North Somerset Council

Development Management Policies

Sites and Policies Plan Part 1

Adopted

July 2016

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Introduction

The Sites and Policies Plan brings forward the detailed development plan policies which complement the strategic context set out in the Core Strategy. The Sites and Policies Plan underwent its first round of consultation in February 2013. The consultation ran from 26 February 2013 until 19 April 2013.

At the time that the detailed development plan was being progressed, the Core Strategy housing requirement was successfully challenged in the High Court and remitted back to the Planning Inspectorate for re-examination. This resulted in a period of uncertainty and delayed progress on the Sites and Policies Plan. In the absence of any clarity on the scale of the new housing requirement, the decision was taken to progress the development management policies in advance of the site allocations part of the Plan. The development management policies are generally the more generic and less controversial policies used when assessing a range of planning applications and development proposals and are not affected by the Core Strategy re-examination of remitted policies.

The Publication Version of the Sites and Policies Plan Part 1: Development Management Policies underwent consultation in February 2015 and was submitted to the Secretary of State for examination in July 2015. The examination hearings were held on the 3rd and 4th November 2015 and the council received the Inspectors Final Report on 26 April 2016. The Inspectors Final Report found the plan sound subject to the inclusion of his recommended Main Modifications.

The Plan was taken to Council on 19th July 2016 and approved for adoption.

The Development Management Policies in the Sites and Policies Plan Part 1 supersede most of the policies in the Replacement Local Plan, and amend the Policies Map. Appendix A sets out where Replacement Local Plan policies are superseded.

Relevant policies in the adopted Development Management Plan supplement adopted policies in the Joint Waste Core Strategy for the West of England, and supersede all policies in the North Somerset Waste Local Plan. Similarly adoption of the Development Management Plan now means that all policies relevant to North Somerset in the Mineral Working in Avon Local Plan are superseded.

Policies Map

The amendments to the policies map can be viewed electronically via a link on our website: www.map.n-somerset.gov.uk/LocalPlan

Disclaimer:

New planning legislation has now expanded the change of use permitted development rights. It is advisable to check the legislation to ascertain whether you need to apply for planning permission or whether your proposed change of use can be dealt with via the prior approval procedures which relate to the issues of flooding, highways and transport and noise. If you do need to apply for planning permission then the policies within this document would apply.

1. Living within Environmental Limits

DM1: Flooding and drainage

Links to CS3: Environmental impacts and flood risk assessment

Policy aim

To discourage inappropriate development in flood risk areas and to ensure that the impact of new development on flooding is fully taken into account. To support the Environment Agency's approach and allocate the Weston strategic flood solution areas.

Policy DM1

All development must consider its vulnerability to flooding, taking account of all sources of flood risk and the impacts of climate change, up to 100 years ahead on residential or mixed use sites and 60 years ahead on non-residential sites. Exceptions to national policy on flood risk (as elaborated in national technical guidance and in Policy CS3 of the North Somerset Core Strategy) will not be permitted.

All development that would increase the rate of discharge of surface water from the site must consider its implications for the wider area, including revised or amended proposals. Sustainable drainage systems are expected for all major developments; alternatives will only be permitted where sustainable drainage is impractical or would compromise the viability of the scheme and the alternative does not conflict with national or local planning policy. If discharge of surface water to a public sewer is proposed, the applicant must demonstrate that capacity exists, otherwise, how excess surface water will be managed into the long-term. Essential flood prevention and drainage works for developments that include new housing must be completed at the latest prior to first residential occupation, except in the case of phased developments where alternative arrangements are agreed.

Open areas, including highways, within developments must be designed to optimise drainage and reduce run-off, while protecting groundwater and surface water resources and quality.

Land is safeguarded for a strategic flood solution at the former Weston Airfield and to the south of the Cross Rhyne, and for flood management infrastructure along the River Banwell as shown on the Policies Map.

DM1

Justification

Core Strategy Policy CS3 superseded RLP Policy GDP/2 and provides the broad strategic approach to flooding and the application of the sequential test; this policy provides advice on more detailed development aspects. The strategic flood solution at Weston as identified in Core Strategy Policy CS30: Weston Villages and the Weston Villages Supplementary Planning Document is specifically allocated for inclusion on the Policies Map.

The Flood and Water Management Act 2010 makes provision for a new system of approvals for sustainable drainage systems (SuDS), operated by the council and running in parallel with the planning application process. The planning policy above will apply to SuDS to the extent that no more specific provision is made under other legislation such as the 2010 Act. Major developments are those defined in Article 2(1) of the Development Management Procedure Order. The water environment in North Somerset is particularly complex and early liaison with all appropriate agencies is advised.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

As a Lead Local Flood Authority (LLFA), North Somerset has prepared a Local Flood Risk Management Strategy (LFRMS) which outlines how we intend to manage local flood risk within our area. Local flood risk means flooding from surface runoff, groundwater and ordinary watercourses.

The LFRMS identifies objectives for managing local flood risk, proposes measures to achieve these objectives and sets an action plan giving approximate timescales for implementing these actions. Further details are available at www.n-somerset.gov.uk/flooding

DM2: Renewable and low carbon energy

Links to CS1: Addressing Climate Change and Carbon Reduction and CS2: Delivering sustainable design and construction.

Policy aim

To support the use of renewable and low carbon energy generation and support local community-based schemes which offer direct benefit to local residents. To encourage the most suitable technology for a given location and ensure that schemes do not have an unacceptable adverse impact on the local environment, infrastructure and nearby residents.

Policy DM2

Proposals for renewable and low carbon energy installations, excluding wind turbines, will be supported in principle subject to:

- adequate measures being taken to mitigate adverse impacts; and
- where the environmental, social and economic benefits outweigh any negative impacts.

The following criteria will be key considerations:

- living conditions, including noise and visual impacts including the cumulative impact on the landscape;
- the local natural environment, its resources and characteristics, wildlife and habitats;
- local infrastructure resulting from installation and operation of large scale sites;
- any designated or undesignated heritage asset;
- the openness of the Green Belt;
- the quality and setting of the Mendip Hills Area of Outstanding Natural Beauty (AONB) including both views to and from it; and
- the safeguarding parameters associated with any identified aerodromes including Bristol Airport.

In addition to any adverse impacts, the positive implications of the proposal should be factored in including the creation of local employment, support for the local economy, the contribution to the reduction in greenhouse gas emissions locally and community ownership benefits.

DM2

Policy DM2

Elements of many renewable energy projects will be considered inappropriate in the Green Belt and AONB, due to their adverse impact on the purposes and objectives of these designations.

In cases where adverse impacts are present, appropriate mitigation measures will be necessary. However, where impacts are insurmountable, and considered of particular harm, applications will be refused.

Proposals are encouraged that:

- maximise the opportunities for community-led renewable and low carbon energy production. Any additional social and economic benefits which might be gained through a community-led approach will be considered; and
- take advantage of the opportunities to integrate district heating and combined heat and power (CHP) into new and existing development. Where practical and viable, major developments will be encouraged to incorporate infrastructure for district heating or CHP to benefit existing areas.

New development will also be required to demonstrate the application of renewable and low carbon energy generation as part of the energy statement for that site.

If proposals for the utilisation of tidal power from the Severn Estuary are brought forward a detailed review of the economic, social, and environmental implications will be required.

Justification

The NPPF requires Local Planning Authorities to plan positively for renewable energy generation as part of a wider move towards a low carbon future. Paragraph 93 reads, "Planning plays a key role in…supporting the delivery of renewable and low carbon energy and associated infrastructure."

This is considered a central component of addressing climate change and Policy CS1 of the adopted Core Strategy provides a strategic policy in this respect. Policy DM2 (Renewable and low carbon energy) relates specifically to the delivery of renewable and low carbon energy and includes various criteria that will apply in the determination of any such proposal. All new residential units and non-residential development with a floor area over 500m^2 are required to submit

an Energy Statement with their applications which should set out how renewable/ low carbon energy generation will be met.

The policy relates to all proposals for renewable and low carbon sources of energy generation except those that fall within permitted development including many micro-generation technologies. A fundamental balance the policy seeks to achieve is to be proactive in supporting the wider transition to a low carbon future and encouraging renewable and low carbon energy whilst at the same time ensuring that installations do not have an adverse impact on local communities and the environment.

The Written Ministerial Statement (WMS) entitled Local Planning (18 June 2015) sets out new considerations to be applied to wind energy. Future wind energy development must now be in areas identified as suitable for wind energy in a local plan. This plan does not allocate any areas for wind energy development and therefore this policy does not relate to wind turbines which will be considered against the criteria set out in the Written Ministerial Statement.

Separate SPD's on Solar PV arrays and wind turbines have been adopted.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM3

Heritage Assets

Heritage assets are a finite and irreplaceable resource. They are a highly valued and essential part of North Somerset's cultural and local distinctiveness, and often promote community cohesion and identity through a legacy of having created a unique sense of place. When in active viable uses they help to promote economic vitality including tourism. North Somerset's heritage policies are designed as a strategic framework to guide the protection and enhancement of its heritage assets whether or not formally designated. Subject to the availability of resources the council will seek to formulate a comprehensive heritage management strategy engaging with local communities to promote the value of their heritage, and where necessary develop further measures to manage, protect and enhance it for the benefit of future generations. Such initiatives may include but not be limited to:

- development of conservation area character appraisals and management plans;
- consultation over the future of non designated assets of local significance;
- seeking inward investment through private finance, public sector grants and where appropriate creation of Preservation Trusts to restore and bring derelict historic buildings and land into use;
- building strong partnerships with local and national organisations holding best practice knowledge of heritage matters;
- promote local participation in heritage based events such as National Heritage Open Day

The heritage strategy will be used to inform and promote the areas heritage through tourism and focus opportunities for creative innovative regeneration of historic assets that are underused, or have fallen into a state of disrepair.

DM3: Conservation Areas

Links to CS5: Landscape and the Historic Environment and Replacement Local Plan Policy ECH/3 Conservation Areas

Policy aim

To conserve and wherever possible enhance North Somerset's conservation areas.

Policy DM3

When considering proposals within a Conservation Area, the council will seek to:

- Secure the retention of the existing buildings, features, hard and soft landscape that contribute to its special character.
- Ensure that new development will not cause harm to the existing character and appearance of the Conservation Area and wherever possible positively enhance it.
- Ensure that new development affecting the setting of a conservation area preserves those elements of the setting that make a positive contribution and, where possible, better reveals the significance of the conservation area.
- Repair harm caused through past unsympathetic development whether previously authorised or not.
- Ensure that development conforms to published guidance as set out within Conservation Area Character Appraisals and Management Plans.

When determining applications for new development, the council will have regard to matters such as bulk, height, materials, colour, vertical or horizontal emphasis and design.

Where a Conservation Area contains buildings, features, structures or spaces which detract from its special character, development proposals which seek to mitigate these adverse impacts and enhance the character and appearance will be supported. Where appropriate, the council will consider the use of enforcement powers to secure positive enhancement and prevent further deterioration.

Justification

There are 36 Conservation Areas in North Somerset. They vary in scale and character from the Victorian areas in Weston-super-Mare and Clevedon, to whole villages such as Walton-in-Gordano and Loxton. The boundaries of existing designated Conservation Areas in North Somerset are shown on the Policies Map.

Due to the need to properly consider whether a development proposal will preserve or enhance the character and appearance of a Conservation Area,

applications for outline planning consent will not be acceptable since they do not provide the necessary level of detail.

Before considering proposals involving new buildings or redevelopment involving demolition within Conservation Areas, the council will request that detailed plans and elevations showing the effect of the proposed development on the setting of the site, for example adjacent buildings, walls, trees and other important features, are provided in support.

Proposals for change of use within Conservation Areas will be permitted where they are consistent with maintaining their viability, character or appearance. This policy is designed to safeguard Conservation Areas from inappropriate development or change that may be detrimental and to encourage development that can make a positive contribution to the preservation or enhancement of these areas.

Permission for the demolition or redevelopment of a building of individual merit or group value will be exceptional. The implementation of any consent for demolition will only be granted where there is clear and convincing evidence that all reasonable efforts have been made to retain existing uses or introduce new viable uses and following the letting of a contract for approved redevelopment. Proposals for demolition or for significant undergrounding of services must also comply with Policy DM6: Archaeology in relation to archaeological assessment and recording of the building or structure.

