers to airport related development requiring permission within the Green Belt inset and that outside that Green Belt inset, Green</p>	The Airport has permitted development rights covering some small-scale operational development. These rights do not apply if an Environmental Impact Assessment is required. In such cases, a planning application would be needed and the full range of planning issues would then be taken into account, including Green Belt, even though potential harm to	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Belt policy applies and it would be for the developer to demonstrate very special circumstances that outweigh the harm to the Green Belt and any other harm.	the Green Belt was not a reason why a planning application was required. The purpose of the last paragraph of the policy is therefore to avoid delaying such development unreasonably, as would be the case if very special circumstances had to be demonstrated.	
DM50: Bristol Airport	Highways Agency	10224641//14	As with DM49, the Agency does not in principle have any objections to future expansion at the airport, as long as, as per the policy wording appropriate provision is made for surface access to the airport, including highway infrastructure improvements and/or traffic management schemes to mitigate the adverse of airport traffic together with improvements to public transport services. It is important that growth is supported by a robust transport evidence base and that the Agency are involved as early as possible in any proposals for expansion.	Support noted and welcomed. In addition to DM50, DM24 also provides for mitigation of the transport impacts of development.	None
DM50: Bristol Airport	Parish Council's Airport Association	11840097//6	Policy DM50 needs to be updated. This Policy does not reflect the current situation on <i>passenger number forecasts</i> and <i>carbon</i>	The Aviation Policy Framework (March 2013) states that the Government's objective is to ensure	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>emissions</i>, as there have been developments since the last site consultation in February 2013. Policy 50 covers the period to 2026 and looks at Bristol Airport in isolation. Bristol Airport emissions must be considered along with other airport emissions within the UK for the following reasons.</p> <p><b><i>Passenger number forecasts</i></b></p> <p>The NSC text relating to Policy 50 is written in the context of "growth up to 10 million passengers per year". However the Department for Transport (DfT) January 2013 document "U.K. Aviation Forecasts" shows that Bristol Airport in a central demand case for an "unconstrained" model may only grow to 9.2 mppa (Annex D8) by 2030 and for a "constrained" model to 9.7 mppa. (Annex E2) <a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/223839/aviation-forecasts.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/223839/aviation-forecasts.pdf</a> Under the DfT forecasts there would be no requirement for further expansion.</p> <p>Further, since the DfT forecasts the Airport Commission has produced Strategic Fit Forecasts in November 2014</p>	<p>that the aviation sector makes a significant and cost-effective contribution towards reducing global emissions, with an emphasis on action at a global level. There is also a recognised role for European action, such as through the EU Emissions Trading Scheme. There is nothing in the Aviation Policy Framework to suggest that aviation growth should be singled out for restraint; indeed, the foreword states that the Government believes that aviation needs to grow. DM50 is not bound to any specific growth forecast.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374660/AC05-forecasts.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374660/AC05-forecasts.pdf</a></p> <p>These forecasts under various carbon capped scenarios give the Bristol Airport 2030 figure (central estimates, Tables 3.1 to 3.4) as only 7 mppa.</p> <p><b><i>Carbon emissions,</i></b></p> <p>Focussing more sharply on carbon emissions, it is appropriate to recall that the Climate Change Act set binding targets for greenhouse gas (GHG) emissions. These are intended to keep global warming within the "safe" limit of a 2 deg. C rise. The Committee on Climate Change has advised the Government on how the targets should be met. This means that U.K. aviation emissions must be cut by 2050 to 37.5 Mt CO2 (N.B. this means Mt of carbon dioxide equivalent).</p> <p>[<i>"Meeting the UK aviation target – options for reducing emissions to 2050"</i>, December 2009. <a href="http://www.theccc.org.uk/reports/aviation-report">http://www.theccc.org.uk/reports/aviation-report</a> ]</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>The importance of such targets has recently been reiterated by the joint statement of the leaders of the three main U.K. political parties (yet again) insisting that "Climate change is one of the most serious threats facing the world today"</p> <p>[ <a href="http://www.green-alliance.org.uk/resources/Leaders_Joint_Climate_Change_Agreement.pdf">http://www.green-alliance.org.uk/resources/Leaders_Joint_Climate_Change_Agreement.pdf</a> , Feb 2015 ]</p> <p>Against this background it is alarming that the recent Government central projection for U.K. aviation emissions <i>of carbon dioxide alone</i> in 2050 is 47 Mt CO2 that is 25% above the Climate Change Committee target. This should seriously worry North Somerset Council, if for no other reason because of its large areas of low lying land facing westerly Atlantic gales.</p> <p>[Department for Transport (DfT), "U.K. Aviation Forecasts" January 2013, Table 6.2.</p> <p><a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/223839/aviation-forecasts.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/223839/aviation-forecasts.pdf</a> ]</p> <p>High as it is, this figure of 47 Mt CO2 , seriously underrepresents the danger to the</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>climate posed by aviation emissions. There is no doubt that aviation emits a range of non-carbon dioxide GHG pollutants, and so is responsible for a significant contribution to global warming <i>over and above</i> that produced by the carbon dioxide it emits.</p> <p>[DfT Aviation MACC study: Technical Report: Final, A Marginal Abatement Cost Curve Model For The UK Aviation Sector, Contract: PPRO 4/8/56, published 9.8.11</p> <ol style="list-style-type: none"> <li>1. S. Lee et al., Aviation and global climate change in the 21st century, Atmospheric Environment 43, 3520-3537(2009).]</li> </ol> <p>The effect on global warming of non-CO2 greenhouse pollutants is often expressed in terms of a "global warming potential" (GWP). This is a factor by which is multiplied each gram of pollutant emitted to convert it to an equivalent number of grams of CO2 (hence carbon reduction targets are expressed in terms of mass of carbon dioxide <i>equivalent</i>). By definition the GWP of CO2 is one. Different pollutants have different residence times in the atmosphere and so their GWP will depend on</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>the time horizon chosen for their calculation. 20 year and 100 year GWPs are commonly calculated. It might be thought that the 20 year GWP value was the more relevant where 2050 emission targets are concerned. However interests responsible for the emission of pollutants prefer to use the 100 year value where it is smaller. To quote the 2013 Department for Transport report "U.K. Aviation Forecasts" (p. 88 emphases added):</p> <p>.... the estimated <b>100-year Global Warming Potentials</b> from Lee et al (2009) indicate that, once the non-CO2 climate effects of aviation are taken into account, aviation's overall climate effects could be up to <b>double the climate effect of its CO2 emissions.</b></p> <p>Lee et al. (2009) Aviation and global climate in the 21st century, Atmospheric Environment.  <a href="http://www.tiaca.org/images/tiaca/PDF/IndustryAffairs/2009%20IPCC%20authors%20update.pdf">http://www.tiaca.org/images/tiaca/PDF/IndustryAffairs/2009%20IPCC%20authors%20update.pdf</a></p> <p>The uplift factors calculated by the same authority (Lee), given in Table 1, show that over a 20 year time horizon the CO2 aviation emissions should be multiplied by a factor</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes									
			<p>between 4 and 5 to account for the effect of nitrogen oxides, "NOx ". Of course this factor must be applied to carbon dioxide resulting from using biofuels as well as to that from fossil fuel sources.</p> <p><b>Table 1</b></p> <p><b>"Uplift factors" for non-CO2 aviation emissions calculated from the GWP of aviation emissions in 2005 for a 20 year and 100 year time horizon.</b></p> <table border="1"> <thead> <tr> <th>Basis of metric</th> <th colspan="2">CO2 equivalent emissions/ CO2 emissions</th> </tr> </thead> <tbody> <tr> <td></td> <td>20 year</td> <td>100 year</td> </tr> <tr> <td>Low NOx estimate</td> <td>4.3</td> <td>1.9</td> </tr> </tbody> </table>	Basis of metric	CO2 equivalent emissions/ CO2 emissions			20 year	100 year	Low NOx estimate	4.3	1.9		
Basis of metric	CO2 equivalent emissions/ CO2 emissions													
	20 year	100 year												
Low NOx estimate	4.3	1.9												

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes									
			<table border="1" data-bbox="725 300 1294 454"> <tr> <td data-bbox="725 300 880 454">High NOx estimate</td> <td data-bbox="880 300 1218 454">4.8</td> <td data-bbox="1218 300 1294 454">2.0</td> </tr> </table> <p data-bbox="725 491 1256 560">D.S. Lee et al., <i>Atmospheric Environment</i> <b>44</b> (2010) 4678–4734;</p> <p data-bbox="725 596 1256 699">Committee on Climate Change, "<i>Meeting the UK aviation target – options for reducing emissions to 2050</i>", 2009.</p> <p data-bbox="725 735 1290 1018">The precise magnitude of the effect on global warming of such non-CO2 greenhouse pollutants by aircraft in flight is a matter of current scientific debate. Nevertheless it is clear that current government estimates show that aviation GHG emissions in 2050 will be much higher than is consistent with limiting global warming to "safe" levels, Table 2</p> <p data-bbox="725 1054 824 1082"><b>Table 2</b></p> <p data-bbox="725 1118 1290 1187"><b>UK aircraft in flight: GHG emissions in 2050 in MtCO2 equivalent</b></p> <table border="1" data-bbox="725 1224 1294 1377"> <thead> <tr> <th data-bbox="725 1224 1005 1377"></th> <th data-bbox="1005 1224 1151 1377">GHG Emissions</th> <th data-bbox="1151 1224 1294 1377">Comment</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	High NOx estimate	4.8	2.0		GHG Emissions	Comment					
High NOx estimate	4.8	2.0												
	GHG Emissions	Comment												

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			Climate Change Committee (CCC) target		
			DfT central projection 2013		
			<b>DfT central projection 2013 allowing for non-CO2 GHGs</b>		
			100 year time horizon		
			20 year time horizon (low estimate)		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes			
			<table border="1"> <tr> <td data-bbox="723 300 1003 491">20 year time horizon (high estimate)</td> <td data-bbox="1003 300 1149 491">226</td> <td data-bbox="1149 300 1290 491">6 times the CCC target</td> </tr> </table> <p data-bbox="723 595 1290 842">UK aviation sector as a whole has to stay within the 37.5 MtCO2 target for the UK to meet its legal obligations. If a new runway is built in the South East, with consequent increase in aviation there, regional airports will have to reduce their emissions to keep the UK as a whole on target.</p> <p data-bbox="723 874 1290 1018">The wording in Policy 50 must therefore reflect the possibility that growth of Bristol Airport in the future might be constrained. The PCAA suggest changing following wording from</p> <p data-bbox="723 1050 1290 1225"><i>‘To ensure that, if further expansion of the Airport is required, proposals demonstrate the satisfactory resolution of environmental issues, including the impact of growth on surrounding communities and surface access infrastructure’.</i></p> <p data-bbox="723 1265 757 1289">to</p>	20 year time horizon (high estimate)	226	6 times the CCC target		
20 year time horizon (high estimate)	226	6 times the CCC target						

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>'To ensure that no further expansion of the Airport is permitted unless it is demonstrated to the satisfaction of the Climate Change Committee that such expansion is compatible with the UK aviation industry's compliance with the Climate Change Act and the UK carbon budgets. Satisfactory resolution of local environmental issues, including the impact of growth on surrounding communities and surface access infrastructure will also be required.'</i></p> <p>and also changing</p> <p><i>'environmental impacts such as emissions are minimised, and there is no unacceptable noise impact;'</i></p> <p>to</p> <p><i>'environmental impacts such as emissions are kept within the UK budgetary framework and Climate Change Act. There is no unacceptable noise impact'.</i></p>		