There are forms of development that can be carried out without planning permission, which in sensitive areas, such as Conservation Areas, would have a harmful effect. Where there is a demonstrable need, the council may seek to control such development by making an Article 4 Direction.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM4: Listed Buildings

Links to CS5: Landscape and the Historic Environment and Replacement Local Plan Policy ECH/4 Listed Buildings

Policy aim

To safeguard the special architectural and historic interest of North Somerset listed buildings, their features inside and out, as well as their settings.

Policy DM4

Development will be expected to preserve and where appropriate enhance the character, appearance and special interest of the listed building and its setting. Opportunities will be sought to repair or remove harm caused from past unsympathetic alterations and additions.

In some cases contributions may be sought towards enhancement of the setting of the listed building in order to mitigate other unavoidable harm caused.

Where a building is identified to be at risk the council will seek to secure the protection of the building to prevent its continued deterioration, such as through the use of enforcement powers to protect the building.

Applicants should provide the council with sufficient information to enable an assessment to be made of the impact of the proposals on the special architectural or historic interest of the Listed Building and its setting. A high standard of design and detailing will be expected where alterations to a Listed Building are proposed.

Justification

This policy sets out the criteria by which any proposal requiring planning permission will be judged. It also seeks to control development affecting the setting of Listed Buildings. Applicants will be expected to justify their proposals and show why works, which would affect the character of a Listed Building, are desirable or necessary. Applicants should provide the council with full information to enable an assessment to be made of the impact of the proposals on the special architectural or historic interest of the building and its setting. A high standard of design and detailing will be expected where alterations to a Listed Building are proposed.

It is important for applications to have regard to archaeological considerations. Historic buildings may be scheduled as ancient monuments or otherwise of intrinsic archaeological interest, or occupy land that contains archaeological remains. In such cases there should be appropriate assessment of the archaeological implications of development proposals before applications are determined. It may also be necessary for arrangements to be made for recording remains that would be lost as a consequence of the works for which permission is sought. This should be in accordance with Policy DM6: Archaeology.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM5: Historic Parks and Gardens

Links to CS5: Landscape and the Historic Environment and Replacement Local Plan Policy ECH/5: Historic Parks and Gardens

Policy aim

To safeguard the rich and varied built, historic and natural heritage of North Somerset.

Policy DM5

Historic Parks and Gardens (both registered and unregistered) are an important part of North Somerset's heritage. 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.

Where significant development is proposed either within a historic park or garden, as identified on the Policies Map, or affecting its setting, applicants will be required to provide historic landscape assessments before planning applications are determined.

Where development is to take place within a historic park and garden the landscape assessment must specify the special character to be retained and enhanced through a detailed long term management and maintenance plan.

Justification

Historic Parks and Gardens are an important part of North Somerset's heritage. They may illustrate some aspect of the Park or Garden's history or of the history of gardening or horticulture, have an association with a particular person or event or form the setting for a building of historic interest. They are important in historical and landscape terms and may also be of wildlife or recreational value. English Heritage has compiled a Register of Parks and Gardens of Special Historic Interest in England with the intention that public knowledge of their existence will help protect them from development pressures. No additional

planning controls apply to Parks and Gardens in the register nor are existing planning or Listed Building controls affected.

Within North Somerset, Ashton Court, Barrow Court, Clevedon Court, Leigh Court, Tyntesfield, Barley Wood, Bristol University Botanic Gardens and Rayne Thatch and Grove Park, Weston-super Mare are included on the Register of Parks and Gardens and are shown on the Policies Map.

The sites on the English Heritage Register are considered to be of national importance. There are other gardens, parks, designated landscapes, grounds or places of recreation, which are of historic interest. Some of these may be added to the Register in future. All entries are included on the Policies Map and are also included on the Historic Environment Record and as such are subject to the procedures described below for the treatment of archaeological sites.

Historic Parks and Gardens are often under threat of unsympathetic development or other activities and the council will resist proposals that would destroy or harm the character or appearance of these sites, including their setting. Planning applications affecting Historic Parks and Gardens will be referred to the Avon Gardens Trust for advice. Applicants may, where appropriate, be requested to provide historic landscape assessments before planning applications are determined.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM6

DM6: Archaeology

Links to CS5: Landscape and the Historic Environment and Replacement Local Plan Policy EC/6 Archaeology

Policy aim

To safeguard as yet unidentified heritage assets.

Policy DM6

Archaeological interests will be fully taken into account when determining planning applications.

Where an initial assessment indicates that the development site includes or has the potential to include heritage assets with archaeological interests, the council will seek an archaeological assessment and field evaluation. This is to establish the extent and importance of the remains and the potential harm of the proposals to their significance before the planning application is determined. An initial field evaluation as opposed to a desk-based assessment will only be required where necessary.

It is nearly always preferable that archaeological remains are preserved 'in situ' as even archaeological excavation means the total destruction of evidence, apart from removable artefacts. In some cases, applicants will be required to modify their proposal to take account of the archaeological remains, for example by using foundations which avoid disturbing the remains or by the careful siting of landscaped or open areas.

In cases where the council decides that it is not necessary to preserve remains 'in situ', developers will be required to make appropriate and satisfactory provision for the excavation and recording of the remains before development commences. Planning conditions will be attached to the grant of planning permission requiring an approved programme of archaeological work to be undertaken before development commences, which may include the submission of geotechnical information. Alternatively, legal agreements may be sought with developers, before permission is granted, to excavate and record the remains and to publish the results.

Where archaeological assets are considered to be at risk, the council will seek to secure their protection to prevent continued deterioration.

Justification

Heritage assets, whether designated or not, are an irreplaceable resource.

Heritage assets, both designated and undesignated, including archaeological remains are not only important for their historical and educational interest, but are often formative features in the landscape and can be of recreational, economic, cultural and environmental value.

The Historic Environment Record (HER) contains details of all known sites, structures, landscapes or other areas of archaeological interest in North Somerset and is continually being updated.

Scheduled Monuments are designated by the Secretary of State for Culture, Media and Sport under the Ancient Monuments and Archaeological Areas Act 1979 (as amended). Scheduled Monuments are shown on the Policies Map.

All designated heritage assets in North Somerset (Schedule Monuments, Listed Buildings, Conservation Areas, Registered Parks and Gardens) are recorded in the HER.

Not all sites of national importance have been designated and the council will seek to protect both designated and non designated sites of national importance and their settings. The list of designated heritage assets is under continuous review.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM7: Non-designated heritage assets

Links to CS5: Landscape and the Historic Environment

Policy aim

To safeguard non designated heritage assets.

Policy DM7

When considering proposals involving non designated heritage assets the council will take into account their local significance and whether they warrant protection where possible from removal or inappropriate change including harm to their setting.

DM7

Justification

There are many buildings, structures and archaeological sites which are not of sufficient importance to be included in the statutory List of Buildings of Special Architectural or Historical Interest or the Schedule of Monuments of National Importance yet which make a valuable contribution to the area's historic and architectural development, social and communal value, townscape, sense of place and local distinctiveness.

Where possible, these will be identified in Conservation Area Appraisals. However, it is unlikely that all such structures and sites will have been identified in advance or located within the existing or proposed boundaries of conservation areas. The council will assess non-designated heritage assets which are the subject of applications for development against criteria based on Historic Englands, "Good Practice Guidance on Local Heritage Listing – May 2012" to ascertain whether they warrant protection from removal or inappropriate change and, through consultation with the local community, whether they are of local importance.

Delivery and monitoring

This policy will be monitored on a case by case basis and reported in the Annual Monitoring Report where appropriate.

DM8: Nature Conservation

Links to CS4: Nature Conservation and Replacement Local Plan Policies: ECH/10 Biodiversity, ECH/11 Protected species and their habitats, ECH/12 Wildlife sites of international importance, ECH/13 Sites of Special Scientific Interest and National Nature Reserves, ECH/14 Wildlife and Geological sites and Local Nature Reserves

Policy aim

To protect and enhance biodiversity, particularly on sites of recognised nature conservation interest. To protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified.

Policy DM8

Development proposals must take account of their impact on local biodiversity and identify appropriate mitigation measures to safeguard or enhance attributes of ecological importance.

Where appropriate, proposals should seek to conserve the local natural environment by retaining, protecting, enhancing and linking existing wildlife habitats; by incorporating retained habitats sensitively into the development through appropriate design; and by ensuring that such retained and enhanced habitats are managed appropriately. Where necessary, longer term management will be achieved through suitable planning conditions.

Sites of International and National Importance

Development which would have an adverse impact on identified sites of international importance (which include Special Areas of Conservation (SACs), Special Protection Areas (SPA) and Ramsar sites) will not be permitted.

The North Somerset and Mendip Bats SAC consultation area is defined on the Policies 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 site design and lighting strategies.

The Severn Estuary SAC, SPA and Ramsar site is defined on the Policies Map. Any proposals that could affect the 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.

Development within or in proximity to a Site of Special Scientific Interest (SSSI) or National Nature Reserve that is likely to have a direct or indirect adverse affect on its biodiversity or geological interest would not normally be permitted.

Local Nature Reserves and Local Sites

Planning permission will not normally be granted for development that would result in loss in extent or otherwise have a significant adverse effect on Local Nature Reserves or Local Sites (locally designated Wildlife Sites and Geological Sites), unless the harm can be mitigated by appropriate measures.

DM8

Policy DM8

Legally Protected Species and Habitats and Species of Principal Importance in England – Priority Habitats and Species

Development which could harm, directly or indirectly, species, which are legally protected, or species and habitats that have been identified as Species or Habitats of Principal Importance in England (also known as Section 41 or 'Priority' species and habitats) will not be permitted unless the harm can be avoided or mitigated by appropriate measures.

Development proposals should ensure that, where appropriate, provision is made for:

- any lighting scheme to avoid adverse impacts on light averse wildlife;
- retention of native woodland, native trees (to include veteran trees), native hedgerows, watercourses, ponds, rhynes, other wetland habitats such as reedbeds, botanically diverse grasslands, traditional orchards, geological features, and other major natural features, habitats or wildlife corridors, and their protection during construction work;
- protection of ecosystem resources, to include water quality;
- compensatory provision, within the site itself, or immediate vicinity if practicable, of at least equivalent biodiversity value, where the loss of habitats or features of importance to wild flora and fauna is unavoidable;
- incorporation of habitat features of value to wildlife within the development (to include within building design) and including those which meet the needs of local species (e.g. provision of nesting features for swifts, swallows, house sparrows, bats);
- appropriate long term management of retained and newly created features of importance to wildlife;
- provision of monitoring of key species to evaluate impact of site management;
- planting of locally appropriate native species of local origin wherever possible; and
- measures to link habitats within the development and also that link into adjoining wildlife corridor networks.

Policy DM8

Ecological mitigation measures provided within the development

Where development proposals may impact legally protected and notable species and habitats, they will need to be accompanied by an up to date ecological survey assessment as part of the submitted application. This will include:

- site context information provided by a local records data search of designated sites, legally protected and notable species in proximity;
- a description of the biodiversity interest of the site, to include current land use; and including, where applicable, regard for any Strategic Nature Areas;
- the nature and extent of the impact on legally protected species and habitats, Section 41 species and habitats/or other notable species of the proposed development or change of use of land; and the measures that may be needed to avoid, mitigate or compensate the identified impacts;
- the steps to be taken to retain, protect, enhance, link and, where appropriate, create and manage the biodiversity interest over the longer term; which may include monitoring;
- where necessary effective lighting design to avoid artificial light spill to wildlife habitats/corridors to avoid impacts on light averse wildlife.

Justification

North Somerset contains four sites of European importance, designated as Special Areas of Conservation (SACs). These include: the North Somerset and Mendip Bats SAC, Mendip Limestone Grasslands SAC, Avon Gorge Woodlands SAC and the Severn Estuary SAC. The Severn Estuary is also designated as a Special Protection Area (SPA), due to the internationally important assemblages of overwintering/wading birds that it supports; and is also designated as a Ramsar site, as it is an internationally important wetland.

The purpose of the 5km consultation zone set around the North Somerset SSSI component maternity and hibernation horseshoe bat roosts of the North Somerset and Mendip Bats SAC is to protect greater and lesser horseshoe bat navigation and foraging habitats (to include key habitats for insect prey such as cattle grazed pastures and wetlands). Protection of these habitats is required to ensure that these roosts continue to be viable and maintained in 'favourable condition' and that populations of horseshoe bats are maintained at favourable

DM8

conservation status. Horseshoe bats are known to be light sensitive requiring unlit, intrinsically dark navigation routes and foraging habitats. Following consultation with Natural England North Somerset Council are looking into producing detailed guidance on the North Somerset & Mendip Bat SAC for future proposed development in and around the 5km zone.

Any proposals with potential to directly or indirectly impact on a European site/SSSI will be subject to consultation with the government's statutory nature conservation body, Natural England.

North Somerset also supports other European protected species that are rare or declining across Europe, notably hazel dormouse, otter, a wide diversity of bat species and great crested newt.

The overall aim is to contribute to the international and national objective to halt loss of biodiversity, by the protection and creation of key habitats; and the maintenance of linked, coherent ecological networks, so that populations of species are not isolated and thereby made vulnerable to local extinction. Important ecological networks within North Somerset district include: the locally characteristic network of rhynes (wet ditches and their associated banks and marginal habitats) locally characteristic of the North Somerset Levels and Moors landscape; and which link to other key local wetland habitats such as reedbeds and wet woodlands (alder and willow), and to the watercourse networks/ catchments of the district and adjoining counties. Such networks are important for species such as otter, water vole and kingfisher.

On higher ground, notably on the limestone ridges, there are extensive networks of tall native hedgerows and tree lines, which are significant in providing key habitat links between woodlands for woodland species such as dormouse, as well as providing navigation routes for bats from breeding and hibernation roosts to insect rich foraging habitats. It is essential that key habitats are linked to allow migration and interbreeding of populations of local key species. It should also be recognised that linear corridors of taller grassland and herbaceous vegetation (provided by road verge networks, cycle routes, public rights of way routes) are also important wildlife corridors for migration and dispersal. These locally characteristic habitats have contributed to the continued presence of rare species within the North Somerset District and need to be protected if this area is to continue to be a significant stronghold for many of these species.

Retained and enhanced habitats will ensure the continued functionality of essential ecosystem services, such as flood storage, flood attenuation and crop pollination (provided by local populations of insect pollinators).

Developers should be aware that there are statutory controls relating to biodiversity. For example Habitats Regulation Assessment may be required under the Conservation of Habitats and Species Regulations 2010, which relate to Articles 6(3) and (4) of the Habitats Directive, where a planning application could impact on the integrity of a European Site such as Special Protection Areas (SPAs), Special Areas of Conservation (SACs) and Ramsar sites.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM9: Trees and Woodlands

Links to CS1 Addressing climate change and carbon reduction, CS4 Nature conservation, CS5 Landscape and the historic environment, CS9 Green infrastructure, CS12 Achieving high quality design and place making and

Replacement Local Plan Policies ECH/5 Historic Parks and Gardens, ECH/7 Landscape character areas, ECH/10 Biodiversity

Policy aim

Incorporate existing trees and wooded areas into design proposals where practical. Ensure the planting of new trees is properly designed and adequately maintained in the longer term and recognise the place-making quality of trees

Policy DM9

Development proposals affecting trees should:

- demonstrate that the retention, protection and enhancement of tree canopy cover has been considered throughout the design and development process;
- evaluate, at a level of detail appropriate to the proposal, the short and longer-term impacts that the development may have on existing trees;
- achieve high quality design by demonstrating that the long term retention of appropriate trees is realistic, and that the trees are viewed as an asset by new occupants rather than as an issue of conflict. The future growth of tree canopy and roots should be fully accounted for when designing:

DM9

Policy DM9

(i) the location, spacing and orientation of buildings, gardens and green spaces;

(ii) the location of underground services;

(iii) the relative positions of trees and windows for light;

(iv) specific issues relating to tree species eg. aphid honey dew, fruit drop, density of canopy, leaves and needles;

(v) future management requirements and accessibility.

- provide high quality physical protection of retained trees, which includes working methods that will be clearly communicated and understood by all site staff;
- include, where practical, the introduction of appropriate new tree planting and woodland creation as an integral part of the design and landscaping of new developments, using native species of local origin wherever possible;
- include, where appropriate, the provision of new large-growing street and open space trees that are planted in high-quality tree pit designs, which maximise tree health and minimise future maintenance of the street surface;
- protect ancient woodland and veteran trees, particularly where these provide important habitats;
- ensure the engineering requirements to accommodate tree planting and future tree growth in relation to building foundation design are complied with;
- include, for larger-scale developments, an initial tree maintenance specification for new trees to ensure they thrive and grow to healthy maturity, and
- provide a plan for the management of wooded areas that balances the protection and enhancement of biodiversity with increased opportunities for recreation and play.

The council will consider the use of Tree Preservation Orders where appropriate individual trees or groups of trees are considered worthy of protection.

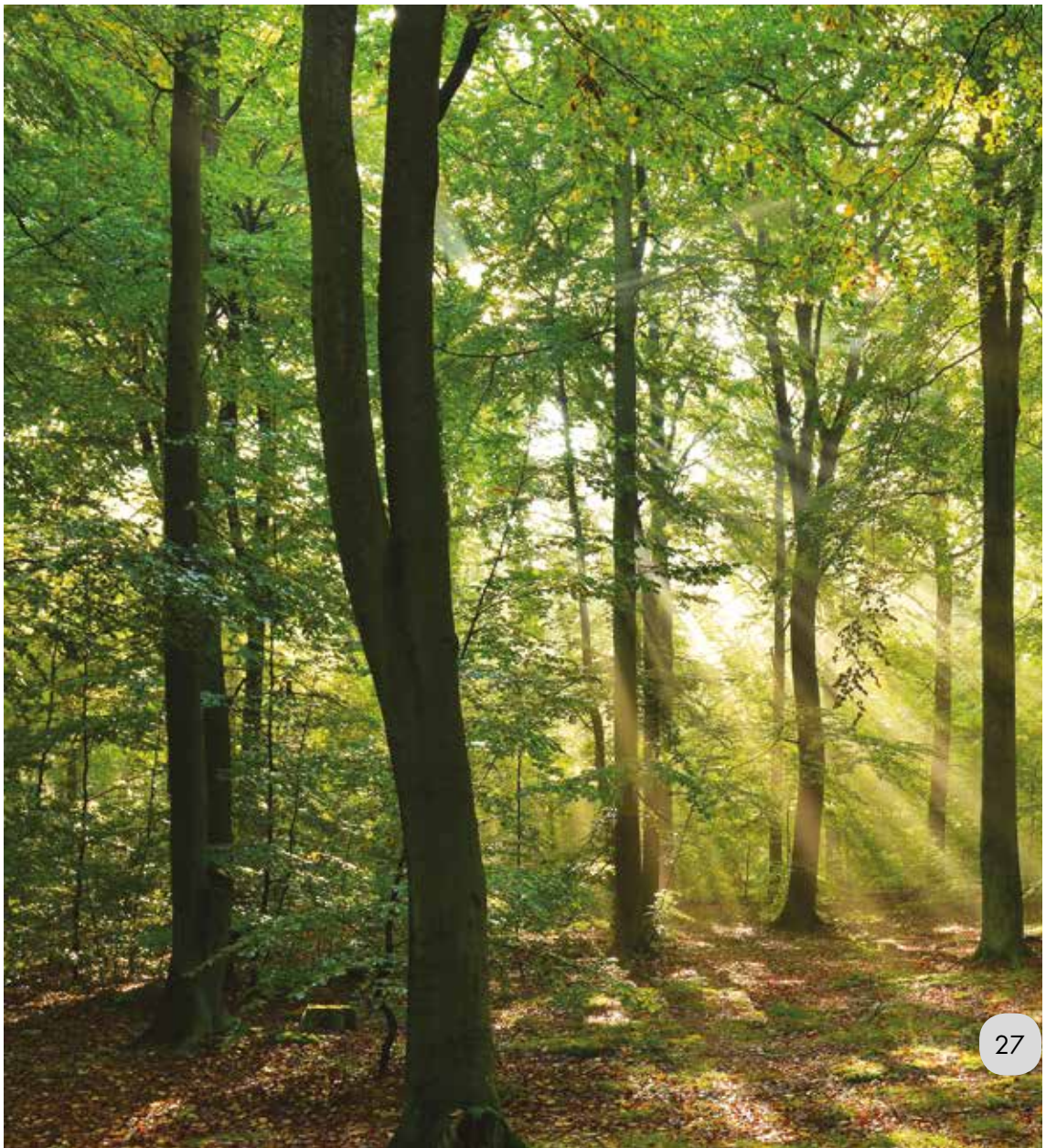
Justification

This policy is to provide more detailed guidance on new planting and the protection of existing trees. Proposed developments will be expected to demonstrate that they adhere to the procedures and principles set out in British Standard 5837 (Trees in relation to design, demolition and construction – Recommendations).

Where the loss of trees is essential to allow for appropriate development a suitable number and species of replacement trees should be provided, to compensate for the loss in canopy cover. We would generally expect trees to be replaced on a one for one basis as a minimum.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report. Monitoring will be expanded to cover indicators relating to replacement planting.



DM10: Landscape

Links to CS5 Landscape and the historic environment, Replacement Local Plan Policies ECH/8 Mendip Hills AONB, ECH/15 The Coastal Zone and North Somerset Landscape Character Assessment SPD.

Policy aim

To protect and enhance the diversity, quality and distinctive qualities of the landscape of North Somerset identified in the North Somerset Landscape Character Assessment. Protect dark skies from light pollution and areas of greatest tranquillity from development.

Policy DM10

All development proposals should:

- Not have an unacceptable adverse impact on the designated landscape character of the district as defined in the Landscape Character Assessment Supplementary Planning Document (2005) and respond to the distinctive qualities of the landscape including both the nationally registered and unregistered Historic Parks and Gardens in North Somerset
- Be carefully integrated into the natural, built and historic environment, aiming to establish a strong sense of place, respond to local character, and reflect the identity of local surroundings, whilst minimising landscape impact.
- Respect the tranquillity of an area.
- Include appropriate landscaping and boundary treatments in the scheme.
- Conserve and enhance natural or semi-natural vegetation characteristic of the area.
- Respect the character of the historic landscape including features such as field patterns, watercourses, drainage ditches, stone walls and hedgerows.
- Where outdoor lighting is proposed adopt a lighting scheme which minimises obtrusive light and where dark skies are an important feature of the area.

Where some harm to the local landscape character is unavoidable, but a development is otherwise deemed beneficial, then positive mitigation measures should be secured by a landscape condition or planning agreement (Section 106), involving works on or off-site as necessary.

Justification

There are particular areas within the North Somerset countryside that have a particularly strong local landscape character and a particularly high visual value, including the Mendip Hills which is a landscape of national significance and has been designated as an Area of Outstanding Natural Beauty and covered by policy DM11. The landscape character of North Somerset is described in the Landscape Character Assessment Supplementary Planning Document which was adopted in 2005.

Other landscapes or landscape features within North Somerset are of more local significance and are of value, especially to local people. When considering planning applications, the council will take account of the character of the landscape and will resist development that would have an unacceptable adverse impact on the landscape character or quality of the area in which it is sited. Where development is permitted, the council will ensure new development is of high quality design and that, where applicable, landscape features are incorporated as part of such schemes.

Encouragement will be given to proposals that improve the quality of the North Somerset landscape by carrying out tree planting or other enhancement works. This policy is intended to ensure that development does not adversely affect landscape character. Development should contribute to the creation of places and spaces with the needs of people in mind, which are attractive, have their own distinctive identity and respect and enhance the particular local character of the landscape.

The NPPF paragraph 123 states that planning policies and decisions should aim to "identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason".

Tranquillity can be defined as areas which have an absence of buildings and human presence for example an absence of noise and visual intrusion from major infrastructure such as motorways and A roads, urban areas and airports.

Where required the applicant should set out in any supporting documents such as the Design and Access Statement, that regard has been taken of the local landscape and how this has been incorporated into a final design solution. This may need to be supported by photomontages or similar visuals, and where relevant the impact on the tranquillity of an area and an assessment of whether the proposal would result in light pollution.

Delivery and monitoring

This policy will be monitored on a case by case basis and reported in the Annual Monitoring Report where appropriate.

DM11

DM11: Mendip Hills Area of Outstanding Natural Beauty (AONB)

Links to CS5 Landscape and the historic environment and Replacement Local Plan Policies ECH/8 Mendip Hills AONB

Policy aim

To ensure that development would not harm the natural beauty of the AONB and that the priority consideration for all proposed development impacting on the AONB is the conservation, protection and, where possible, enhancement of its natural beauty. To meet the economic and social needs of the local communities and the demand for recreation so far as this is consistent with the conservation of the natural beauty of the area and to protect views to and from the AONB.