**Policy** DM51: Agriculture and land-based rural business development in the countryside

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM51: Agriculture and land-based rural business development in the countryside	Campaign to Protect Rural England	705793//18	We support thriving rural and agricultural businesses that improve the environment and enhance the countryside for the wider community to enjoy. ‘Genuinely’ necessary.....is an important aspect of the policy aim. Nature of the business should be appropriate to its countryside location.	Comments noted.	None
DM51: Agriculture and land-based rural business development in the countryside	Federation of Small Businesses	11935137//11	<p>Farm diversification is positively supported by government, which has introduced new permitted development rights to facilitate changes of use of existing buildings to residential, educational and flexible uses including uses falling within use Classes A1, A2, A3, B1, B8, C1 and D1.</p> <p>This policy, however, seeks to constrain farm diversification, placing additional burdens upon development proposals that do not apply to the permitted development.</p>	This policy supports rural diversification in accordance with the NPPF. The policy does not seek to apply temporary permissions, but to avoid the case where buildings are erected with an eye on future more financially beneficial use, with the result that it creates an unnecessary proliferation of buildings in the countryside. The ammendements to the PPG in March 2015 do not specifically impact on this policy.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Whilst PPG was amended on 6th March 2015 in an attempt to stop local authorities seeking to use negative policies such as DM51 to resist farm diversification, it would be quite contrary to national policy to allow such a policy to be introduced.</p> <p>The planning system also, quite rightly, resists the use of temporary planning permissions. This policy, however, seeks to introduce the use of such temporary permissions.</p> <p>The policy is not sound and requires significant modification to make it so.</p>		

**Policy**

**DM52: Equestrian development**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM52: Equestrian development	Campaign to Protect Rural England	705793//19	Policy suggests timber construction is appropriate and which is suitable to be removed more readily when use ceases. Provision should be made to return the site to its original state if this is the case.	Buildings of timber construction can blend into the setting more easily than metal buildings. This may be viewed as being of a more temporary construction than a stone built structure, however it is not necessarily a main attribute and therefore it is not considered appropriate to apply a condition to require removal of all structures if the use ceases.	
DM52: Equestrian development	Kingston Seymour Parish Council	9144609//7	Bullet point 4 - This sentence is badly written and needs redrafting and / or splitting into two bullets.	Agree, the phrasing is unclear and will be amended.	Fourth bullet point amended to read "the scale, design, colour and materials ( <b>being</b> preferably of timber construction) of any new buildings, <del>and other</del> <b>or</b> structures, has regard to the rural settings,

**Policy** DM53: Employment development on greenfield sites in the countryside

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM53: Employment development on greenfield sites in the countryside	Federation of Small Businesses	11935137//12	<p>The FSB is concerned that the development of new buildings for business on brownfield land will be restricted to proposals for locally grown produce or other land based rural business. The impact of this is that a small business in a rural area that requires a new building will not be allowed to expand.</p> <p>The FSB is also concerned that it may never be possible for a small business to demonstrate that the use could not be located at existing settlements or that the intended use specifically and measurably benefits from the specific countryside location. This requirement unreasonably restricts practicably all small businesses in rural areas, is not positive and will hinder investment in the local economy.</p> <p>This negatively worded policy is contrary to the positive position taken by NPPF and is not sound</p>	<p>Policy DM53 refers to development on greenfield sites. Policy DM 54 relates to brownfield sites.</p> <p>In pursuit of sustainable development principles it is considered appropriate that more sustainable locations are explored thoroughly. If this approach does not yeald a suitable site the application can be determined with regard to Para 14 of the NPPF.</p> <p>No change to policy recommended.</p>	Not neccessary to change document

**Policy DM54: Employment development on previously developed land in the countryside**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM54: Employment development on previously developed land in the countryside	Hutton Garden Centre	4601633//2	<p>This policy is entitled ‘employment development’, but then continues to say that it will only apply to B1, B2 and B8 use. Employment does not just occur in those three use classes. It may come from tourist facilities, leisure uses, community uses, school uses, retail uses, professional services, etc. It is too narrow to say that redevelopment will only be allowed for those three use classes. Such an approach is inconsistent with the NPPF. That refers to the need to support ‘economic growth’ (Section 1 and paragraph 19); ie there is no narrow definition in the NPPF, but all types of growth are envisaged.</p> <p>This is also the case in rural areas. Section 3 of the NPPF and paragraph 28 refers to ‘economic growth’ and specifically says that local plans should support</p>	<p>In appropriate circumstances Policy DM69 does allow sporting, cultural and community facilities. However agreed that a wider definition of employment development would be beneficial.</p> <p>The NPPF advocates the “town centre first” approach. Therefore retail development would normally need to satisfy the impact and sequential test as set out in Para 24 of the NPPF.</p> <p>Policy amended to include a wider definition of what constitutes employment.</p>	Policy amended to include a wider definition of what constitutes employment

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>'all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings'.</i></p> <p>By seeking a narrow definition of employment development, the Council would be inconsistent with national planning guidance.</p> <p>There is also no blanket embargo on retail in the NPPF, as sought by the Council. 'Economic growth' and 'all types of business and enterprise' includes retail. That element of the Council's policy is directly contrary to the NPPF.</p>		
DM54: Employment development on previously developed land in the countryside	Moor Park (North Somerset) Ltd (T Rocke)	11854273//10	<p>The blanket restraint on retailing, other than proposals that are ancillary to the main use, is unreasonable. It should be subject to the same considerations as proposals for economic development within towns and defined settlements as set out in Policy DM47. The NPPF does not preclude out-of-town retail developments. Following the principles established by the Secretary of State in</p>	<p>(i) All policies should be read together. Where appropriate policies will be cross referenced – in this instance the relevant retail policy</p> <p>(ii) The NPPF advocates the “town centre first” approach. Therefore retail development would normally need to satisfy the impact and sequential test as set out in Para 24 of the NPPF. Para 25</p>	<p>Better cross referencing with retail policies will aid understanding of the Councils approach to this form of development.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>the Rushden Lakes decision (June 2014), if proposals for retail development satisfy the sequential and impact tests they are in accordance with town centre policies irrespective of location.</p> <p><i>Amend the policy to reflect the approach set out in Policy DM47 (bullet 6).</i></p>	<p>of the NPPF states that the sequential test should not be applied to small scale rural development. This then implies that for larger rural development schemes a sequential approach is required. Small scale retail development outside of defined centres is defined as less than 200 square metres in Policy DM67</p> <p>In summary the sequential approach is not required for schemes less than 200 metre square ( Policy DM67) and better cross referencing with retail policies will aid understanding of the Councils approach to this form of development.</p>	

## Policy DM55: Extensions, ancillary buildings or the intensification of use for existing businesses located in the countryside

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM55: Extensions, ancillary buildings or the intensification of use for existing businesses located in the countryside	Federation of Small Businesses	11935137//13	<p>The FSB strongly supports the principle of the policy which supports small businesses in rural areas.</p> <p>However, has serious concern about the following policy statement:</p> <p><i>'Where it is considered likely that further expansion or intensification is likely in the future, the business will be encouraged to work with the council to identify suitable sites for relocation in the Towns or Service Villages where practicable.'</i></p> <p>This policy statement could be used to resist any expansion or intensification of businesses in rural areas as the policy places an unreasonable burden upon business to prove that it is not practicable to relocate their business to a town or service village.</p>	<p>This statement does not imply a blanket approach but rather a positive stance indicating that the Council will work positively with employers whose expansion plans are inappropriate for their current site . This is considered to be in accordance with the penultimate bullet point of Para 17 of the NPPF</p> <p>No change to policy recommended</p>	No change to policy required

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			The above statement should be deleted from the policy in its entirety as it is not positively prepared, justified or consistent with national policy.		
DM55: Extensions, ancillary buildings or the intensification of use for existing businesses located in the countryside	Hutton Garden Centre	4601633//3	<p>DM55: Extensions, ancillary buildings or intensification of use for existing businesses located in the countryside</p> <p>There is no need for this policy. It essentially seeks to control matters such as design, impact on neighbours and effect on traffic. Those are matters covered by other general development control policies and so there is no need for duplication.</p> <p>By its existence, the policy adds another layer of unnecessary control over rural businesses. It seeks to give a lower preference to extensions and intensification of business use in rural areas. This is contrary to paragraph 28 of the NPPF, which says that local plans should promote the development and diversification of land-based rural businesses, and support the sustainable</p>	<p>Paras 8, 56 and 57 of the NPPF stress the importance of design and the inclusion of detailed issues in this policy is fully justified. Also Para 28 stresses the importance of respecting the character of the countryside. Experience has shown that detailed policies are necessary in order to prevent badly designed buildings that damage the character of the countryside.</p> <p>The NPPF advocates the “town centre first” approach. Therefore retail development would normally need to satisfy the impact and sequential test as set out in Para 24 of the NPPF.</p> <p>No change to policy recommended</p>	No change to policy required

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>growth and expansion of all types of businesses and enterprise in rural areas</p> <p><i>'both through conversion or existing buildings and well designed buildings'.</i></p> <p>It is therefore inconsistent to seek to control the extension of rural businesses to this degree.</p> <p>This policy also contains the inappropriate and non-NPPF compliant embargo on retail. That is not contained in the NPPF: the implications of any retail proposal must be properly addressed via the normal development control criteria, eg transport, design, amenity, vitality. It is not correct to set out a simple in principle 'no' to each and every rural retail proposal.</p>		

**Policy** DM56: Conversion and reuse of rural buildings for employment development

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM56: Conversion and reuse of rural buildings for employment development	English Heritage (R Torkildsen)	8140417//5	<p>To ensure the historic and architectural significance of North Somerset's traditional agricultural buildings is conserved, might the following additional policy criteria be included:</p> <p><i>The architectural and historic significance of the building and its setting is conserved.</i></p> <p>In addition might the following text be included in the 'justification' section.</p> <p><i>An understanding of the essential features of the building, its relationship to the wider landscape setting and its sensitivity to change should inform the alterations that might be made. Appropriate materials should be used and also methods of repair that respect the buildings significance.</i></p> <p><i>As the fabric of the building will embody its character and interest, as much as possible should be retained.</i></p>	Changes accepted	Wording to policy will be changed accordingly.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<i>Good practice advice prepared by Historic England is available to help inform a sensitive approach to any conversion.</i>		
DM56: Conversion and reuse of rural buildings for employment development	Federation of Small Businesses	11935137//14	<p>Whilst the conversion and reuse of agricultural buildings for employment uses is permitted development, a matter that should be recognised by the policy, the FSB supports the principle of policy DM56 as it will allow a far wider use of agricultural and other buildings for uses that fall outside the permitted development rights.</p> <p>The FSB is, in light of, the other policies, in particular, proposed by the draft Plan, concerned with the requirement that such buildings must be:</p> <p><i>‘Located in a sustainable location, with safe and convenient access to a settlement providing an appropriate range of services and facilities’.</i></p> <p>PPS was amended on 6th March 2015 in an attempt to stop local authorities</p>	<p>It is considered that this requirement is in accordance with Para 14 of the NPPF which states the presumption in favour of sustainable development. Para 30 and 37 of the NPPF are also supportive of this stance.</p> <p>The relaxation of this approach ( 6<sup>th</sup> March 2015) applies solely to those developments which are subject to the “prior approval “ process and not to planning applications.</p> <p>Safe and convenient access would apply to all forms of transport although it is recognised that in rural areas the provision of pavements is not a realistic proposition.</p> <p>No change to policy recommended</p>	No change to policy required

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>seeking to use negative policies such as DM56 to resist farm diversification, it would be quite contrary to national policy to allow such a policy to be introduced.</p> <p>Also unreasonable and contrary to government policy is to seek to limits the conversion and re-use of rural buildings to locations with safe and convenient access to a settlement providing an appropriate range of services and facilities.</p> <p>The statement is also neither focused nor concise. What does '<i>safe and convenient access</i>' refer to? Does it mean e.g. safe and convenient access by car, on foot or by cycle?</p> <p>The above statement is not sound and should be deleted from the policy in its entirety.</p>		
DM56: Conversion and reuse of rural buildings for	Hutton Garden Centre	4601633//4	This policy again duplicates normal development control requirements such as character, amenity and highways matters. It also seeks additional	Paras 8, 17 (4 <sup>th</sup> bullet point) 56 and 57 of the NPPF stress the importance of design and the inclusion of detailed issues in this policy is fully justified.	No change to policy required

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
employment development			controls over and above that set out in the NPPF, in the same fashion as the policies cited above. This includes the inappropriate embargo on retail use. The policy is therefore inconsistent and unnecessary.	No change to policy recommended.	