Policy DM11

Any development will need to conserve and, where possible, enhance the landscape and scenic beauty of the AONB.

Development which would have an adverse impact on the landscape, setting and scenic beauty of the Mendip Hills AONB, including views into and out of the AONB, will not be permitted unless in exceptional circumstances and where it can be demonstrated that it is in the public interest.

All development will be controlled and conditioned to ensure it would minimise the harm to the natural beauty of the AONB.

Proposals which meet the economic needs of local communities and meet demand for recreation will still need to be consistent with the conservation of that natural beauty.

Particular attention will be given to the siting, scale, size, character, design, materials and landscaping of the proposed development, views to and from the AONB, as well as conservation of wildlife and cultural heritage.

Outdoor lighting schemes will not be permitted in the AONB unless it has been demonstrated that there will be no adverse impact from obtrusive light. Particular care will be taken in those parts of the AONB where dark skies are an important feature of the area.

Wherever possible new roads and major infrastructure proposals should be kept away from the AONB and, where they would be likely to affect it, proposals should demonstrate the need for development and that the siting and design would do as little damage to the environment as practicable.

Justification

Areas of Outstanding Natural Beauty (AONBs) are areas of fine landscape quality, of such great variety in character and extent that there is a national interest in protecting them. The primary objective of designation is conservation of the natural beauty of the landscape. The National Planning Policy Framework states that "great weight should be given to conserving landscape and scenic beauty in AONBs, which have the highest status of protection in relation to landscape and scenic beauty".

The Mendip Hills AONB, designated in 1972, covers 206 sq km, and is divided between the administrative areas of North Somerset, Bath and North East Somerset, Mendip and Sedgemoor.

AONB designation confers few additional powers on local authorities. However application of Policy DM11 should help to protect and where possible enhance the landscape and natural beauty of the Mendip Hills AONB.

Policy DM11 is an amended policy from the North Somerset Replacement Local Plan. Further guidance has been prepared by the Mendip Hills AONB – Management Plan 2009-2014, Agricultural Building Design Guidance, and Guidelines for Horse Related Development. The National Planning Policy Guidance states that local planning authorities should have regard to management plans for AONBs as these documents underpin partnership working and delivery of designation objectives.

Delivery and monitoring

This policy will be monitored on a case by case basis and reported in the Annual Monitoring Report where appropriate.

DM12

DM12: Development within the Green Belt

Links to CS6: North Somerset's Green Belt and Replacement Local Plan RD/3 Development in the Green Belt, RD/4 Major Development site in the Green Belt (Barrow Hospital)

Policy aim

To provide detailed guidance and consistency of approach concerning 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.).

Policy DM12

The extent of the North Somerset Green Belt is shown on the Policies Map.

Inappropriate development is, by definition, harmful to the Green Belt and will not be approved except in very special circumstances.

Extensions alterations or replacement of existing buildings

The extension or alteration of a building will not be regarded as inappropriate provided that it is within the existing curtilage and it does not result in disproportionate additions over and above the size of the original building. For North Somerset 'original' relates to the building as existing on 26 July 1985 or for buildings constructed after this date as so built. The determining factors in assessing whether the extension is disproportionate will be the size of the proposed extension in relation to the size of the original building. An extension will not normally be regarded as disproportionate provided it does not exceed 50% of the gross floor area of the original building.

The replacement of an existing building is not regarded as inappropriate provided the new building is in the same use and is not materially larger than the one it replaces. A replacement building will not normally be regarded as materially larger provided it does not exceed 50% of the gross floor area of the original building.

Policy DM12

In determining planning applications consideration will be given to the impact on the openness of the Green Belt for both extensions and replacement buildings and regard will be taken of the design (including bulk, height and floorspace), siting and overall scale of the development on the site.

The location, visual character of the site and surroundings and the effect of the proposal on the open and rural character of the area in general, prominence, visual and physical impact (including the impact of lighting) and plot size will all need to be assessed.

In the case of proposals to extend replacement buildings, the original floor space will be calculated as that of the original building that was on the site on or prior to 26 July 1985 and not that of the replacement building.

Any permission granted within a 5-year period prior to 26 July 1985 but not implemented prior to that date will be considered, if built after 26 July 1985, to form part of the 'original' building.

Proposals for domestic outbuildings and garages within existing residential curtilages are not considered to be inappropriate development and should be of a scale and height subordinate to the original dwelling and should not adversely affect the openness of the Green Belt. Normally they should be small scale and single storey. Account will be taken of the scale and number of outbuildings already on the site and the scale by which the original dwelling has increased.

Development in settlements in the Green Belt with settlement boundaries

Limited infilling and redevelopment will not be regarded as inappropriate within those villages washed over by Green Belt but which have retained their settlement boundaries. Such development will nevertheless still be required to comply with other policies in the Local Plan. Extensions to buildings will be acceptable providing they comply with the other policies in the Plan.

DM12

Policy DM12

Redevelopment and infilling on previously developed sites in the Green Belt outside settlement boundaries

On previously developed sites (as defined in the NPPF) outside the settlement boundary limited infilling or partial or complete redevelopment is not inappropriate provided it would not have a greater impact on the openness of the Green Belt and the purposes of including land within it. Redevelopment should:

- not extend beyond the perimeter of the buildings which make up the bulk of the built up area of the site; and

Infilling should:

- not extend beyond the perimeter of the buildings which make up the bulk of the built up area of the site; and
- should be visually contained within the site and should not exceed the scale or height of the existing buildings; and
- be sustainable in terms of being well related to existing settlements, and having safe and convenient pedestrian and cycle access to services, amenities and a bus or rail service.

Partial or complete redevelopment proposals should:

- not extend beyond the footprint of the existing buildings unless the proposal by virtue of its height or location on the site would have an equal or lesser impact on the Green Belt than the existing buildings; and
- result in environmental improvements on rundown or derelict sites; and
- be sustainable in terms of being well related to existing settlements, and having safe and convenient pedestrian and cycle access to services, amenities and a bus or rail service.

Appropriate facilities for outdoor sports and recreation

New buildings and facilities associated with sport and recreation provision in the Green Belt should be:

- directly related and subsidiary to the main outdoor use;
- be of a scale and size proportionate to the sporting or recreational use;

Policy DM12

- be sensitively designed and located to reflect the character of the area and minimise any harm to the openness and purposes of the Green Belt; and
- where outdoor lighting is proposed a lighting scheme should be adopted which minimises obtrusive light, in terms of sky glow, glare and light trespass.

Material change of use:

A material change of use which maintains the openness of the Green Belt is not considered to be inappropriate development provided it does not conflict with the purposes of including land in the Green Belt for example agricultural to equestrian use.

Justification

The North Somerset Green Belt covers approximately 15,490 hectares of land (about 40% of the total area of the District). It is highly valued by local residents and is an effective planning tool in preventing the urban sprawl of Bristol and shaping the pattern of development in North Somerset. It keeps land permanently open, prevents towns and villages merging together and protects the countryside. Core Strategy remitted policy CS6: North Somerset's Green Belt 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.

Nonetheless the Green Belt is home to many residents as well as a working environment and provides opportunities for outdoor sport and recreation. This policy sets out the criteria for assessing the appropriateness of any proposal for a new building within the Green Belt including extensions, replacement buildings and proposals on previously developed land. This policy reflects the changes to the NPPF.

The policy makes reference to original buildings as existing on 26 July 1985. This is the date of adoption of the Avon Structure Plan which defined the extent of the Bristol and Bath Green Belt.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM13

DM13: Duration of planning consent for disposal of waste to land

Links to CS7: Planning for waste, North Somerset Waste Local Plan Policy WLP20 and West of England Joint Waste Core Strategy

Policy aim

To help ensure that landfill or land raise sites are satisfactorily restored without undue delay.

Policy DM13

The duration of any planning permission for the disposal of waste to land, including landfill or land raise, will be limited to that reasonably necessary to complete the development, including operations and subsequent restoration.

Justification

The North Somerset Waste Local Plan (NSWLP) includes policy WLP20 on this issue. While most development management policies in the NSWLP are covered by policies in the adopted West of England Joint Waste Core Strategy (JWCS), policy WLP20 is not, and it is appropriate to include a policy in the Sites and Policies Plan Part 1: Development Management, which is likely to eventually supersede policy WLP20 when the Sites and Policies Plan is adopted.

Planning permissions for disposal of waste to land will normally be subject to a time limited condition. This will help to ensure, for example, that where tipping has not been completed to the original planned level within the developer's original intended timescale, the site is nevertheless satisfactorily restored to the council's satisfaction without undue delay.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM14: Mineral working exploration, extraction and processing

Links to CS8: Mineral Planning.

Policy aim

To ensure adequate consideration for the needs of the minerals industry whilst mitigating the effects of minerals related development and activity, including that concerning on-shore oil and gas, such as hydraulic fracturing (fracking). To minimise waste generated in minerals related development and activity, and promote productive use of that waste and to ensure positive planning for the restoration of the land and its return to beneficial use.

Policy DM14

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:

- consideration of the need for the development
- the existence of allocated areas for mineral extraction such as preferred areas or areas of search;
- evidence that the mineral resource is present at the location and that it is physically and economically practicable and environmentally acceptable to work
- 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.

Proposals should be supported by adequate evidence, to the satisfaction of the council, that the development is needed and justified, and that potential impacts have been satisfactorily investigated and addressed. Proposals must not have unacceptable impacts and should satisfactorily mitigate any adverse impacts. This should include consideration of any cumulative effects of multiple impacts from individual sites and/or a number of sites in a locality.

DM14

Policy DM14

Where investigations identify a need for safeguards or mitigation appropriate conditions may be imposed, or agreements sought.

Adequate measures must be taken to ensure minimum waste of resources during extraction and processing, and that any waste material generated is used for a productive purpose where economically viable, to the satisfaction of the council, or, where this is not possible, safely disposed of.

The council will normally require mineral working and restoration to be carried out in phases, with a view to minimising potential impacts.

A high quality of decommissioning (where relevant), restoration and satisfactory after use of the land, for an appropriate use or uses to be agreed by the council, will be required. Appropriate conditions may be imposed, or agreements sought.

Restoration should be carried out, at the earliest possible opportunity, to a timescale to be agreed with the Council and completed without delay. In appropriate cases, such as at carboniferous limestone sites, there should normally be phased restoration to occur alongside and integrated with the extraction, so that restoration is not left until extraction on the site has completed.

In the case of proposals for oil or gas development, in addition to the above requirements, the applicant should demonstrate to the satisfaction of the council that:

i) well sites and associated facilities would be sited in the least sensitive location from which the target reservoir can be accessed, including exploration

ii) a full appraisal of the oil and /or gas resource has been carried out

iii) a satisfactory development framework for the site has been produced, including Justification for the number and extent of the proposed production facilities and an assessment of the proposals' economic impacts.

Justification

The NPPF paragraph 143 requires local authorities to set out environmental criteria against which planning applications for minerals development will be assessed. Policy DM14 is consistent with this. Currently minerals working in

North Somerset primarily involves extraction of carboniferous limestone. However it is appropriate to cover onshore oil and gas, including hydraulic fracturing, in the policy since the NPPF includes oil and gas in its definition of minerals of local and national importance.

The criteria include the need to consider potential impacts on a number of issues 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.

The council is concerned about the potential impact of minerals sites being left unworked and unrestored for long periods, and will encourage all operators to try to reduce the likelihood of this occurring. The policy stresses the need for restoration to be carried out in the shortest possible time, at the earliest opportunity, to a timescale to be agreed with the council.

North Somerset has a large land bank for crushed rock, due to significant permitted reserves, which suggests that a 10 year land bank for crushed rock is likely to be maintained well past the end of the plan period to 2026, assuming a rate of production based on 40% of the 10 year average identified in the 2014 Local Aggregates Assessment for the West of England.

In view of this large land bank, the council considers that further permitted reserves of crushed rock are unlikely to be needed in the plan period. Therefore any planning applications seeking consent to work further areas should be supported by adequate evidence that the development is needed and justified, so that issue can be properly considered. (Consideration of need is the first criterion of the policy.)