**Policy DM57: Conversion, reuse and new build for visitor accommodation in the countryside**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM57: Conversion, reuse and new build for visitor accommodation in the countryside	Campaign to Protect Rural England	705793//20	Aspects of this policy indicate these would not be large developments but there is no indication as to maximum numbers. Placing a limit may deter inappropriate large applications unsuitable for rural locations.	It is considered too prescriptive to set a maximum amount of development permitted under this policy. There are sufficient criteria to judge planning proposals against.  No change to policy recommended.	No change to policy required
DM57: Conversion, reuse and new build for visitor accommodation in the countryside	Hutton Garden Centre	4601633//5	Again, this is a repetitive policy that sets out normal development control criteria covered by other policies.  The policy is also not consistent with paragraph 28 which states that local plans should:  <i>'support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate</i>	Paras 8, 17 (4 <sup>th</sup> bullet point) 56 , 57 and 59 of the NPPF stress the importance of design and the inclusion of detailed issues in this policy is fully justified  No change to policy recommended	No change to policy recommended

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>locations where identified needs are not met by existing facilities in rural service centres’.</i></p> <p>The Policy seeks inappropriate controls relating to the positioning of buildings within the curtilage, there being tests relating to other buildings suitable for conversion, and that any buildings to be converted shall be ‘traditional’. These are not tests in the NPPF.</p>		

**Policy**

**DM58: Camping and caravan sites**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM58: Camping and caravan sites	Campaign to Protect Rural England	705793//21	<p>Permanent caravan and camping sites can easily ‘harm the character of the surrounding area’. Many rural roads are inappropriate for the transportation of static caravans/log cabins and even touring caravans may also have difficulty.</p> <p>New sites should not be considered where access is inappropriate and sited away from services and infrastructure.</p>	<p>Access considerations are covered in the 3<sup>rd</sup> bullet point.</p> <p>It is considered to be unreasonable to expect all proposed Caravans and Camping sites to be located close to services and infrastructure. There are sufficient criteria listed in the policy to ensue against inappropriate development.</p> <p>No change to policy recommended</p>	No change to policy required
DM58: Camping and caravan sites	Hutton Garden Centre	4601633//6	<p>It is not correct to seek a blanket ban on camping and caravan sites in the Green Belt and the AONB. The supporting text to the policy says that the Council consider them to no be appropriate in such areas.</p> <p>Such uses and sites are not defined as inappropriate development in the Green Belt by the NPPF at paragraphs 89 and</p>	<p>The policy refers to land outside of the Green Belt and Area of Outstanding Natural Beauty (AONB). It is the text in the justification that refers to inappropriate development .</p> <p>Para 89 of the NPPF does not list caravan and camping sites as appropriate development in the Green Belt. However Para 115 of the NPPF</p>	Justification text amended to reflect para 115 of NPPF

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>90, nor in AONBs at paragraphs 115 and 116 of the NPPF. The Council therefore cannot rule them out ‘in principle’. The correct policy tests at those paragraphs of the NPPF must be applied to any such proposals. The policy must therefore be modified.</p>	<p>does specify the criteria for accepting such development in the AONB and the text of the plan will be amended to reflect this</p> <p>Justification text amended to reflect para 115 of NPPF.</p>	

Policy

DM59: Garden centres

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM59: Garden centres	Gregory Gray Associates	11836129//1	<p>Gregory Gray Associates is instructed by Wyevale Garden Centres to raise strong objection to draft Policy 59 of the above document which relates to Garden Centres.</p> <p>The proposed policy states:</p> <p><i>New development proposals for garden centres, including extensions to existing developments, or proposals to increase the range of retailing will only be permitted in the countryside where:</i></p> <ul style="list-style-type: none"> <li><i>the sales floorspace area relates to the sale of garden related goods (excluding clothing). If non-garden related goods are sold they must not exceed 15% of the net sales floorspace area and must be products made or grown within a 30 mile radius of the site; and</i></li> <li><i>there are no significant retail impacts on any of the centres</i></li> </ul>	<p>Garden Centres are granted consent because of the land requirements and are seen as an exception to normal retail policy. In order to comply with the NPPF “town centre first” approach it is important that restrictions to what can be sold are applied. This will help to protect defined centres.</p> <p>Non garden related goods do not have excessive land requirements and are sold within established centres. For this reason it is important to control the amount of non garden goods and to improve the local economy, that such goods are provided locally</p> <p>No change to policy recommended</p>	No change to policy required

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>listed in Core Strategy Policy CS21; and</i></p> <ul style="list-style-type: none"> <li>• <i>are located with safe and convenient access to the highway network; and</i></li> <li>• <i>there are no unacceptable adverse impacts for the environment, living conditions, countryside, landscape, highways, traffic and car parking considerations and where relevant, the openness of the Green Belt.</i></li> </ul> <p>It is noted that the wording of the proposed policy has been amended since the Consultation Draft of the same document was published in February 2013. The Council's Consultation Statement dated February 2015, confirms that objections were raised as to the restrictive nature of the original policy and as a result the initial requirement that 50% of produce sold from the garden centre must be grown on site, has been deleted. In its place is a requirement that non-garden related goods should not exceed 15% of sales floorspace area and must be products</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>made or grown within a 30 mile radius of the site.</p> <p>Our client strongly objects to the policy as amended which introduces an arbitrary and unjustified constraint on the future operation of established garden centres which does not appear to be justified by any reference to empirical data or national policy.</p> <p>My client currently operates Cadbury Garden Centre, Smallway, Congresbury, which is lawfully permitted to retail a range of complementary goods. The terms of the current planning permission relating to the site, permit in excess of 15% of the garden centre's floor space to be utilised for such '<i>non-garden related goods</i>' and there is no requirement that any of them should be made or grown within 30 miles of the site. The terms of the current planning permission at Cadbury Garden Centre is entirely consistent with other garden centres nationwide.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Whilst the wording of the proposed policy clearly does not affect the terms of this permission and therefore the lawful use of our client’s site, it automatically prevents any further amendment to the range of goods that may be sold, since even the status quo at the site does not comply with the proposed development plan policy. This will have an effect on the future viability of the garden centre since it will not be permitted to develop in accordance with future trends in garden centre retailing and so will not be able to compete with nearby garden centres in adjoining districts which are not similarly fettered.</p> <p>The need for the product offer of garden centres to be updated over time is enshrined in the judgement in <i>Wiggins v Arun DC (1997)</i> which stated “.....<i>the activities of a garden centre should be judged by contemporary standards, rather than fixed for all time in the year when the relevant agreement was made</i>”.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Whilst national policy advocates a <i>'town centre first approach'</i> to retail development, it recognises that there are some forms of retail development which cannot be accommodated in or adjacent to town centres. Para. 23 of the NPPF requires LPAs to set policies for the consideration of such uses.</p> <p>Garden centres have specific locational requirements which render them unsuitable for town centre locations. They demand large areas of internal and external display area, immediate access to car parking, and command relatively low floorspace returns making a town centre location unviable. Furthermore, the NPPF makes clear at para. 28 that planning policies should support a strong rural economy by supporting the <i>'sustainable growth and expansion of all types of business and enterprise in rural areas'</i>. This would apply equally to established retail enterprises as well as any other type of business.</p> <p>Policy 59, as drafted, remains overly restrictive and would prevent the</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>sustainable development of the existing business contrary to the aims of the NPPF. As such the policy is ‘unsound’ and should be amended to delete the unreasonable restriction that not more than 15% of the net sales floor area should be used for non-garden related goods and that all such products must be made or grown within a 30 mile radius of the site.</p> <p>I would be grateful if the above objection could be drawn to the Inspector’s attention at the forthcoming Examination of the Development Policies DPD.</p>		
DM59: Garden centres	Hutton Garden Centre	4601633//7	<p>Objection is raised to this policy. It seeks to place a patently unfair layer of control over existing garden centres. The policy seeks an artificial amount of local authority control over the type of goods sold by an existing business. There is simply no provision in national policy to undertake such a course of action. The Council do not seek this for any other retailer in the District. That is unreasonable</p>	<p>Garden Centres are granted consent because of the land requirements and are seen as an exception to normal retail policy. In order to comply with the NPPF “town centre first” approach it is important that restrictions to what can be sold are applied. This will help to protect defined centres.</p> <p>Non garden related goods do not have excessive land requirements and are</p>	No change to policy required

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>interference on the rights of a business to operate.</p> <p>The policy contains an arbitrary requirement that any non-garden related goods must be made or grown within 30 miles of the site. It further states in the supporting text that permission would be needed for any stock brought into the site and not grown on site. That is not a fair requirement that ignores how garden centres operate. Although some plants can be grown on nursery land on site, it is a simple fact that the great majority of a garden centre's stock and products come from off-site. Plants come from wherever in the country they are best grown, by commercial nurseries. And, of course, they come from other countries. Every other garden centre or retail supplier of plants (eg DIY chains, supermarkets, florists) will be buying their plants from anywhere. And those other suppliers will also be buying other items for retail sale from elsewhere in the country. It would be grossly unfair to require a garden centre to, if they were seeking to</p>	<p>sold within established centres. For this reason it is important to control the amount of non garden goods and to improve the local economy, that such goods are provided locally.</p> <p>No change to policy recommended.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>extend their garden centre activities, to then ask for planning permission for that extension, and then the garden centre having to stock with only local produce. The 30 mile limit is an arbitrary figure that is unfair in comparison with any other rural enterprise; or indeed any urban-based enterprise (why is such a provision not contained within Policies DM65 and DM67 for the edge of town and out of centre large retail parks, only reachable by car?).</p> <p>The NPPF contains no policy that seeks to discriminate against – or in favour – any particular business or retailer. The NPPF sets out the tests for any type of economic development, including retail. Policy DM59 is an artificial policy that seeks to interfere with how existing lawful and legitimate businesses in a rural area operate. As mentioned in relation to previous policies, the NPPF at paragraph 28 seeks a prosperous rural economy and makes no distinction between any type of business and enterprise in rural areas. A garden centre may wish to</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>extend to provide more retail activities to support other plant sales, etc, and that is a valuable source of rural employment. It is unfair and inconsistent to have a discriminatory policy against garden centres when no such 'local goods' or non-retail criteria are sought on any other business or out of centre retail businesses. The policy should be removed.</p>		

Policy

DM60: Town centres

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM60: Town centres	Clevedon Town Council (I Johnson)	8141825//1	<p>Under Policy DM60 and DM61 Clevedon Town Council request the inclusion of the following additional point; where new builds are planned in town and district centres consideration should be given to off-street parking.</p> <p>Hill Road in particular has problems with lack of parking in this area - narrow roads in the surrounding residential area and residential properties with no off street parking. There is also an increase in on-street parking in the Town Centre.</p>	<p>The issue of car parking is deal with in the last bullet point in DM60 which seeks to encourage an increase in the amount and quality of public car parking spaces for all proposals whether new build or conversion in the town centre. It is also dealt with in para 4 of DM61 which respond to the difficulties of parking in some of the District centres.</p> <p>The increase in on-street car parking is noted but detailed management of this is not an issue for this plan.</p>	None
DM60: Town centres	Federation of Small Businesses	11935137//15	<p>The FSB supports the development of town centre uses: Diversification of uses within town centres is vital to allow them to survive and remain vital and viable.</p> <p>They are, however, concerns that the policy as presented is negative, is not</p>	<p>The NPPF para. 23 requires LA's to define the extent of Town Centres and set policies that make clear which uses will be permitted in such locations. Policy DM 60 defines these locations making it clear that town centre uses are supported in principle. The policy applies to Nailsea Portishead and Clevedon and it is not dependent on the</p>	<p>Proposals from main town centre uses within these areas will, in principle, be supported <b>provided they contribute to the improvement of the town centre. In assessing this the follow criteria will be taken into account:</b></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>focused or concise and is far from accessible.</p> <p>The drafting could be interpreted to mean that all of the listed criteria must be met before a proposal is acceptable in principle. The policy could therefore be used to resist any development proposal in a town centre.</p> <p>Looking at the criteria in turn:-</p> <ul style="list-style-type: none"> <li>• <i>Make a positive contribution to the centre's identity and heritage.</i> – What does this refer to? - It is subjective and could almost always be used to refuse permission and is therefore negatively worded.</li> <li>• <i>Increase job, education and training opportunities.</i> – This statement could mean that a proposal to change a use that may employ fewer staff than a previous use will be refused permission and thus could be used to justify the refusal of an otherwise acceptable town centre use.</li> </ul>	<p>outcome of the Prospectus for Change document which is a high level visioning document.</p> <p>Contrary to the respondent's argument the policy is concerned with the positive improvement of town centres and will be used to ensure all proposals have a positive impact.</p> <p>Accept that the policy could be better worded to make it clear that not all of the criteria will need to be met in every case.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<ul style="list-style-type: none"> <li>• <i>Enhance the 'mix or quality' of uses at the centre.</i> – This statement is subjective and again could be used to refuse any application for planning permission.</li> <li>• <i>Create additional community benefits and activities.</i> – As very few town centre uses could reasonably comply with this statement it again could be used to refuse any application for planning permission.</li> <li>• <i>Increase the activity and footfall in the centre, including supporting the evening economy.</i> – It will be almost impossible to prove this. It again could be used to refuse any application for planning permission.</li> <li>• <i>Secure the redevelopment or improvement of buildings, features or areas which detract from the quality or appearance of the centre. Enhance the built environment and public realm.</i> – Any proposal could be argued to not achieve this aim and thus</li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>could be refused planning permission.</p> <ul style="list-style-type: none"> <li>• <i>Do not adversely impact on the role and function of the centre.</i> – This is a subjective statement that could mean almost anything. It will be necessary to define the role and function of the centre and then assess whether the development proposal would or would not adversely impact it. Again this could be used to refuse any application for planning permission.</li> <li>• <i>Do not prejudice the delivery of proposed redevelopment schemes.</i> – This is the one statement that may be acceptable.</li> <li>• <i>Retain or increase the amount and quality of public car parking spaces available.</i> – If a development proposal could not prove that it is retaining or increasing the amount and quality of public car parking spaces, will it be refused permission? This is an unnecessary statement.</li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>NPPF, as guided by PPG, supports town centre uses. In light of this, policy DM60 is unnecessary and could be deleted.</p> <p>In addition, the policy should not be developed until North Somerset Council has completed its Weston-super-Mare 'Prospectus for Change', which is currently under public consultation.</p> <p>This consultation, it is hoped, will lead to the development of a positive policy for the Town Centre that will be positively prepared and will encourage economic growth.</p>		

**Policy**

**DM61: District centres**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM61: District centres	Clevedon Town Council (I Johnson)	8141825//2	<p>Under Policy DM60 and DM61 Clevedon Town Council request the inclusion of the following additional point; where new builds are planned in town and district centres consideration should be given to off-street parking.</p> <p>Hill Road in particular has problems with lack of parking in this area - narrow roads in the surrounding residential area and residential properties with no off street parking. There is also an increase in on-street parking in the Town Centre.</p>	<p>The issue of car parking is deal with in the last bullet point in DM60 which seeks to encourage an increase the amount and quality of public car parking spaces for all proposals whether new build or conversion in the town centre. It is also dealt with in para 4 of DM61 which respond to the difficulties of parking in some of the District centres.</p> <p>The increase in on-street car parking is noted but detailed management of this is not an issue for this plan.</p>	None
DM61: District centres	White Young Green Planning (Sainsbury's Supermarkets Ltd)	933217//3	<p>Similarly, we wish to raise concerns in relation to Policies DM61 and DM62, which require retail proposals above 500sq m in district centres and 300sq m in local centres respectively, to demonstrate that there would be no significant impact on the vitality and</p>	<p>Policies DM 61 and DM62 are in accordance with the NPPF. Para 23 requires local authorities to define a network and hierarchy of centres and set policies for the growth and management of those centres over the plan period. Policies DM61 &amp; DM62</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>viability of the district/local centre. Policy DM61 also requires proposals for new retail floorspace above 500sq m in the district centres to demonstrate that there are no sequentially preferable sites available elsewhere within the town.</p> <p>It is not considered necessary to have such thresholds set for district and local centres. The NPPF is clear that impact assessments should be required for retail, leisure and office development outside of town centres (above a set threshold), where 'town centres' applies to city centres, town centres, district centres and local centres. Furthermore, the NPPF notes that a sequential test should be applied for planning applications for main town centres that are not in an existing centre.</p> <p>Given the foregoing, and in the absence of evidence to support such thresholds, the current wording of Policies DM61 and DM62 is not strictly in accordance with the NPPF.</p>	<p>clearly set out those policies providing thresholds appropriate to the centre's level in that hierarchy. These policies set the up-to-date local plan.</p> <p>NPPF paras 24 and 25 apply to planning applications which 'are not in an existing centre <u>and</u> not in accordance with an up-to-date local plan'.</p> <p>Regarding the thresholds the default applies when there is no 'proportionate locally set threshold'. The 500m2 and 300m2 levels are set out in policy CS21 of the Core Strategy para 3.267.</p>	

**Policy**

**DM62: Local centres**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM62: Local centres	Portishead Town Council	4193569//4	<p>Portishead Town Council supports the enhancement of the existing units on West Hill triangle but there must be no loss of free car parking spaces and no redevelopment of the green space of the triangle.</p> <p>Portishead Town Council - Minute No. 2422 - 11.03.15</p>	None	
DM62: Local centres	White Young Green Planning (Sainsbury's Supermarkets Ltd)	933217//4	<p>Similarly, we wish to raise concerns in relation to Policies DM61 and DM62, which require retail proposals above 500sq m in district centres and 300sq m in local centres respectively, to demonstrate that there would be no significant impact on the vitality and viability of the district/local centre. Policy DM61 also requires proposals for new retail floorspace above 500sq m in the district centres to demonstrate that there are no sequentially preferable sites available elsewhere within the town.</p>	<p>Policies DM 61 and DM62 are in accordance with the NPPF. Para 23 requires local authorities to define a network and hierarchy of centres and set policies for the growth and management of those centres over the plan period. Policies DM61 &amp; DM62 clearly set out those policies providing thresholds appropriate to the centre's level in that hierarchy. These policies set the up-to-date local plan.</p> <p>NPPF paras 24 and 25 apply to planning applications which 'are not in</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>It is not considered necessary to have such thresholds set for district and local centres. The NPPF is clear that impact assessments should be required for retail, leisure and office development outside of town centres (above a set threshold), where 'town centres' applies to city centres, town centres, district centres and local centres. Furthermore, the NPPF notes that a sequential test should be applied for planning applications for main town centres that are not in an existing centre.</p> <p>Given the foregoing, and in the absence of evidence to support such thresholds, the current wording of Policies DM61 and DM62 is not strictly in accordance with the NPPF.</p>	<p>an existing centre and not in accordance with an up-to-date local plan'.</p> <p>Regarding the thresholds the default applies when there is no 'proportionate locally set threshold'. The 500m2 and 300m2 levels are set out in policy CS21 of the Core Strategy para 3.267.</p>	

**Policy**

**DM64: Primary shopping frontages**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM64: Primary shopping frontages	Federation of Small Businesses	11935137//17	<p>North Somerset’s town centres have suffered from a ‘<i>retail first</i>’ policy approach which has led to lifeless frontages outside normal shopping hours and many vacant units.</p> <p>This policy seeks to continue that approach and is not a positive position to take.</p> <p>This policy should not be developed until North Somerset Council has completed its Weston-super-Mare ‘Prospectus for Change’, which is currently under public consultation.</p> <p>This consultation, the FSB hopes, will lead to the development of a positive policy for the Town Centre that will be positively prepared and will encourage economic growth.</p> <p>Looking at the criteria proposed:-</p> <ul style="list-style-type: none"> <li>• <i>The proposal is for an A Class use</i> – The FSB considers that</li> </ul>	<p>The NPPF is clear that local authorities should define primary shopping frontages and set policies for which uses will be permitted. The policy applies to Clevedon Portishead and Nailsea as well as Weston-super-Mare therefore is is not appropriate to await the outcome of the Prospectus for Change.</p> <p>Contrary to the respondents view the policy is very positive and seeks to broaden the range of uses within these critical shopping streets to include all A class uses, rather than just A1.</p> <p>In most town centres the extent of the Primary Shopping frontages have been reduced to reflect the changing needs of retailing. The policy seeks to ensure that the PSF remains the focus for retail uses but reflects the changing use of town centres to include other uses particularly a food and beverage offer. The criteria for the loss of A1 at ground</p>	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>this is too restrictive and that other uses should also be considered in a vital and viable town centre. Why would e.g. a crèche not be suitable?</p> <ul style="list-style-type: none"> <li>• <i>The proposal would make a positive contribution to the viability, vitality and diversity of the primary shopping area</i> – This is a given, but is almost impossible to prove in the positive.</li> <li>• <i>Would not result in a loss of footfall but ideally create additional footfall</i> - Another given, but again almost impossible to prove in the positive.</li> <li>• <i>Would extend the range of activities available to shoppers and other users so as to enhance the experience of visiting the centre</i> – This criteria could be used to refuse almost any development proposal. For example, a second bookshop would not extend rage and thus could be refused.</li> </ul>	<p>floor level reflect the need to ensure vitality in these areas.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<ul style="list-style-type: none"> <li>• <i>Would not fragment any part of the shopping area by creating or contributing to a significant break in the active frontage – What do the words fragment or significant refer to? This criterion is not concise and thus is open to misinterpretation.</i></li> <li>• <i>Would not result in a loss of retail floorspace which would be harmful to the shopping function of the primary shopping area. Again a highly subjective statement that could be used to refuse any non-retail proposal.</i></li> <li>• <i>Be compatible with the retail frontage in that it includes a shop-front with a display function and would be immediately accessible from the street. Considered a very old fashioned view of a shop. One of the most successful retail outlets of recent years, Hollisters, would fail this requirement. This is precisely the type of retailer that would boost any North Somerset shopping centre.</i></li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>The policy is not positively prepared, is not justified, is not effective and is not in conformity with national policy as it is unlikely to ensure vitality.</p> <p>This policy should not be developed until North Somerset Council has completed its Weston-super-Mare 'Prospectus for Change', which is currently under public consultation.</p> <p>This consultation, it is hoped, will lead to the development of a positive policy for the Town Centre that will be positively prepared and will encourage economic growth.</p> <p>It is, therefore, requested that the policy be deleted in its entirety.</p>		