Oil and gas development, including hydraulic fracturing,is subject to a very robust system of regulation, of which the requirement for planning permission from the local authority is only one part. The regulation system covers a wide range of issues such as the potential impacts listed in policy DM14. The National Planning Practice Guidance implies that for some issues, mineral planning authorities should not need to carry out their own assessment as they can rely on the assessment of other regulatory bodies, but before granting planning permission they will need to be satisfied that these issues can or will be adequately addressed by taking the advice from the relevant regulatory body. For example, regarding mitigation of seismic risks, required for all hydraulic fracturing processes, the Department of Energy and Climate Change (DECC) is responsible for controls. The Environment Agency is responsible for a number of things, including ensuring that extractive wastes do not harm human health and the environment, for issuing environmental permits

DM14

Tessa Bishop/Shutterstock.com

covering matters such as the chemical content of hydraulic fracturing fluid, and for ensuring that the water that returns to the surface following hydraulic fracturing is subject to acceptable final treatment/disposal at suitable water treatment facilities.

The regulation system includes (for on-shore development) the requirement for the would-be operator to secure a Petroleum and Exploration Development Licence (PEDL) from DECC, as the first stage in a multi-stage process. PEDLs give exclusive rights for exploration and extraction of oil and gas resources to the licence holder within a defined area. However whilst giving these rights, PEDLs do not give consent to drill or undertake any other form of operations.

In order to drill an onshore oil or gas well (including exploration wells), in addition to a PEDL, would–be operators need planning permission from the local authority, for which the Environment Agency is likely to be consulted. The Environment Agency also has a regulatory role regarding issue of appropriate permits, and the Health and Safety Executive (HSE) are responsible for enforcing legislation on well design and construction. As indicated above, the council will need to seek advice from those bodies that these issues can or will be adequately addressed before granting planning consent. Final development consent for drilling a well is required from DECC, once other permissions and approvals are in place.

National Planning Policy Guidance identifies three phases of onshore hydrocarbon (oil and gas) extraction: exploration, testing (appraisal) and

production, and states that planning permission is required for each phase, although single planning applications can cover more than one phase. However decommissioning, restoration and aftercare will also be required, and should be carried out to a high standard.

Furthermore DECC will require a Fracking Plan to be submitted by the operator if fracking (hydraulic fracturing) is proposed, before consent is given to any fracking.

Also DECC state that environmental risk assessment (ERA) is a first-stage risk assessment to be conducted for proposed shale gas operations where hydraulic fracturing is planned.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM15: Control of non-mineral development likely to affect active carboniferous limestone minerals sites or carboniferous limestone sites recently granted consent for mineral working

Links to CS8: Mineral Planning.

Policy aim

To support the mineral industry by controlling other uses likely to affect mineral sites.

Policy DM15

The council will give particularly careful consideration to proposals for non-mineral development close to (generally within about 500m of the boundary of) active carboniferous limestone minerals sites or carboniferous limestone sites newly granted consent for mineral working, including ancillary activities.

Where such proposals, due to their nature and location, would be likely to impair mineral working activities of such sites, they will be resisted unless satisfactory mitigation measures would be undertaken.

DM15

Justification

The adopted Mineral Working in Avon Local Plan (MWIALP) includes a policy (MLP40) on buffer zones around mineral sites, restricting non-minerals development within designated buffer zones, partly aimed at reducing the likelihood of mineral operations being affected/restricted by encroachment of non-minerals development. In North Somerset the buffer zones are drawn around carboniferous limestone-working sites.

It is considered that in the Sites and Policies Plan, which is likely to eventually supersede the MWIALP, there is a need for a similar policy for such sites in North Somerset, but using a more flexible approach than designation of buffer zones. The guide distance of about 500m is considered appropriate for carboniferous limestone sites having regard to the need for blasting and other elements of working such sites.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM16: Allocation of land at The Spinney, south of Stancombe Quarry, as a preferred area for minerals working

Links to CS8: Mineral Planning.

Policy aim

To indicate where mineral development is likely to occur.

Policy DM16

Land south of the existing permitted reserve at Stancombe Quarry, called 'The Spinney' is identified as a preferred area for mineral working on the Policies Map.

Detailed requirements will be determined at the development management stage. In addition proposals should be phased to the satisfaction of the council and:

- relevant development management policies and issues must be met or addressed to the satisfaction of the council. For example: amenity, noise, vibration, air over pressure, public health and safety, dust, biodiversity, local geological sites, landscape, highways and impact on the local highway network, strategic road network, water, archaeology, landscaping and restoration;
- a suitably qualified ecological consultant should be contracted to carry out a wildlife survey which covers evidence of any legally protected species;
- provision is made for stopping up and or/diversion of public rights of way that would be affected by operations, and their reinstatement as part of restoration of the site as appropriate;
- good quality landscaping, with appropriate planting/bunding would be provided/retained as appropriate, and managed and maintained, including for example along the west boundary fronting Backwell Hill Road, the south boundary fronting Long Lane, and the east boundary;
- proposals must make satisfactory measures to safeguard against adverse effects on water and water resources, including appropriate depth of extraction; and
- adequate and appropriate provision for restoration and aftercare must be made, including sustainable use of overburden and waste materials.

DM16

Justification

This is effectively a carry over from the adopted Mineral Working in Avon Local Plan (MWIALP) which identifies land at The Spinney as part of an existing Preferred Mineral Extraction Area. This is a potential southern extension of Stancombe Quarry. Planning permission was granted for mineral working at The Spinney in May 2015. (Application reference 14/P/1179/F2, planning application and Environmental Impact Assessment for the extension of Stancombe Quarry and increase in the end date for the whole quarry and all quarrying activities and operations to 31 December 2043 with landscaping and restoration).

The council has reviewed the issue of minerals allocations including consideration of existing minerals allocations in North Somerset in the MWIALP, and is of the view that continued allocation of land at The Spinney as a preferred area is appropriate. The Justification for this is set out in a supporting document on minerals to form part of the evidence base.

Delivery and monitoring

The status of this site as an area for minerals working will be monitored over the plan period.

DM17: Identification of Minerals Safeguarding Area for carboniferous limestone

Links to CS8: Mineral Planning.

Policy aim

To help ensure carboniferous limestone resources in an area near existing mineral workings are not needlessly sterilised by non-mineral development.

Policy DM17

Planning permission will not be granted for development within Carboniferous Limestone Mineral Safeguarding Areas (MSAs) shown on the Policies Map that is incompatible with safeguarding the mineral unless:

- it is exempt development; or
- the applicant can demonstrate to the satisfaction of the council that:

Policy DM17

i) the mineral concerned is not worthy of safeguarding; or

ii) the development is temporary and would be completed and removed and the site restored to a condition that does not inhibit extraction of the mineral within the timescale that the mineral is likely to be needed; or

iii) there is an overriding need for the development.

Where consent is to be granted prior extraction of the mineral will be encouraged where practicable and environmentally acceptable.

Exempt development is defined as

- Alterations and extensions to existing buildings
- Infill development (development already between or immediately surrounded by existing permanent buildings).
- Advertisements
- Prior notification (telecoms, forestry, agriculture, demolition)
- Certificates of lawfulness of existing use, and certificates of lawfulness of proposed use or development
- A change of use of existing development which would not significantly intensify development on site
- Applications for reserved matters after outline consent has been granted.
- Applications for works to trees

Temporary development would normally be restricted by temporary planning permissions (duration to be determined by the planning authority) and normally be restricted to development without structures of a permanent nature, so they can be readily removed within a short period. These measures should help ensure the development would be unlikely to affect extraction should mineral development become newly approved (granted planning consent) in the area.

Justification

Identification of Mineral Safeguarding Areas (MSAs) is consistent with the NPPF paragraph 143 which states that Mineral Planning Authorities (MPAs) should define MSAs and adopt appropriate policies in order that known locations of

DM17

specific mineral resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked.

Policy DM17 is consistent with this, and also with guidance in "Mineral Safeguarding in England: Good Practice Advice" (2011) by the British Geological Society (BGS) and the Coal Authority. The good practice advice states that "mineral resources are finite and must be protected to give future generations the best possible chance of meeting their own needs. Minerals can only be worked where they naturally occur and with increased pressure on land use we must ensure that those resources are not needlessly sterilised by other forms of development".

The good practice advice adds that it is a common misconception that designation of safeguarded areas makes mineral extraction more likely or inevitable. That is not the case. There is no presumption that areas within a MSA will ultimately be allocated for extraction, (there being other designations for this, like preferred areas). If an application is submitted for mineral extraction within a MSA the MSA designation in itself does not provide any support for a grant of consent.

The good practice advice states that MSAs alert those proposing sites for future development to the presence of valuable mineral resources which they otherwise might not have considered, and indicate where local mineral safeguarding policies formulated specifically to suit local circumstances, may apply.

The process should ensure that minerals are not unnecessarily sterilised whilst allowing competing development to proceed if the criteria in the policy are met.

To show that the mineral is "not worthy of safeguarding" (criterion i) of the policy) the developer would normally be expected to demonstrate that the mineral is not economic or practicable to work, perhaps because it is not present in sufficient quantity or is so heavily constrained as to make extraction not economically viable.

To show "overriding need" for the development (criterion iii) the developer would normally be expected to demonstrate that there are overriding factors which outweigh the value of the mineral thought to be present. This would normally be likely to involve consideration of the importance of the development and consideration of why the particular location is needed.

Supporting information is likely to be needed to accompany planning applications, to be able to demonstrate such things, or to demonstrate that prior extraction is not practicable or environmentally acceptable etc. This information could be provided in the form of a Mineral Assessment, carried out to a satisfactory standard. The 20011 good practice advice identifies what form Minerals Assessments can take, but the precise nature of the information required will be decided by the MPA, preferably at pre-application discussion.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM18

DM18: Identification of Minerals Safeguarding Area for surface coal

Links to CS8: Minerals Planning.

Policy aim

To help ensure surface coal resources are not needlessly sterilised by non-mineral development.

Policy DM18

Within the Surface Coal Mineral Safeguarding Areas shown on the Policies Map, applications for planning permission for non-exempt development must demonstrate to the satisfaction of the council that the opportunity to recover any surface coal present has been considered. Surface coal present should be satisfactorily removed prior to or during development unless it is satisfactorily demonstrated that:

i) the surface coal is not worthy of safeguarding or its removal is not practicable; or

ii) it is not environmentally acceptable to remove the surface coal; or

iii) the development is temporary and would be completed and removed and the site restored to a condition that does not inhibit extraction of the surface coal within the timescale that the surface coal is likely to be needed; or

iv) there is an overriding need for the development; or.

v) the surface coal would not be sterilised by the development

Exempt development referred to above includes:

- Alterations and extensions to existing buildings
- Advertisements
- Prior notification (telecoms, forestry, agriculture, demolition)
- Infill development (development already between or immediately surrounded by existing permanent buildings)
- Certificates of lawfulness of existing use, and certificates of lawfulness of proposed use or development

Policy DM18

- A change of use of existing development which would not significantly intensify development on-site
- Applications for reserved matters after outline consent has been granted.
- Applications for works to trees

Temporary development referred to in iii) would normally be restricted by temporary planning permissions (duration to be determined by the planning authority) and normally be restricted to development without structures of a permanent nature, so they can be readily removed within a short period.

DM18

Justification

Identification of Mineral Safeguarding Areas is consistent with the NPPF paragraph 143, which states that local planning authorities should adopt appropriate policies in order that known locations of specific minerals resources of local and national importance are not needlessly sterilised by non-mineral development, whilst not creating a presumption that resources defined will be worked. The glossary to the NPPF includes reference to "shallow coal" under "Minerals of local and national importance".

The Coal Authority (which owns coal seams and mine workings on behalf of the state) has produced Surface Coal Resource data for North Somerset showing areas which they consider hold coal resources capable of being mined from the surface.

The Coal Authority objected to the lack of a MSA for surface coal in the Consultation Draft Sites and Policies Plan.

The council is sceptical about the likelihood of future coal working occurring in North Somerset. Coal has not been mined in North Somerset for many years. A June 2013 Joint Topic Paper on Energy Minerals based on a study area comprising Somerset, North Somerset and BANES, states: "There is little evidence at this time to indicate there remain good prospects for extraction of conventional hydrocarbons such as coal in the study area. The Bristol/Somerset coalfield – which runs from the Mendip Hills to South Gloucestershire, from Nailsea in the west to Bath in the east – has a long history of mining, dating back to Roman times. All such mining ceased in 1973. Remaining coal seams are numerous but thin and have already often been extensively mined."

However, the Joint Topic Paper adds: "it should be noted that this lack of evidence does not undermine the need to consider the potential safeguarding of reserves, in dialogue with the appropriate authority – in particular the Coal Authority, and by so doing protect the possibility of future extraction. Coal is identified as an important energy resource in the British Geological Survey (BGS) Safeguarding Guidance".