**Policy** DM66: The sequential approach for retail development

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM66: The sequential approach for retail development	Moor Park (North Somerset) Ltd (T Rocke)	11854273//11	<p>The thresholds for sequential and impact assessments are set way below the default threshold in the NPPF. No justification is given for these significantly lower thresholds. The threshold in the NPPF reflects a level below which significant adverse impacts are not normally felt. There is no evidence that the town centres of North Somerset are particularly vulnerable such as to justify a lower threshold.</p> <p><i>Amend the policy to bring the threshold above which sequential and impact assessments will be required into line with the default threshold identified in the NPPF (para. 26).</i></p>	<p>Policy DM66 sets thresholds appropriate to the centre's level in that hierarchy. The definition of the hierarchy is in accordance with the NPPF para 23. These policies set the "locally set floorspace threshold" in an up-to-date local plan. These thresholds are consistent with those set in the Core Strategy Policy CS21 para. 3.267</p> <p>NPPF paras 24 and 25 apply to planning applications which 'are not in accordance with an up-to-date local plan'.</p> <p>Regarding the thresholds the default applies when there is no 'proportionate locally set threshold'. The 500m2 and 300m2 levels are set out in policy CS21 of the Core Strategy para 3.267. Without these thresholds there is a danger of potential significant impact on existing centres not being assessed</p>	<p>For clarity the wording of policy DM66 should be revised as follows:</p> <p><del>A sequential approach to retail development will be applied. New retail proposals which comply with the approach will be acceptable in principle.</del></p> <p>A sequential and impact assessment will be required for retail developments as specified in the following tables.</p> <p>Retail development below the set thresholds will be acceptable in principle. Retail development above the set thresholds will acceptable provided the sequential and impact tests demonstrate there are no sequentially preferable sites and that there would be</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
					no significant adverse impact on any of the defined centres.
DM66: The sequential approach for retail development	White Young Green Planning (Sainsbury's Supermarkets Ltd)	933217//1	<p>We have concerns about the requirement in Policies DM66 and DM67 for Retail Impact Assessments (RIA) and sequential test to accompany all applications for retail development in out-of-centre locations exceeding 200 sq m net. This figure is significantly below the default threshold of 2,500 sq m set out in the NPPF at para 26. Indeed, the proposed threshold is even below the typical size for a local convenience store (generally 250-280 sq m net). Paragraph 21 of the NPPF states that investment in business should not be "over-burdened by the combined requirements of planning policy expectations". To require all retail development above 200 sq m to submit an RIA, in the absence of evidence to justify such a threshold, does place an unreasonable burden on smaller retail development which could unnecessarily act as a deterrent to sustainable economic growth.</p>	<p>Policy 66 sets thresholds appropriate to the centre's level in that hierarchy. The definition of the hierarchy is in accordance with the NPPF para 23. These policies set the "locally set floorspace threshold" in an up-to-date local plan. These thresholds are consistent with those set in the Core Strategy Policy CS21 para. 3.267.</p> <p>NPPF paras 24 and 25 apply to planning applications which 'are not in an existing centre and not in accordance with an up-to-date local plan'.</p> <p>Regarding the thresholds the default applies when there is no 'proportionate locally set threshold'. The 500m2 and 300m2 levels are set out in policy CS21 of the Core Strategy para 3.267.</p> <p>The lowest threshold of 200m2 is only applied outside of the defined centres. The defined centres include</p>	<p>For clarity the wording of policy DM66 should be revised as follows:</p> <p><del>A sequential approach to retail development will be applied. New retail proposals which comply with the approach will be acceptable in principle.</del></p> <p>A sequential and impact assessment will be required for retail developments as specified in the following tables.</p> <p>Retail development below the set thresholds will be acceptable in principle. Retail development above the set thresholds will acceptable provided the sequential and impact tests demonstrate there are no sequentially preferable sites and that there would be</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Should the Council wish to set a local threshold for the requirement of a RIA, it is necessary to collect the evidence having regard to the size, scale and nature of centres in the area in order to set a realistic and proportionate local threshold. This evidence is currently not available. Accordingly, in the absence of such evidence, we recommend the default NPPF threshold of 2,500 sq m should be set.</p>	<p>local centres in Service Villages and within neighbourhoods in towns. This threshold is appropriate in order to protect the small shops in these villages and parades and to direct retailing above this size to these locations.</p>	<p>no significant adverse impact on any of the defined centres.</p>

**Policy DM67: Retail proposals outside or not adjacent to town, district or local centres**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM67: Retail proposals outside or not adjacent to town, district or local centres	Federation of Small Businesses	11935137//18	<p>Farm diversification is positively supported by government, who has introduced new permitted development rights to facilitate changes of use of existing agricultural buildings to flexible uses including uses falling within use Classes A1, A2, and A3.</p> <p>The government amended PPG on 6th March 2015 in an attempt to stop local authorities wrongly seeking to use negative policies such as DM67 to resist farm diversification, it would be quite contrary to national policy to allow such a policy to be introduced.</p> <p>It is not sound for a development plan policy to resist development that would otherwise be permitted development.</p> <p>Many rural retail proposals, such as farm shops, etc. must be located with the existing business. The second part of this policy, which requires operators to demonstrate that no suitable sites</p>	<p>Farm shops below the 200sm threshold would be acceptable. The approach in this policy follows the "town centre first " approach as set out in the NPPF . If there were no threshold then identified centres could be subject to significant harm . Policy has been amended to give greater clarity</p>	<p>Amend policy to delete 'Only' second sentence.</p> <p>Amend third sentence to read; Larger proposals will be required to demonstrate that no <u>sequentially preferable sites are available in the town centre, retail parks or other proposed retail development</u> and that the proposal would not have a significant <u>adverse</u> impact on <u>these retail locations</u> the defined centres.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>were available in the town centres, retail parks or other proposed retail development, is almost impossible to comply with and could thus be used to refuse any development proposal. It is therefore not positive and is contrary to national planning policy.</p> <p>The policy is not sound and should be deleted or significantly modified.</p>		
DM67: Retail proposals outside or not adjacent to town, district or local centres	Moor Park (North Somerset) Ltd (T Rocke)	11854273//12	<p>The scale of retail development that is acceptable in out-of-town locations should properly be determined through a retail impact assessment. Following the principles endorsed by the Inspector and Secretary of State through the Rushden Lakes decision (June 2014) applying the policies of the NPPF, if a retail impact assessment demonstrates an absence of significant adverse harm on any relevant centre, then the proposals are in accordance with town centre policies. As currently worded, the policy pre-judges the acceptability of proposals over 200 sqm floorspace. For reasons set out in relation to Policy DM66, the threshold of 200 sqm is</p>	<p>Policy 66 sets thresholds appropriate to the centre's level in that hierarchy. The definition of the hierarchy is in accordance with the NPPF para 23. These policies set the "locally set floorspace threshold " in an up-to-date local plan. These thresholds are consistent with those set in the Core Strategy Policy CS21 para. 3.267.</p> <p>NPPF paras 24 and 25 apply to planning applications which 'are not in an existing centre and not in accordance with an up-to-date local plan'.</p>	<p>Amend policy to delete 'Only' in second sentence.</p> <p>Amend third sentence to read; Larger proposals will be required to demonstrate that no <u>sequentially preferable sites</u> are available <del>in the town centre, retail parks or other proposed retail development</del> and that the proposal would not have a significant <u>adverse</u> impact on <del>these retail locations</del> the defined centres.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>unacceptably low and should be increased to 2,500 sqm in accordance with the default threshold contained in the NPPF. The policy also implies that sites at retail parks or other proposed retail developments are sequentially preferable to other out-of-centre sites. Unless such developments are designated town centres, then this is contrary to the sequential test as set out in the NPPF (para. 24).</p> <p>Amend this policy to refer to the acceptability of retail development over 2,500 sqm floorspace being determined having regard to the sequential test and an impact test demonstrating that there would be no significant adverse harm to any relevant centre.</p>	<p>Regarding the thresholds the default applies when there is no 'proportionate locally set threshold'. The 500m2 and 300m2 levels are set out in policy CS21 of the Core Strategy para 3.267.</p> <p>The lowest threshold of 200m2 is only applied outside of the defined centres. The defined centres include local centres in Service Villages and within neighbourhoods in towns. This threshold is appropriate in order to protect the small shops in these villages and parades and to direct retailing above this size to these locations.</p> <p>Accept that there should be greater clarity about the acceptability of proposals above the threshold.</p>	
DM67: Retail proposals outside or not adjacent to town, district or local centres	White Young Green Planning (Sainsbury's Supermarkets Ltd)	933217//2	We have concerns about the requirement in Policies DM66 and DM67 for Retail Impact Assessments (RIA) and sequential test to accompany all applications for retail development in out-of-centre locations exceeding 200 sq m net. This figure is significantly below the default	Policy 66 sets thresholds appropriate to the centre's level in that hierarchy. The definition of the hierarchy is in accordance with the NPPF para 23. These policies set the "locally set floorspace threshold" in an up-to-date local plan. These thresholds are	<p>Amend policy to delete 'Only' second sentence.</p> <p>Amend third sentence to read; Larger proposals will be required to demonstrate that no <u>sequentially preferable sites are available in the town centre,</u></p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>threshold of 2,500 sq m set out in the NPPF at para 26. Indeed, the proposed threshold is even below the typical size for a local convenience store (generally 250-280 sq m net). Paragraph 21 of the NPPF states that investment in business should not be “over-burdened by the combined requirements of planning policy expectations”.</p> <p>To require all retail development above 200 sq m to submit an RIA, in the absence of evidence to justify such a threshold, does place an unreasonable burden on smaller retail development which could unnecessarily act as a deterrent to sustainable economic growth.</p> <p>Should the Council wish to set a local threshold for the requirement of a RIA, it is necessary to collect the evidence having regard to the size, scale and nature of centres in the area in order to set a realistic and proportionate local threshold. This evidence is currently not available. Accordingly, in the absence of such evidence, we</p>	<p>consistent with those set in the Core Strategy Policy CS21 para. 3.267.</p> <p>NPPF paras 24 and 25 apply to planning applications which 'are not in an existing centre and not in accordance with an up-to-date local plan'.</p> <p>Regarding the thresholds the default applies when there is no 'proportionate locally set threshold'. The 500m2 and 300m2 levels are set out in policy CS21 of the Core Strategy para 3.267.</p> <p>The lowest threshold of 200m2 is only applied outside of the defined centres. The defined centres include local centres in Service Villages and within neighbourhoods in towns. This threshold is appropriate in order to protect the small shops in these villages and parades and to direct retailing above this size to these locations.</p> <p>Accept that there should be greater clarity about the acceptability of proposals above the threshold.</p>	<p><del>retail parks or other proposed retail development</del> and that the proposal would not have a significant <u>adverse</u> impact on <del>these retail locations</del> the defined centres.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			recommend the default NPPF threshold of 2,500 sq m should be set.		