Also the council notes that the NPPF states that MSAs should be defined without creating a presumption that resources defined will be worked. Note also that "if an application is submitted for mineral extraction within an MSA… the designation itself does not provide any support for a grant of consent" ('Mineral Safeguarding in England: Good Practice Advice', by BGS and the Coal Authority, 2011).

Having considered these issues, the council has defined MSAs for surface coal, shown on the Policies Map, and formulated policy DM18. The MSAs identified reflect the Coal Authority Surface Coal Resource data, and comprise areas at Barrow Gurney, and a small area on the northern extremity of Portishead. To show that the mineral is "not worthy of safeguarding or its removal is not practicable" (criterion (i) of the policy) the developer would normally be expected to demonstrate that the surface coal is not economic or practicable to work, perhaps because it is not present in sufficient quantity or extraction is not economically viable, perhaps because of significant constraints.

Developers can submit information on the predicted economic value of the coal, taking account of the estimated quantity and quality of coal present and the practicability and economic viability of extracting it, having regard to factors such as constraints and the anticipated difficulty, time and cost of extracting it.

To show "overriding need" for the development (criterion iv) the developer would normally be expected to demonstrate that there are overriding factors which outweigh the value of the surface coal thought to be present. This would normally be likely to involve consideration of the importance of the development and of why the particular location is needed.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM19: Green Infrastructure

Links to CS9: Green Infrastructure

Policy aim

To ensure new development contributes to the safeguarding, improvement and further provision of North Somerset's green infrastructure and that the provision of multi-functional, inter-connected and adaptable green infrastructure is taken into account in the design and layout of new development proposals.

Policy DM19

Large-scale proposals in locations where there is a lack of green infrastructure or opportunities to create or improve green networks, will be required to contribute to the quality of the environment, through the creation of high quality well designed and accessible green infrastructure. Proposals will, where appropriate, ensure that green infrastructure is:

- multi-functional;
- part of a connected green infrastructure network;
- able to maximise the opportunity to respond to climate change;
- designed to enable the community to actively use green infrastructure for sports and play, and as an outdoor education resource, as well as passive recreation;
- able to promote community cohesion;
- accessible; and
- designed to promote and enhance local diversity and distinctiveness.

Green infrastructure should be provided in line with the phasing and scale of development. Where it is not possible, practical or desirable for green infrastructure provision to be made on site then financial contributions will be sought. Contributions will vary depending on the existing provision in the locality and whether the requirement is for new provision or for upgrades to existing provision. Provision for maintenance will also be required, likely to involve commuted sums if the green infrastructure is to be adopted by North Somerset Council.

Proposals should seek to incorporate important sites and linkages in the layout and design of the development.

Justification

Green Infrastructure is the integrated network of multi-functional spaces within and linking urban and rural environments which has significant environmental, social and economic benefits.

Green infrastructure, particularly if well planned and integrated into development, can enhance the townscape and visual amenity, promote a sense of place and community identity, and improve the health and sense of well-being of people. Parks, sport fields and play space are clearly beneficial to health. Networks of green spaces like disused railway lines provide opportunities for recreation, walking and cycling, and also benefit wildlife by conserving and enhancing habitats, and providing buffers from development to important wildlife sites and watercourses.

Trees are important elements, contributing to the value of green infrastructure, notably regarding landscape and in combating climate change. Attenuation ponds and other sustainable drainage systems are other elements, often having ecological, landscape, recreational and educational benefit.

NPPF paragraph 114 refers to the need to plan positively for the creation, protection, enhancement and management of green infrastructure. 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.

Green Infrastructure should be provided in line with more detailed guidance set out in Supplementary Planning Documents such as Biodiversity and Trees SPD, the Weston Villages SPD and where relevant the North Somerset Landscape Character Assessment SPD, or successor documents.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

In addition to the existing indicators the Annual Monitoring Report will also monitor:

- The net change in playing fields throughout the district,
- The net change in allotment spaces throughout the district
- Developer contributions for green infrastructure.

2. Transport

DM20

DM20: Major Transport Schemes

Links to CS10 Transportation and Movement and Replacement Local Plan Policy T/9: Highway Schemes

Policy aim

To protect proposed major transport schemes from inappropriate development and show the safeguarded areas on the Policies Map.

Policy DM20

Land shown on the Policies Map is safeguarded for the following major transport schemes:

i) Junction 21 capacity improvements – phase 2, Weston-super-Mare;

ii) Cross – Airfield Link, Weston-super-Mare;

iii) Airfield Bridge Link, Weston-super-Mare;

iv) Junction 21 Bypass / Relief Road, Weston-super-Mare;

v) Herluin Way to Locking Road Link, Weston-super-Mare;

vi) South Bristol Link, linking A370 with the A38 and Hengrove Way;

vii) Barrow Gurney Bypass;

viii) Banwell Bypass;

ix) Wolvershill Road upgrade, Weston-super-Mare;

x) North-South Link through Parklands Village (A370-A371), Parklands Village, Weston-super-Mare; and

xi) Park and Ride, Weston-super-Mare.

Development will only be permitted if it would not prejudice the implementation of these schemes.

Justification

This policy ensures that land for major transport schemes is safeguarded. Many of these schemes are either identified in the Core Strategy or are carried forward from the North Somerset Replacement Local Plan. Further information regarding the prioritisation and programming of these schemes is available from the Highways and Transport Service.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM21: Motorway Junctions

Links to CS10 Transportation and Movement

Policy aim

To protect land at the motorway junctions for potential future capacity improvements

Policy DM21

The area surrounding the existing M5 motorway junctions 19, 20 and 21 as shown on the Policies Map is safeguarded for future widening of junction roundabouts and motorway slip roads. Development will only be permitted if it would not restrict proposals for junction improvements.

Justification

With the planned increase in population and potential growth in traffic levels it is prudent to ensure that key motorway junctions are protected from development that would prohibit their improvement at some later date.

Delivery and monitoring

This policy will be monitored based on future proposals for junction improvements as and when they come forward. Information will be published in the Annual Monitoring Report where appropriate.

DM22: Existing and proposed railway lines

Links to CS10 Transportation and Movement and Replacement Local Plan Policy: T/1 Existing and Proposed Railway Lines

Policy aim

To protect existing and proposed railway lines from inappropriate development.

Policy DM22

A corridor extending 10 metres either side of the railway land boundary fence of the Taunton-Bristol railway line as shown on the Policies Map is safeguarded for the provision of additional tracks. Development within this corridor will be permitted if it would not prejudice future capacity enhancements.

Land shown on the Policies Map is safeguarded for the following alignments. Development will only be permitted if it would not prejudice the use of these alignments for rail traffic:

- Weston Railway Loop southern chord; and
- Portishead – Pill (for the Portishead to Bristol railway line including railway stations and associated car parking and highway works).

Justification

This policy safeguards key rail improvements as well as protecting land adjacent to the rail corridor from inappropriate development.

Delivery and monitoring

No monitoring needed.

DM23: Bus Interchanges and park and ride facilities at existing railway stations

Links to CS10: Transportation and Movement and Replacement Local Plan Policy T/2: Existing Railway Stations

Policy aim

To safeguard land at/adjoining rail stations for the provision or expansion of car parking and the provision or expansion of bus interchanges associated with rail use.

Policy DM23

Land shown on the Policies Map is safeguarded for the existing and proposed expansion of park and ride and bus interchange facilities at the following railway stations:

- Weston-super-Mare;
- Weston Milton;
- Worle; and
- Nailsea and Backwell.

At Yatton and Weston railway station improvements and safeguarding of the car parking will be required as part of any future mixed use scheme.

Development on safeguarded land will only be permitted if it would not prejudice the provision and expansion of facilities including the ability to provide for projected growth in rail passenger demand and proposals promoted by national rail policies, by Network Rail, by train operators or by the council.

Justification

This policy safeguards key railway station improvements from inappropriate development.

Delivery and monitoring

No monitoring needed.

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

Links to CS10: Transportation and Movement and Replacement Local Plan Policy T/10: Safety, traffic and the provision of infrastructure, etc. associated with development.

Policy aim

To ensure that new development will not prejudice highway safety or the operation of the highway network and that the impacts of new development are adequately mitigated. To ensure that road capacity and travel demand can be well managed and that opportunities are taken for integration with other modes.

Policy DM24

Development will be permitted provided it would not 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 refused on transport grounds if it:

- is likely to have a severe residual cumulative impact on traffic congestion or on the character and function of the surrounding area; or
- is not accessible by non-car modes or cannot readily be integrated with public transport, cycleway and footpath links, and bridleways where appropriate.

Development which gives rise to a significant detrimental impact on travel patterns, or exacerbates existing transport problems, will only be permitted where acceptable counter measures or mitigation is possible.

Where a proposal would be acceptable apart from deficiencies in highways and transport infrastructure and services, which may be off-site, planning permission may, in accordance with Core Strategy Policy CS34, be granted subject to the applicant entering into an appropriate legal agreement to fund the improvements sought.

Justification

Developers will need to determine the transport needs arising from their proposals and the means by which any adverse impacts will be mitigated. They

should discuss their plans with the council at an early stage to determine the required form and scope of assessment. The council's Supplementary Planning Document on Transport Statements and Transport Assessments sets out the thresholds and scope of the assessments that will be required. The Highways Agency will be consulted on Transport Assessments for proposals with a significant impact on the M5.

All development needs a safe means of access from a highway that is suitable for the traffic generated. Where this can only be achieved with an environmental loss, e.g. of hedgerows or attractive stone walls, the council will wish to minimise the harmful impact and may require compensatory provision. Many remnants of historic highway features are retained in the network of country lanes forming part of the maintainable highway. Where planning permission is sought for their alteration, including as part of adjacent development, their historic interest and character need to be taken into account (see policy DM10 Landscape).

In addition to the immediate impact, the effect of additional traffic on the surrounding road system needs to be considered. For example, developments that would introduce traffic of excessive volume, size or weight into a network of country lanes, or into a residential area, may have such a detrimental impact that a refusal of planning permission is warranted because no acceptable counter-measures are possible.

The Core Strategy aims to provide attractive travel choices and a greater focus on sustainable transport modes to improve quality of life and environmental conditions for local residents and businesses. Its locational strategy aims to place new jobs, services and facilities where they are easily accessible by non-car modes that provide a realistic alternative to the car. Residential development close to key railway stations will help reduce traffic congestion on the A370. Developers must address how they will contribute to the creation and promotion of more sustainable transport patterns through design, and contributions where appropriate.

Policy CS34 allows for developers to provide or contribute towards the cost of providing necessary infrastructure which may be off-site. Development on windfall sites well related to any of the transport proposals in this plan, or to schemes identified in the Joint Local Transport Plan, may be required to fund part or all of an improvement if it can be regarded as serving that development.

Although developers will not generally be expected to pay for resolving existing transport problems, planning permission should not be granted for a development that would worsen an already unsatisfactory situation. In such cases, a developer contribution would enable the timing of improvements to be brought forward. To accommodate the road traffic it unavoidably generates, a development may

DM24

be required to fund improvements to boost the attractiveness of walking, cycling and public transport, or traffic management measures, in the relevant corridor(s) sufficient to maintain overall road traffic at the otherwise expected level. A development may be required to contribute to funding the improvement of rail freight facilities, even where of no direct benefit to itself, if the resultant reduction in goods vehicles on the highway network would overcome traffic objections.

In determining whether the likely consequences of development for traffic congestion are unacceptable, account will be taken of the overall impact. For example, proposals that reduce out-commuting from North Somerset, especially Weston-super-Mare, will have a beneficial effect on the overall level of congestion by reducing traffic on the M5, which will need to be balanced against any detrimental local effect.

All infrastructure provision will need to be made in tandem with the development. In addition to capital works, it will be appropriate in some circumstances to seek revenue support for the provision of a bus service for an agreed period during initial phases of development. This will enable the first tranche of occupiers to base their travel patterns around public transport before the development as a whole reaches the critical mass needed for a viable commercial service.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

In addition to the existing indicators this policy will also be monitored through developer contributions to highways improvements.

DM25: Public rights of way, pedestrian and cycle access

Links to CS9: Green Infrastructure, CS10: Transportation and Movement, CS12: Achieving High Quality Design and Place-making and Replacement Local Plan Policies T/7: Protection, development and improvement of the Rights of Way Network and other forms of public access and T/8: Strategic Cycle Routes

Policy aim

To protect and enhance the existing public rights of way network and strategic cycle routes and ensure the provision of new and improved multi-user routes connecting with new developments.