**Policy** DM68: Protection of sporting, cultural and community facilities

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM68: Protection of sporting, cultural and community facilities	Environment Agency	11199361//8	In the case of school playing fields the land is not exclusively used as playing pitches and areas may have biodiversity value which should be taken into account.	Other policies of the plan cover biodiversity (eg. DM8) and would be likely to be considered if a site has significant biodiversity interest. The plan is intended to be read as a whole, so that all policies relevant to a proposal would be likely to be taken into account.	None.
DM68: Protection of sporting, cultural and community facilities	NHS Property Services Ltd	11844513//1	<p>Please see attached letter.</p> <p>The council considers the following to be a summary of the main points of the representation:</p> <p>Policy DM68 would be overly restrictive and harm the NHS's ability to meet local healthcare needs and provide suitable facilities. Where such policies are overly restrictive , the disposal of unneeded and unsuitable healthcare facilities can be prevented or delayed, affecting reinvestment in modern , fit for purpose facilities. Most</p>	<p>The policy is not overly restrictive and provides the opportunity for organisations such as the NHS to try to demonstrate where exceptions to the policy apply, including not only the alternative provision point, but also the issue of a site or building being genuinely redundant/surplus to requirements for cultural/community uses.</p> <p>The policy as worded is appropriate. It allows the council to consider any evidence submitted by the NHS that land/buildings are not suitable/viable</p>	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>surplus healthcare facilities are purpose built, at the end of their useful lives, and thus highly unlikely to be viable or suitable for other uses.</p> <p>The NHS routinely review their estates, aimed at increasing efficiencies through disposal of unneeded and unsuitable properties. There are separate rigorous testing and approval processes employed by NHS commissioners to identify unneeded and unsuitable healthcare facilities. There is no need for the council to consider further evidence before deeming that land and/or buildings are genuinely redundant.</p> <p>In the case of NHS healthcare facilities, alternative provision of facilities as sometimes required by the policy may not always be needed, where a facility is lost. In some circumstances it would be possible to meet needs of the local population through existing facilities. Modern methods of service provision can mean that needs could be met whilst using less space in fewer, better facilities,</p>	<p>for use as a health facility, but indicates that there is also a need to consider the scope/demand to use them for other community uses, as indicated in the criteria under the second bullet. It is appropriate that the council does this but in consultation with relevant bodies as indicated in criterion (d) of the policy, since bodies like the town and parish councils, service providers and voluntary groups would have knowledge of demand.</p> <p>The suggested addition to the policy is not appropriate since to argue that the land and/or buildings are no longer required for health use is not sufficient, since that is only one example of a sporting, cultural or community facility. As indicated in the second bullet of the policy, the council will need to be satisfied that the site or building is genuinely redundant /surplus to requirements for appropriate alternative community uses, of which there may be a number to consider.</p> <p>The policy is sound. It is consistent with government policy since the</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>elsewhere or on the same site as part of a new mixed use development.</p> <p>Policy DM68 and supporting text fail the tests of soundness, but the DPD can be made sound by the addition of a further bullet point after (d) which reads:</p> <p><b>"in the case of health care facilities, where NHS commissioners, having declared the land and/or building surplus, are satisfied that the land is no longer required for health use".</b></p>	NPPF (paragraph 70) refers to the need to guard against the unnecessary loss of valued facilities and services.	
DM68: Protection of sporting, cultural and community facilities	Persimmon Homes Severn Valley (cprewett)	11809729//15	<p>Firstly Persimmon Homes Severn Valley considers that bullet point 2 does not make sense and should be reworded. Secondly there is a need for an additional bullet point within the Policy to deal with cases where the use of a private sports facility not available to the general community and of a temporary nature has ceased and is no longer viable, in which case there should be no requirement to replace it.</p>	<p>It is not agreed that the 2nd bullet does not make sense and needs rewording. It is considered to be logical.</p> <p>There is no need or justification for the suggested additional bullet point. The policy is consistent with national policy, for example the criterion on replacement provision (1st bullet) is consistent with the NPPF paragraph 74. There is nothing in that paragraph that suggests that the criterion should not apply where the sports facility is</p>	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				private, not available to the general community, and of a temporary nature. Where such a facility has ceased and it is being suggested that it is no longer viable, the 2nd bullet would appropriately apply.	
DM68: Protection of sporting, cultural and community facilities	Planware Ltd	11936833//1	<p><b>Policy DM68</b></p> <p>1. Introduction</p> <p>1.1 This response relates to Policy DM68: Protection of sporting, cultural and community facilities.</p> <p>1.2 We have considered the policy with regard to the principles set out within the Framework. Local Plans should "plan" positively for development; be justified; effective; and consistent with the Framework. Policy DM68 is not sound.</p> <p>1.3 The proposed policy restricts development, therefore contradicts the Frameworks aims of promoting sustainable development. Not only is</p>	<p>The policy is not overly protective or unjustified, but consistent with national policy. For example it is consistent with the National Planning Policy Framework (NPPF) paragraph 70, which promotes guarding against the unnecessary loss of valued facilities and services, and does in fact refer to public houses as an example of a community facility. The criterion on replacement provision (1st bullet) is consistent with the NPPF paragraph 74.</p> <p>Viability has been considered, and is covered by criterion (c). The requirement for satisfactory demonstration of attempts to rent/dispose of the property for community uses for at least 6 months at normal market value is appropriate. It is reasonable and not an attempt to stop</p>	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>this negative planning but should be considered unjustified.</p> <p>2.</p> <p><b>The policy is not positively prepared, justified, effective or consistent with the Framework.</b></p> <p>2.1 The policy will restrict growth. The Framework "foreword" confirms that sustainable development is about positive growth, making economic, environmental and social progress for this and future generations.</p> <p>2.2 Public houses should be removed from the definition of community facilities. The Framework does not include public houses as a community facility.</p> <p>2.3 The proposed policy is overly protective and not justified or positive in its approach. This is contrary to para 14 of the Framework which advises authorities to positively seek opportunities to meet development needs of their area.</p>	<p>developers from developing. Six months is not an unreasonable time given that loss of the facility, if planning consent is granted for development for other uses, would be likely to be permanent.</p> <p>The policy is in fact beneficial for the community and sustainability in that it seeks to protect community facilities from loss to other uses unless they are genuinely redundant/surplus for community uses.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>2.4 Thus the policy is inconsistent with para 19 and 21 of the Framework. Para 19 states:</p> <p>Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.</p> <p>Para 21 states:</p> <p>Investment in business should not be over-burdened by the combined requirements of planning policy expectations.</p> <p>2.5 No consideration is given to the viability of the community facility. The policy outlines that consideration will be made if a 6 month marketing scheme is unsuccessful. It is considered that Policy 44 would support the retention of an unviable community facility. The Framework provides no justification for protection of unviable community facilities.</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>2.6 It is considered that 6 months is highly restrictive in the current economic climate. It is unfeasible and unreasonable to expect a developer to wait for half a year for the chance to develop. This is contained within the policy to stop developers even trying to develop. As a result, the inclusion of this hurdle will in fact reduce the viability for the developer and thus contradict the NPPF, which seeks to promote sustainable development. Further to this, the inclusion of this line could prevent a deteriorating unviable facility to be developed, thus denying the local community the opportunity of a more viable, sustainable facility.</p> <p>2.7</p> <p>No consideration is given to the achievement of sustainable development as required throughout the Framework.</p> <p>2.8 No consideration has been given to the potential negative impact that the policy may have on the local</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>community, employment provision or to sustainability.</p> <p>2.9 We have demonstrated above that the policy is not consistent with national planning policy.</p> <p>2.10 The proposal does not accord with the "golden thread" running through the Framework which seeks to build a strong competitive economy. The policy potentially stifles economic development and is not consistent with the policy framework.</p> <p>3.</p> <p><b>Soundness – summary</b></p> <p>3.1 The proposed policy is considered unsound and fails to meet the four tests of the Framework. It is not positively prepared; justified; effective; or consistent with national planning policy. The policy should therefore be deleted.</p> <p>3.2 We reserve the right to expand on, and provide evidence to support the</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			points raised above at any examination in public.		
DM68: Protection of sporting, cultural and community facilities	The Theatres Trust	11843329//1	<p>We support Policies DM68 and DM69 in principle as it is important that community and cultural facilities are provided and existing facilities are protected, to support sustainable communities.</p> <p>However, the justification for Policy DM68 on page 154 only refers to Use Classes D1 and D2 and Pubs, and unfortunately excludes theatres, which are <i>Sui Generis</i>, not D2.</p> <p>Also the definition of the term 'community facilities' in the Glossary on page 167 mentions theatres, but refers to them as Use Class D1 and D2.</p> <p><b>Recommended amendment:</b></p> <p>For accuracy and consistency, please amend both the glossary and the accompanying text on page 154 to ensure that theatres are included as a</p>	<p>Agreed in principle. It is considered that theatres would be an example of cultural facilities referred to in paragraph 70 of the NPPF, and should be covered by policy DM68 which refers to cultural and community facilities. The 3rd paragraph of the justification to policy DM68 should be amended accordingly.</p> <p>It is noted that the glossary to the plan (page 167) already refers to theatres under "community facility" and erroneously implies that they are within use classes D1 and D2, when they are in fact <i>suis generis</i>. This error should be corrected.</p>	<p>Amend the penultimate sentence to the 3rd paragraph of the justification to policy DM68 to read:</p> <p>"<u>Theatres</u>, utilities and telecommunications infrastructure are also included."</p> <p>Amend the glossary so that the definition of community facility reads:</p> <p>A community use is a cultural or community facility, whether or not provided on a commercial basis which falls within use classes D1 and D2 such as libraries, museums, <del>arts and entertainment facilities such as theatres and</del> cinemas, public and private open space, and other outdoor or indoor sports facilities, places of</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>community and cultural facility, and that theatres are Sui Generis, not D2.</p> <p>Provided this amendment is made, we would find Policy 68 and Policy 69 sound as it would reflect item 70 of the National Planning Policy Framework in relation to the protection of cultural facilities.</p>		<p>worship, schools, health centres, cemeteries and allotments. It also includes pubs which fall within use class A4, but excludes other A4 uses. It also includes public utilities <u>and theatres</u>.</p>

**Policy** DM69: Location of sporting, cultural and community facilities

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM69: Location of sporting, cultural and community facilities	Pegasus Group	11219713//19	DM69: Sporting, Cultural and Community Facilities  We support this policy, and the recognition that development of these facilities is possible outside of development boundaries where appropriate.	Noted.	No change.
DM69: Location of sporting, cultural and community facilities	Sport England (Maggie Taylor)	11831169//3	The ambition of the policy is supported BUT in the case of sport, new facilities should only be permitted where they are needed. New facilities cost to provide and sustain and with LA cutbacks many sports facilities, because of the cost of maintenance and management, are looking to be rationalised therefore only facilities that are needed and can be sustained should be developed. There is a lot of pressure at the moment for example for new artificial turf pitches and funding	Policy DM69 of the plan is about the location of sporting, cultural or community facilities. Policy CS27, of the adopted Core Strategy, is the relevant policy regarding need for such facilities, and indicates that additional provision (of sport, recreation, children's play and other community facilities) will be sought to meet any identified shortfall, and this provision may be in the form of on site provision or the enhancement/improved access to existing facilities.	None.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>is being made available to provide additional pitches BUT if there are too many (if each club wants there own for example) and they depend of a certain level of use to bring in income, pay for upkeep and replacing the carpet when it is worn out etc. but there simply isn't a sufficient population to generate this level of usage then sometime the answer has to be no. This would be the benefit of having a Sports Strategy/PPS in place - the Council would know what was needed and where, it could be planned for - e.g. identified in policy and the Infrastructure Delivery Plan, local standard of provision set down and investment secured through onsite provision, S106/CIL or other external funding. In the absence of a needs and evidence base, the Council are just responding to opportunities that might not provide the most sustainable network of sports facilities. Sport England take the view that this policy does not comply with NPPF 73 and the policies are not adequately informed by such a strategy to deliver a sustainable network of accessible sports facilities.</p>	<p>The relevant supporting text of the Core Strategy (paragraph 3.333) indicates that the council are undertaking an assessment of existing provision and intend to set out future requirements for the future population of North Somerset in a supplementary planning document. Progress towards this has been achieved and the council is in the process of producing a draft Development Contributions: Planning Obligations Supplementary Planning Document which will refer to community, sport and leisure facilities and green infrastructure.</p>	

**Policy**

**DM70: Development Infrastructure**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM70: Development Infrastructure	Bloor Homes	11844353//5	<p><b>Policy DM70</b></p> <p>Draft policy DM70 proposes a presumption in favour of adopting infrastructure and open space. We consider that this is unsound as it is not justified. The suggested policy would require developers to make a financial contribution to the future maintenance of open space which can impose significant burden on development and impact on viability.</p> <p>Furthermore the policy is not justified as it is not the most appropriate strategy when considered against all reasonable alternatives. Whilst it is acknowledged that the Council has had some issues with management companies in the past, there are other measures that could be put in place to ensure that areas of open space are appropriately maintained in perpetuity rather than requiring them to be adopted by the Local Authority.</p>	<p>The rationale for the policy is given in the supporting text and is based on North Somerset Council’s experience of developments over the past 15 years.</p> <p>The respondent does not provide any examples of the other safeguards they suggest may be appropriate.</p> <p>Non-payment of commuted sums does not remove the cost of long-term maintenance, but instead passes it on to residents in perpetuity in addition to their normal infrastructure payments through Council Tax etc. Other than affordability for the developer, the respondent does not provide any reasoning as to why this model is to be preferred.</p> <p>The affordability / viability of commuted sums as part of a package of infrastructure contributions will be reviewed by the council and consulted</p>	<p>Change "presumption to adopt" to "preference to adopt" throughout policy.</p> <p>Delete “The payment of financial contributions or a financial bond and legal rights to enable the council to take remedial action where infrastructure is sub-standards or poorly maintained.”</p> <p>Replace with: “Measures to secure ongoing maintenance of infrastructure to required standards at no additional cost to the Council or residents in the event that the management arrangements fail.”</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
				<p>upon by NSC as part of its forthcoming Development Contributions SPD.</p> <p>Commutated sum payments for maintenance are a long-standing principle and should be factored into land values / development viability. If there is evidence that they are unaffordable or unjustified, this should be provided so that the fees can be properly reviewed by the Council.</p> <p>It is acknowledged that the council cannot 'force' adoption and the policy wording allows for non-adoption subject to adequate safeguards being put in place for residents.</p> <p>To assist with development viability, the explicit requirement for a bond / financial safeguard has been removed and replaced with references to safeguards for the event of management failure.</p>	
DM70: Development Infrastructure	Environment Agency	11199361//9	This is supported.	Support welcomed.	No change.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM70: Development Infrastructure	Hallam Land Management (F Robinson)	11931457//7	<p>The policy as drafted is not effective nor justified, in that it is not sufficiently focused and precise to allow consideration of infrastructure that is for proportionate to the needs generated by the development. Currently the policy refers to accordance with the Council's required standards, which is not explicit nor does it infer a proportionate nor robust evidence base required to ensure policies are justified.</p> <p>We would therefore suggest that the policy should include reference to consideration of reasonable developer contributions that are directly related and proportionate to the needs of the development.</p>	This comment appears to relate to policy DM71 and will be addressed in response to that.	No change.
DM70: Development Infrastructure	Home Builders Federation Ltd (S Green)	9138657//3	<p><b>Policy DM70 – Development Infrastructure</b> is it appropriate for the Council to assume a "presumption to adopt"? Similarly in <b>Policy DM71 – Developer Contributions</b> is the reference to assessing viability superfluous since other policies already refer to viability testing where necessary.</p>	<p>NSC believes that a preference to adopt is more appropriate, as it is acknowledged that the council cannot 'force' adoption.</p> <p>It is acknowledged that the policy may be less necessary in relation to smaller sites where infrastructure will be used</p>	<p>Change "presumption to adopt" to "preference to adopt" throughout policy.</p> <p>Threshold for preference to adopt on non-highways infrastructure increased to 50 dwellings. Therefore amend first bullet point to read:</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Conclusion</p> <p>It is hoped that these representations are of assistance to the Council in informing the next stages of the North Somerset Sites &amp; Policies Plan Part 1 : Development Management Policies DPD. In the meantime if any further information or assistance is required please contact the undersigned.</p>	<p>only by the immediate residents paying the management charges.</p> <p>Other comments are not relevant to this policy.</p>	<p><i>Large-scale residential/mixed-use developments: in the case of highways more than six dwellings; for other infrastructure more than <del>ten</del> fifty dwellings.</i></p>
DM70: Development Infrastructure	Pegasus Group	11219713//20	<p>The appropriateness of requesting contributions for maintenance, management and monitoring of planning obligations has been successfully challenged in a number of recent appeal decisions.</p> <p>In particular we would draw the Council's attention to a recent appeal in Cherwell District, and the subsequent unsuccessful legal challenge by the Council in respect to the requirement for monitoring and administration fees. The original planning inspector found that such fees were</p>	<p>The appeal judgement that is cited relates to Section 106 monitoring fees (known in North Somerset as "Section 106 Administration Fees"), e.g. fees to cover the costs of raising invoices etc. The judgement does not consider or comment on fees for the supervision of works-in-kind or on commuted sums for maintenance. NSC is not aware of any appeals that rule out these types of contribution.</p>	<p>No changes.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p><i>"not necessary to make the development acceptable in planning terms."</i></p> <p>The subsequent High Court decision affirmed this position, finding that:</p> <p>"there is nothing in the wording of the TCPA 1990, the Planning Act 2008, the CIL Regulations, the NPPF or the Guidance which suggests that authorities could or should seek administration and monitoring fees as part of planning obligations. It is significant that, in relation to the Community Infrastructure Levy, regulation 61 CIL Regulations expressly provides that an authority may apply CIL payments levied for infrastructure purposes, to defray the administrative expenses it has occurred. No such express provision is made under regulation 122 in respect of planning obligations"</p> <p>(Mrs Justice Lang, paragraph 45, [2015] EWHC 186 (Admin).</p>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			The Council should review their current approach, and include a more appropriate policy.		
DM70: Development Infrastructure	Persimmon Homes Severn Valley (cprewett)	11809729//16	The justification to the Policy needs to make it clear that a 'presumption to adopt' will not be interpreted as a 'requirement to adopt'. Developers need to have the choice of the most appropriate management regime particularly for open space provision on sites which may be in the form of a private management company rather than through formal adoption. The Policy should be rephrased to require appropriate management and maintenance of facilities in the first instance with the Council's preference for adoption but otherwise use of private management arrangements.	It is acknowledged that the Council cannot 'force' adoption and the wording will be changed to a "preference to adopt". If developers believe they have a reasonable alternative to adoption this should be demonstrated in line with the safeguards suggested in the policy. The final decision will then be reached through discussion and negotiation between the parties.	Change "presumption to adopt" to "preference to adopt" throughout document.
DM70: Development Infrastructure	Taylor Wimpey	11933281//5	The Policy states that a "presumption to adopt" will apply to development infrastructure on various development types. The wording of this "presumption to adopt" is concerning, particularly in the justification section	The rationale for the policy is given in the supporting text and is based on North Somerset Council's experience of developments over the past 15 years. Recent examples include the Ashlands Nature Reserve, where resident	Change "presumption to adopt" to "preference to adopt" throughout policy.  Threshold for preference to adopt on non-highways

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>which provides a negative view of infrastructure management by private companies. The Council should therefore review the Policy wording as currently drafted and consider whether it is an appropriate measure to assume this presumption, and if so, provide justification with thorough evidence.</p>	<p>dissatisfaction with arrangements has led to the Council having to step in to take over.</p> <p>It is acknowledged that the Council cannot 'force' adoption and the policy wording allows for non-adoption subject to adequate safeguards being put in place for residents.</p> <p>It is acknowledged that the policy may be less necessary in relation to smaller sites where infrastructure will be used only by the immediate residents paying the management charges.</p>	<p>infrastructure increased to 50 dwellings. Therefore amend first bullet point to read:</p> <p><i>Large-scale residential/mixed-use developments: in the case of highways more than six dwellings; for other infrastructure more than <del>ten</del> fifty dwellings.</i></p>

**Policy DM71: Development contributions, Community Infrastructure Levy and viability**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM71: Development contributions, Community Infrastructure Levy and viability	Backwell Parish Council	1013153//1	Backwell Parish Council would like to thank North Somerset Council for the chance to comment on the above. We believe it to be a sound document, well prepared and deliverable.	Support noted.	No change.
DM71: Development contributions, Community Infrastructure Levy and viability	Bloor Homes	11844353//6	<p>Policy DM71 relates to planning obligations and viability. The inference of this policy is that the Council will only enter into viability discussions where the proposal is in accordance with the Local Plan.</p> <p>This policy is not justified as the Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the Development plan unless material considerations indicate otherwise.</p> <p>As such, proposals do not need to wholly conform to the local plan to be</p>	Agreed.	Delete reference to sites in compliance with Local Plan.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			considered acceptable in planning terms (provided that there are other material considerations that outweigh any conflict with the Plan). Therefore, the policy should be amended to make it clear that the Council will enter into discussions on viability on schemes that are in accordance with the Local Plan or where material considerations indicate otherwise.		
DM71: Development contributions, Community Infrastructure Levy and viability	Blue Cedar	8620193//3	<p>Blue Cedar Homes have previously provided made representations in respect of the North Somerset Council Development Contributions: Principles and Operational Guidance Supplementary Planning Document in October of last year.</p> <p>To reiterate the matters raised, it is my firm belief that applying a CIL rate on retirement developments will be to constrain the delivery of schemes. I strongly believe that specialist accommodation, such as retirement housing should be exempt from CIL, similar to the C2 use class.</p>	<p>There are no policy exemptions from the CIL other than through national regulation. NSC cannot set policy on exemptions.</p> <p>Some forms of development may be eligible for lower rates of CIL as a result of viability assessments. This issue is required to be addressed through the CIL adoption process.</p>	No change.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
DM71: Development contributions, Community Infrastructure Levy and viability	Federation of Small Businesses	11935137//19	This policy does little more than repeat the guidance of NPPF and PPG. It is therefore contrary to national planning policy and should be deleted in its entirety.	Policy must be consistent with government policy if it repeats NPPF/ NPPG guidance. Policy is appropriate in that it provides more context as to how the local planning authority will interpret the national advice.	No change.
DM71: Development contributions, Community Infrastructure Levy and viability	Gladman Developments	9140737//9	<p>Gladman are supportive of any planning obligations policy that seeks to provide greater certainty and effectiveness to the process, and enables the delivery of key developments. it is the responsibility of both the Council and applicants to ensure that S106 negotiations are undertaken promptly and collaboratively, ensuring that delays experienced are minimised.</p> <p>Gladman are supportive of the clarity provided by the Policy that reflects S204 of the Framework that underlines the nature of planning obligations. We consider that greater effectiveness to the process could be brought by the policy underlining that requests for contributions should be made with reference to: Local Plan Policy</p>	<p>The Council agrees that clarity and efficiency are to be supported in relation to planning obligations. A Development Contributions SPD is being prepared that will further assist in this regard.</p> <p>NSC uses a template for S106 requests that ensures the detailed justification suggested by Gladman is already provided in each case. The proposal this be incorporated into the policy is unnecessary due to national regulations that cover the point and too detailed for this level of policy document.</p> <p>The Council endorses and welcomes a pro-active approach to S106 negotiations.</p>	No change