DM25

Policy DM25

Development that would reduce, sever or adversely affect the use, amenity or safety of public rights of way and other forms of public access, or prejudice the planned development of the network will only be permitted if acceptable provision is made to mitigate those effects, or divert or replace the right of way or other form of access, before the development commences. Any replacement or diversion of existing facilities will be no less convenient, safe or aesthetically attractive and will be of equal or broader legal status to those facilities being replaced. Development should not exacerbate an existing problem and should seek to address existing access issues.

Development will be required to provide, improve, or contribute to providing or improving multi-user infrastructure (to include pedestrian, cycling and equestrian) appropriate to its size and type, taking account of the latest information on and priorities for pedestrian, cycling and where appropriate, equestrian infrastructure.

Where the development lies close to a strategic access route, direct, safe and secure links will be provided between the development and the route. Where necessary improvements cannot be directly provided as part of the development, contributions to the enhancement of the Strategic Access Network will be required to an extent commensurate with the impact of the development. Proposed strategic cycle routes are identified in the schedule accompanying this policy and shown on the Policies Map. Development will only be permitted if it would not prejudice the implementation and continued use of these routes.

Residential development will be expected to ensure appropriate pedestrian/cycling links to the nearest schools are developed at the required standard.

Justification

This policy has rolled forward, combined and amended policies T/7 and T/8 of the Replacement Local Plan. It takes account of the wider context provided by the Joint Local Transport Plan 3 (JLTP3), North Somerset Council Access Strategy for Disabled People 2005 and North Somerset Rights of Way Improvement Plan 2007-2017 (revised November 2010). The JLTP3 vision is for walking to become the first choice for local journeys and, together with public transport, a positive part of longer ones.

Where development is proposed affecting a statutory right of way or other access of public value, the council will expect that route to be retained, either

on its defined route or on an acceptable alternative alignment. The development and improvement of the access network within and related to a development may be the subject of developer contributions to be negotiated under Policy DM71: Developer Contributions. Negotiations will include provision for long-term maintenance in accordance with Policy DM70: Development Infrastructure. Design considerations will focus on achieving maximum accessibility and permeability and the widest public use in line with DM32: High quality design and place-making. Commercial riding and private stables are discussed in Policy DM52: Equestrian development.

Schedule to policy DM25: Proposed Strategic Cycle Routes

Site ref	Site name
Weston-super-Mare	
	• Weston-super-Mare/Bleadon – Uphill towards Brean • West Wick • Bridgwater Road to Canberra Road • Side of Ashcombe Park • Herluin Way to Locking Road link • Weston Villages – Routes as identified in planning applications
Clevedon	
	• Parallel to Valley Road between Walton Road and Woodland Glade • Parallel to Blind Yeo • Parallel to Middle Yeo, Marshalls Field to Strode Road; Strode Road to Hill Moor
	• Tweed Road to Fosseway • Seaward side of Marshalls Field • Clevedon/Kenn/Yatton – Route of former railway line, avoiding B3133

DM25

Site ref	Site name
Nailsea	
	• Off Mizzymead Road (rear of Porlock Gardens and Ash Hayes Drive) • Through Scotch Horn Centre, across playing field to Nailsea Park
Portishead	
	• None
Service villages	
	• Yatton/Congresbury/Churchill/Winscombe and Sandford – Route of former railway line (Cheddar Valley Railway Route) • Easton-in-Gordano/Pill – Ham Green Hospital site and St Katherine's School • Easton-in-Gordano – sections at Lodway Close and The Breaches • Easton-in-Gordano/Pill/Portbury – Marsh Lane to A369 Motorway Service Area • Long Ashton/Flax Bourton/Backwell – Route parallel to railway and Long Ashton Bypass, avoiding A370 • Congresbury/Churchill/Wrington/Burrington/Blagdon – Route of former railway path avoiding B3133/A368
Other settlements and countryside	
	• Kingston Seymour/Wick St Lawrence – Route of former light railway line • Clevedon to Nailsea • Portbury to Wraxall • Nailsea to Wraxall • Portishead to Clapton Court • Portishead to Clevedon • Portbury Bridle Way

Delivery and monitoring

The Annual Monitoring Report currently monitors maintained Public rights of Way and Cycle Routes and these will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM26: Travel Plans

Links to CS10 Transportation and Movement, Replacement Local Plan Policy T/11 Travel Plans and North Somerset Travel Plans Supplementary Planning Document

Policy aim

To encourage the preparation and effective implementation of travel plans to improve the sustainability of development proposals.

Policy DM26

Travel Plans will be required for all developments which generate significant amounts of movement including:

- major residential, commercial, service and educational developments;
- smaller developments that would generate significant amounts of movement;
- new, or significantly extended, schools;
- development comprising or involving a significant increase in existing car parking provision at employment, retail or leisure sites, schools, colleges, hospitals or health centres;
- development proposals in locations where traffic conditions have been identified as a matter of concern by the local highway authority, which may include smaller residential, commercial, service or educational developments below the relevant thresholds; and
- where there is inadequate transport infrastructure in the area, as identified in (but not limited to) the Local Transport Plan.

Travel Plans will aim to reduce car use generated by the development and to deliver other sustainable transport objectives, related in scale and kind to the development. Planning conditions will be attached, or a planning obligation sought, to require adoption of the Travel Plan prior to occupation and its successful implementation post occupation.

DM26

Justification

This policy carries forward Policy T/11 of the Replacement Local Plan taking account of the Travel Plans Supplementary Planning Document. A Travel Plan is a long-term management strategy for an occupier (or group of occupiers) of a site that seeks to deliver sustainable transport objectives through positive action. The thresholds at or above which a Transport Assessment and Travel Plan are required are set out in the North Somerset Travel Plans Supplementary Planning Document (SPD) November 2010.

Delivery and monitoring

Travel Plans are a planning requirement for all new large or expanding developments as well as some smaller ones where there is expected to be a significant transport impact. Our Travel Plans Supplementary Planning Document (SPD) sets out the detail of what is expected from a developer to mitigate the transport impacts of their development and encourage more sustainable travel and number of travels plans secured per year are reported through the North Somerset Annual Monitoring Report.

Our annual monitoring and reporting of mode of travel to school is now managed through our dedicated School Travel Facts (STF) service.

DM27: Bus Accessibility Criteria

Links to CS10 Transportation and Movement and CS15 Mixed and Balanced Communities

Policy aim

To ensure all new residential development is accessible by bus services and that services are provided at an appropriate level.

Policy DM27

All residential development comprising 50 or more dwellings and all non residential development which results in the creation of 50 or more jobs should be within a reasonable distance, via a direct pedestrian route, of a bus stop which provides an appropriate level of service. Infrastructure improvements to provide direct pedestrian access to, and improvement of, bus stops may also be required, dependent on location.

Where residential accommodation for the elderly or mobility impaired is proposed but provision for community transport serving the area does not exist, the applicant must demonstrate that provision, including capacity for wheelchairs, will be made ahead of occupation.

For non-residential development, bus services should operate during the hours that the facility is open to users, and refer to the table below for targets on service frequency.

For both residential and non-residential development, the target bus service frequency is as follows:

Target Bus Service Frequency

	Urban	Suburban	Rural
Mon – Sat 0700 – 1900	15 minutes	30 minutes	60 minutes
Evenings and Sundays	30 minutes	60 minutes	–

Depending upon the scale of the development and its location, it may be appropriate to provide higher bus service frequencies than shown in the table.

Policy DM27

Whilst it would normally be preferable to divert existing services where these have the greatest chance of being commercially viable at an early stage, it should not be assumed that existing bus services can be diverted to serve the development if it leads to longer journey times or otherwise inconveniences existing passengers. Development should not exacerbate an existing problem and should seek to address access issues identified in the North Somerset Access Strategy. For larger sites the layout would need to be designed so that buses can pass through the site rather than use the same road into and out of the site. For example with larger developments it may be more appropriate to provide a new service if viable and if service providers are willing.

New bus services would need to be promoted with incentives to encourage use of the service; this should be developed as part of the Travel Plan.

Justification

Development can help in two ways to enable more sustainable transport choices. It can be located where good accessibility already exists and it can contribute to new infrastructure, especially for walking, cycling and public transport.

In terms of locating development within a "reasonable distance" from a bus stop this means a maximum of 400metres in urban and suburban areas. It is acknowledged that developments occurring in more rural locations may not be able to show that they meet the 400 metre walking distance. In such locations this should not be more than 600m. Where distances of 400m–600m are not achieved there would need to be clear reasons for a greater distance, for example where this would challenge the commercial viability of the bus service by creating the need for additional vehicles or where this would cause significant adverse impacts for users of an existing route. Proposals will need to ensure they are located as sustainably as possible and that appropriate, safe travel routes and/or public transport are provided to local services and major settlements, via the local infrastructure network.

Pedestrian access to bus stops should be via a well lit, safe route with clear sight lines. This policy sets out transport accessibility criteria that should be used to assess new development. These are minimum criteria to which new developments should conform. Tighter standards should be set in liaison with the council where appropriate.

The nearest appropriate bus stops should be compliant with the necessary disability legislation with raised kerbs. A shelter may be required on one or both

sides of the road depending on the location. Shelters should include seating and space for timetable information. In some locations other work will be required in order to make bus stops safe and to be able to install raised kerbs. Real-time information hardware should be provided where appropriate.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM28: Parking Standards

Links to CS11: Parking and North Somerset Parking Standards SPD (Nov 2013)

Policy aim

To ensure that new development is provided with adequate parking, which meets the needs of intended users and that parking problems are not created or exacerbated in the surrounding area.

Policy DM28

Development proposals should meet the council's standards for the parking of motor vehicles and bicycles. For any use not covered by these standards, provision will be assessed according to individual circumstances, having regard to the transport objectives of the council. Regard will be given to the provisions of any submitted Travel Plan.

Development will not be permitted if the car parking arrangements would unacceptably harm the character of the area or the safe and effective operation of the local transport network. Planning applications must demonstrate to the satisfaction of the council that the functional parking needs of the development can be accommodated on or close to the site without prejudicing highway safety or resulting in an unacceptable impact on on-street parking in the surrounding area.

In addition, adequate area must be provided for the parking of vehicles waiting to load or unload. The parking of these vehicles on the highway will not be acceptable where it leads to highway safety issues or unacceptable delay.

Justification

Sustainable development requires that alternatives to the private car are available wherever possible. However, cars are essential for many journeys in North Somerset and experience from recent housing developments has shown that providing fewer parking spaces can cause significant problems. The North Somerset Parking Standards SPD provides the current parking standards; this policy provides a wider context for assessing the parking aspects of proposed developments.

Delivery and monitoring

Car parking standards are determined at planning application stage in accordance with the Parking Standards SPD.

DM29: Car Parks

Links to CS11: Parking and Replacement Local Plan Policy T/4 Existing public car parks

Policy aim

To appropriately manage the demand for travel by car by ensuring that the provision of car parks is balanced with the need to promote wider travel choices.

Policy DM29

Re-development of car parks that would result in the reduction of off-street car parking spaces will only be permitted if:

- any net resulting increase in on-street parking would not unacceptably harm the character of the area, highway safety or the effective operation of the surrounding highway network; and
- the location has good access to other means of travel than the private car; or
- under-provision of car parking can be replaced with park & ride or multi-storey spaces, where appropriate; or
- a car park is operating under capacity and there is no likelihood of increased usage of the car park; or
- the community benefits that arising from the development outweigh the harm from the loss of car parking spaces.

Justification

Sustainable development requires that alternatives to the private car are available wherever possible. However, traditional shopping and employment centres need sufficient parking to ensure their vitality and viability in the face of out-of-centre competition. This policy ensures that the issues associated with the redevelopment of car parks are fully addressed.

Delivery and monitoring

Indicators to monitor the loss of car parks through planning applications will be added to and reported on the Annual Monitoring Report.

DM30: Off-airport car parking

Links to CS11: Parking and Replacement Local Plan Policy T/12 Bristol International Airport

Policy aim

To appropriately manage the demand for travel by car by ensuring that the provision of car parks is balanced with the need to promote wider travel choices and to protect the Green Belt from off-airport car parking.

Policy DM30

Outside of the Green Belt, airport-related car parking additional to that approved at Bristol Airport or acceptable under Policy DM50: Bristol Airport will only be permitted in association with existing overnight accommodation located on the same site, provided that the number of car parking spaces does not exceed three times the number of bedrooms.