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>Requirements for the contribution; Evidence of the additional demand arising from the development; details of existing capacity/pressures; a transparent methodology for the calculation of contributions; details of how monies acquired from the development will be spent. Should requests made for contributions be provided in this way, delays in negotiations experienced by the Council will be less common.</p> <p>In addition, the Policy should provide the commitment for the council to work proactively through the negotiation process, actively engaging with applicants in the aim of defining required contributions ahead of being determined at planning committee.</p> <p>Gladman believe that the policy needs to be made more flexible to enable permitted schemes to re-enter S106 negotiations should more detailed works demonstrate issues that could threaten a site/s viability. It is often the case that some issues are not fully understood by the applicant until the</p>	<p>NSC does not agree that applicants should be able to re-negotiate S106 contributions on developments that have been permitted, other than where already allowed by national regulation. Planning obligations enshrine the necessary mitigation required in order that a development may go forward and without which it is likely that the development would have been refused the initial permission.</p>	

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>submission of reserved matters following the conclusion of more detailed phase 2 ground works. The mechanism for re-negotiation would also provide flexibility should build/labour costs increase during the construction of the site, or the housing market become less buoyant. The engagement of this mechanism should be for the applicant to demonstrate through an independent actor, but the ability for the mechanism to be entered into needs to be made available by the Policy in order for it to be considered to be in compliance with S173 of the Framework.</p>		
<p>DM71: Development contributions, Community Infrastructure Levy and viability</p>	<p>Highways Agency</p>	<p>10224641//15</p>	<p>The Agency fully supports DM71 and sees its requirements as integral to sustainable growth and development. We recognise CIL as one of the mechanisms to facilitate and pay for necessary infrastructure provision, alongside, but largely replacing Section 106 Agreements in terms of the Agency's needs. It is important that new development in North Somerset helps to pay towards the delivery of</p>	<p>Support for policy noted.</p> <p>NSC is working with neighbouring authorities to plan infrastructure, including through the Joint Strategic Planning Strategy and its supporting Infrastructure Delivery Plan.</p> <p>It is not clear what review process is being referred to, but a separate Development Contributions SPD is</p>	<p>No changes.</p>

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>infrastructure to support it. We are encouraged by the principle stating that the inability to secure contributions through conditions or agreements to make a development acceptable in planning terms will indicate an unacceptable proposal that should not be approved. Also highlighted in DM71, and of vital importance is collaboration with neighbouring authorities to ensure that procedures are in place to make sure that the planning of delivery and development is handled smoothly.</p> <p>What needs to be included is commentary on the review process, although we note that a charging schedule is being prepared separately. Rates should adequately reflect current circumstances as far as possible.</p>	being prepared that may answer this question.	
DM71: Development contributions, Community Infrastructure Levy and viability	Pegasus Group	11219713//21	Paragraph 6 is contrary to the NPPF, which allows departure from required planning obligations where viability indicates that they are undeliverable. Evidently, if works such as off-site transport improvements were necessary	The Council will not pursue obligations unless they are necessary to mitigate a development scheme. Wording amended to clarify that obligations may sometimes be deferred (subject to	Amend wording to refer to deferral rather than removal of obligations.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>to make the development acceptable on transport grounds, the development would be unacceptable if these were not delivered. However, this is not uniform across all planning obligations, and as such the paragraph should be amended.</p> <p>Our comments above are intended to be constructive, and seek to clearly identify those issues which we feel require resolution prior to the submission of the DPD to Examination.</p>	<p>finding alternative funding / market recovery), but not waived.</p>	
DM71: Development contributions, Community Infrastructure Levy and viability	Taylor Wimpey	11933281//6	<p>The Policy needs reviewing in light of the recent Government guidance<sup>[1]</sup> (28 November 2014) which states that infrastructure contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1,000 sq m.</p> <p>The Policy also needs to acknowledge the pooling restrictions following the 6 April 2015 date given that North Somerset Council will not have a Community Infrastructure Levy in</p>	<p>The government guidance referred to states that no affordable housing or “<i>tariff-style</i>” contributions may be sought from 10 or fewer dwellings with a maximum combined floorspace of no more than 1,000sqm.</p> <p>Non-tariff style contributions may be required on sites below this threshold, although they are expected to be relatively rare.</p> <p>Each application must be assessed on a case-by-case basis as to what</p>	No change.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>place at this date and will be subject to the Section 106 restrictions on pooling contributions dating back to April 2010.</p> <p><a href="#">[1]</a> Planning Practice Guidance Reference ID: 23b-012-20150227, 28 November 2014 and updated 27 February 2015</p>	<p>mitigation is required, therefore a rigid policy threshold is not appropriate. Guidance will be provided in the Development Contributions SPD.</p> <p>The Council will follow regulations on pooling contributions but does not feel that it needs to repeat every element of government policy in this local policy document. Guidance will be provided in the Development Contributions SPD.</p>	

## Policy

## Map DM18

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
Map DM18	Coal Authority	928833//5	<p><b>Policy DM18 – Identification of Minerals Safeguarding Area for surface coal – Policies Map</b></p> <p><b>Objection</b> – The Proposals Map Amendments documents includes the map which identifies the Mineral Safeguarding Area for surface coal. The areas identified are incorrect and do not accord with the most recent data provided to the LPA by the Coal Authority in respect of Surface Coal Resource. The Coal Authority records indicate that the most up to date information in respect of Surface Coal resource was downloaded by the LPA on the 10th June 2014; however, this has not informed the Mineral Safeguarding Areas for surface coal identified on the proposals map. As the MPA are aware a data refresh in North Somerset including new base information resulted in a re-calculation of the surface coal resource. The data</p>	Noted. The council will revise the proposed Mineral Safeguarding Areas (MSAs) for Surface Coal on the Policies Map to reflect the up to date Surface Coal Resource from the Coal Authority.	Amend the Policies Map to reflect the up to date Surface Coal data from the Coal Authority.

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>contact at North Somerset is Miss Ceris Jones, the GIS Mapping Officer.</p> <p><b>Change Requested</b> - The Proposals Map for Mineral Safeguarding Areas for surface coal should be revised with the areas currently identified removed and the plan updated to include the most up to date information provided by the Coal Authority and downloaded by the LPA.</p> <p><b>Reason</b> – In order to ensure accordance with the NPPF and to reflect the latest available published evidence base by The Coal Authority</p>		

**Policy**

**Map DM25**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
Map DM25	Portishead Town Council	4193569//5	Assurances were given a number of years ago, that when the rail line became operational, the cycle track which runs beside the track in the tunnels under the M5 and the Royal Portbury Dock road, would be moved (the permission for the cycle track was only temporary). There is no mention of land being safeguarded for this purpose.	Current plans aim to provide enough room under the bridges for both the railway line and a cycle path. This is subject to the next stage of Network Rail's engineering work which is about to get underway. Alternative routes have been identified should there not be room; where these are not public rights of way they need to be safeguarded and will be protected under DM25.	Small changes to the Proposal Map to safeguard route.

**Policy**

**Map DM62 Parklands**

<b>Policy</b>	<b>Respondent</b>	<b>Comment ID</b>	<b>Comment</b>	<b>Council Response</b>	<b>Document Changes</b>
Map DM62 Parklands	St Modwen plc and Homes and Communities Agency	4209089//1	Please see attached plans. The local centre for Parklands needs to be revised on the Proposals Map to reflect the current master plan for the site.	Amendments agreed.	Change local centre on parklands to reflect the current master plan.

**Policy**

**Glossary**

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
Glossary	Yatton Parish Council	3322113//1	<p><b>Site and Policies Plan Comments</b></p> <p><b>Positively Prepared</b></p> <p>The policies within the document are in general well thought out, we especially thought that the policy of the needs for the older generation allowed for an inclusive society however some of the ideas are still too high level and further details should be provided on them. There are also issues around words that are used but not explained in the Glossary such as “Service Village” there are also statements about protecting the “character” of rural areas but this is not explained.</p> <p><b>Justified</b></p> <ul style="list-style-type: none"> <li>This document does not mention strategic gaps and village boundaries. How can a policy like this be delivered without these key statements?</li> </ul>	Comments noted and some interesting points raised.	None

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<ul style="list-style-type: none"> <li>• There should be an appropriate strategy for the protection of a rural community from urbanisation with limits on the size of rural communities; this is not detailed within this document.</li> <li>• “Community lead” is used as a statement on a number of occasions, but no explanation of how this is delivered and how is the evidence gathered.</li> <li>• There is no mention of tie in to Neighbourhood plan and community voices.</li> <li>• Road infrastructure the policies do not cover the B road network and how this will be protected.</li> <li>• A lot of the policy state that they will be evidence based, but it is very unclear how this would be delivered.</li> </ul> <p><b>Effective</b></p> <ul style="list-style-type: none"> <li>• More careful thought should be put into the type of businesses for rural community and how they</li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<p>work together with community and housing.</p> <ul style="list-style-type: none"> <li>• More thought needs to be put into how communities can deliver truly inclusive development for all member of the public.</li> <li>• This policy suggests that Developers should do road safety assessments before developing areas, this would likely cause a conflict of interest and we would suggest that this should be done independently.</li> <li>• Bus Service – Rural service have not been sustained at the levels suggested in the past, how is it going to be delivered monitored and sustained through private bus companies. Who is accountable to delivering this as private companies are in the business of making returns for share holders.</li> <li>• Could there be more creative thinking about retail areas where some social enterprise is actively encouraged</li> </ul>		

Policy	Respondent	Comment ID	Comment	Council Response	Document Changes
			<ul style="list-style-type: none"> <li>• Where will Fracking policies be defined, is this part of this policy and what else is going to be stated about renewable energy</li> <li>• What about all the other flood risk areas within North Somerset</li> <li>• Housing developments need to be actively encouraged to build Carbon Netural.</li> <li>• Further details on how CIL will be used for the policies in the document DM71</li> </ul> <p><b>Consistent with National Policy</b></p> <p>We are not able to comment on this part of the review as we have no detailed knowledge of the National Policy</p>		

Report run at 22 Jun 2015 11:23:34. Total records: 249.