Justification

This policy rolls forward the RLP approach, omitting references to Weston-super-Mare, where opportunities have now been discounted. It also tightens the definition of 'on site' parking related to overnight accommodation.

The Policy aim includes protecting the Green Belt from off-airport car parking. This aim is mainly achieved through Green Belt status itself, which precludes inappropriate development. Numerous appeal decisions have established that car parking is inappropriate development in the Green Belt, which should not be approved except in very special circumstances. The aim is also achieved by making alternative provision for airport-related car parking, while preventing an

over-provision that would discourage the use of alternative modes of travel to and from Bristol Airport.

Delivery and monitoring

DM31

This policy will be monitored through the Register of Off-Airport Car Parks and an indicator will be added to and reported on in the Annual Monitoring Report.

DM31: Air Safety

Links to CS30:Weston Villages, Replacement Local Plan policy T/13: Air Safety, the Department for Transport Circular 01/2010: Control of Development in Airport Public Safety Zones, ODPM Circular 01/03: Safeguarding Aerodromes, Technical Sites and Military Explosives Storage Areas: The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and NPPF, paras. 33 and 172.

Policy aim

To contribute to the safe operation of aerodromes in North Somerset by not permitting development that would prejudice this. Recognise the existing land use implications of the Helicopter Museum and safeguards the parameters associated with flight activity of the museum. Ensures safety and noise considerations are effectively addressed in relation to development proposals at the Weston Villages

Policy DM31

Planning permission will not be granted for development that would prejudice the safe operation of Bristol Airport or other safeguarded aerodromes.

Specifically, within the Public Safety Zones (1-in-100,000 individual risk contours) at Bristol Airport, shown on the Constraints Map, development will only be permitted in the following cases:

- an extension or alteration to a dwelling house which is for the purpose of enlarging or improving the living accommodation for the benefit of the people living in it, such people forming a single household, or which is for the purpose of a 'granny annex';
- an extension or alteration to a property (not being a single dwelling house or other residential building) which could not reasonably be expected to increase the number of people working or congregating in or at the property beyond the current level or, if greater, the number authorised by any extant planning permission;

Policy DM31

- a change of use of a building or of land which could not reasonably be expected to increase the numbers of people living, working or congregating in or at the property or land beyond the current level or, if greater, the number authorised by any extant planning permission;
- long-stay and employee car parking (where the minimum stay is expected to be in excess of six hours);
- open storage and warehouse development (excluding distribution centres, sorting depots and retail warehouses);
- development of a kind likely to introduce very few or no people onto a site on a regular basis;
- public open space (excluding children's playgrounds, playing fields or sports grounds), in cases where there is a reasonable expectation of low-intensity use;
- golf courses (excluding clubhouses);
- allotments; and
- other forms of development of which, in the opinion of the local planning authority, there is a reasonable expectation of low-density occupation.

Within the Public Safety Zones (1-in-10,000 individual risk contours) shown on the Constraints Map, development will only be permitted in the following cases:

- long-stay and employee car parking (where the minimum stay is expected to be in excess of six hours);
- built development for the purpose of housing plant or machinery, and which would entail no people on site on a regular basis; and
- golf courses (excluding clubhouses).

Parameters, including requirements for uncongested areas, associated with the 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.

The safeguarded corridor to allow safe and environmentally acceptable flight activity at the Helicopter Museum is shown on the Policies Map.

DM31

Justification

This policy rolls forward Policy T/13 of the North Somerset Replacement Local Plan and makes explicit those aspects relating to the Helicopter Museum at Weston-super-Mare, elaborating on Core Strategy Policy CS30.

Two planning tools are employed to ensure that development does not prejudice air safety: aerodrome safeguarding areas and Public Safety Zones (PSZ's).

Aerodrome safeguarding areas ensure that consultation takes place with the relevant aerodromes on proposals for tall structures and other development (e.g. that attracting large numbers of birds) that could affect the safety of aircraft in flight. A separate set of maps has been issued specifically concerning wind turbine development near to aerodromes. Consultation may lead to restrictions on the height or detailed design of buildings or on development which might create a bird hazard. However, a development will not necessarily be unacceptable simply because it needs to be the subject of consultation.

The outer boundary of the safeguarded area for Bristol Airport is indicated on the Policies Map, this notation is neither the responsibility nor the proposal of North Somerset Council. The separate safeguarding map for wind turbine development has a radius of 30km centred on Bristol Airport and therefore the whole of North Somerset is included.

Not all aerodromes are officially safeguarded. Operators of other aerodromes are advised to agree unofficial safeguarding arrangements with the local planning authority and this has been done for the Helicopter Museum at Weston. Government advice is relevant to both kinds of safeguarding, though the legal requirements do not apply to unofficial safeguarding. This policy applies both to officially and unofficially safeguarded aerodromes.

Public Safety Zones have been defined at the ends of the main runways at Bristol Airport to minimise risk on the ground in the event of a crash. Particular attention is to be paid to proposals that would significantly increase the numbers of people living, working or congregating within these areas.

Department for Transport Circular 01/2010: Control of Development in Airport Public Safety Zones introduces a general presumption against development within PSZ's. The permissible exceptions are listed in Policy DM46. The areas of the PSZ's correspond essentially to the 1-in-100,000 individual risk contours calculated for the airport, simplified for representation on a map. Within each zone is a smaller area, based on 1-in-10,000 individual risk contours, where the level of risk is such that development should only be acceptable if it involves a very low density of people coming and going.

Because the PSZ's are situated entirely within the Green Belt, any application within them will also be assessed against Green Belt policy.

Circular 01/2010 advises that the extent of each PSZ, and the associated 1-in-10,000 individual risk contours where applicable, should be indicated on the Policies Map.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

3. Delivering Strong and Inclusive Communities

DM32: High quality design and place-making

Links to CS12: Achieving High Quality Design and Place-Making, CS5:Landscape and Historic Environment and Replacement Local Plan policies GDP3: Promoting good design and sustainable construction, ECH/1: Amenity Areas and gateways to settlements

Policy aim

To ensure high quality design of buildings and places throughout the district

Policy DM32

The design of new development should contribute to the creation of high quality, distinctive, functional and sustainable places where opportunities for physical activity and recreation are maximised.

The design and planning of development proposals should demonstrate sensitivity to the local character, and the setting, and enhance the area taking into consideration the existing context. Design solutions should seek to enhance local distinctiveness and contribute to the creation of a sense of place and identity.

Proposals that reflect community aspirations and values will be encouraged. Proposals which cause unacceptable harm to the character or appearance of the area will not be permitted.

In determining whether the design is acceptable account will be taken of whether:

- the siting, soft and hard landscaping, levels, density, form, scale, height, massing, detailing, colour and materials are appropriate and respect the characteristics of the site and surroundings and are appropriate to its use and position within the landscape and/or townscape; and
- the site integrates with the surrounding environment including streets, paths and cycle ways, continuing successful local development patterns and creating an interconnected public realm; and

Policy DM32

- the design and layout should not prejudice the living conditions for the occupiers of the proposal or that of adjoining occupiers through loss of privacy, overlooking, overshadowing or overbearing impact; and
- the design helps to reduce water and energy consumption; and
- the design reflects the need to deter crime and enhance security; and
- where relevant, recommendations of a Design Review Panel have been taken into consideration.

The following will also apply as appropriate:

- where part of a wider proposed development, the design should take into account the future development potential of adjoining sites that are identified for development and not prejudice the comprehensive and coordinated development of a larger site of which it forms part;
- on developments of 100+ dwellings, the layout should use landmarks, focal points, views, clear routes, lighting, public art and signage in order to assist people to navigate throughout the proposed development. This will be supported by the production of masterplans and associated design principles. The use of design coding or other similar process should be considered if appropriate to the delivery of the development;
- the proposal should not prejudice the retention of private amenity space and should include private amenity space for any new separately occupied dwelling. Private amenity space should be appropriate for the type of development and the character of the area;
- private areas should create defensible spaces, allowing exclusive access providing areas for personal use and storage;
- account is taken of potential adverse weather conditions particularly in relation to the likely impacts of future climate change;
- provision is made for the storage of waste and recycling materials in locations that would not harm local amenity and that enable collection from the public highway;

Policy DM32

- management plans should be submitted for the long-term maintenance of all shared public and private spaces and facilities;
- proposals for lighting schemes should not be obtrusive. They should not have a demonstrably harmful impact on the living conditions of neighbours, significantly increase sky glow, cause glare or light trespass or impact on biodiversity.

Where relevant development proposals should have regard to the design and other related features set out in Supplementary Planning Documents and other guidance.

Justification

The policy sets out the criteria to be taken into account to ensure quality, distinctive, and functional design and to ensure developments are well suited to the existing context reinforcing local character and a sense of local identity. The policy seeks to avoid homogenous design that does not contribute to the local townscape/environment within which it sits.

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 local design principles for example established through Neighbourhood Plans, or Character Statements.

The policy seeks to ensure that through Design and Access Statements and a Statement of Community Involvement, a thorough assessment has been made of the site, surroundings and community aspirations and ensure this has informed the final design of the proposal.

The policy intends to support development at the identified 'Key Design Locations' within the Weston Villages Supplementary Planning Document through the production of Design Codes to facilitate high quality design.

This policy should also be read in conjunction with North Somerset Councils Residential design guides:

- Residential design guide: Section 1 – Living conditions of neighbours (SPD adopted Jan 2013)

- Residential design guide: Section 2 – Character and appearance (SPD adopted Sept 2013)
- Residential design guide: Section 3 – Parking (NSC March 2014)
- Residential design guide: Section 4 – Waste and recycling (NSC Sept 2014)

Delivery and monitoring

The policy will be delivered on a case by case basis through the discharge of conditions on planning approvals which directly relate to the design principles set out in this policy.

DM33: Inclusive access into non-residential buildings and spaces

Links to CS12: Achieving High Quality Design and Place-making, CS15: Mixed and Balanced Communities, CS2: Delivering Sustainable Design and Construction and Replacement Local Plan Policy GDP/3

Policy aim

To ensure that disabled and able-bodied people have equal access to the same buildings and spaces.

Policy DM33

The design of the public realm, shared amenity spaces and entrances into public buildings must be accessible for everyone who may wish to use a building, facility or area of open space on an inclusive basis. Designs should make no physical distinction between the people who are able to use them.

Where there are genuine barriers to designs incorporating a group of people's needs specific alternatives must be put in place. Alternatives must maintain an equal standard of service in a dignified and appropriate manner.

Applicants will be required to demonstrate in supporting documents such as the Design and Access Statement that inclusive access arrangements have been taken into account and included in the design solution. This should include:

- the siting, layout, design and orientation of the proposal;
- the movement around the site or building(s); and
- the access and egress from any buildings – including any necessary changes to the nearby public realm.

DM33

Justification

All buildings and spaces should be accessible to all members of society. The 2011 census found that 18.5% of the North Somerset population had a limiting long-term illness (LLTI) and that 33% of households in the district contained one or more persons with a LLTI. Unless buildings and locations are designed and adapted to meet their needs many disabled people will be excluded from everyday activities.

Whilst many services are now web or call centre based the vast majority of people work and use services which are located in traditional shops, offices or industrial premises. Unless these locations are physically accessible many people would be excluded in some way from using them.

Nationally, just under a third (29%) of adults with impairments found some buildings inaccessible compared with under a tenth (7%) of adults without impairments. Shops were found in 1 out of 3 cases to be inaccessible. (Source: Life Opportunities Survey, ODI (HM Government) 2009-10)

Details of how access will be achieved should be set out in the Design and Access Statement together with appropriate plans and submitted as a part of any application for a public building or space. Applicants should make reference to the "British Standard, BS 8300:2009+A1:201: Design of buildings and their approaches to meet the needs of disabled people. Code of practice." In support of their approach to provision for disabled people, applicants may make reference to relevant alternative authoritative research, evidence or professional opinions provided by people qualified in the specific field. Details should be submitted in a Design and Access Statement.

Delivery and monitoring

The requirements of this policy will be implemented and secured through the use of planning conditions. A monitoring system will need to be put in place to capture the delivery of these standards and assess whether the policy is effective going forwards. This will be done through the Annual Monitoring Report in future years.

DM34: Housing type and mix

Links to CS15 Mixed and Balanced Communities and Replacement Local Plan Policies: H/3 Residential Densities

Policy aim

To create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type.

Policy DM34

The housing mix and type proposed should be justified in the planning application through the Design and Access Statement or similar documents and should demonstrate how it meets local needs with reference to the latest SHMA or local needs surveys. The proposed development should help redress any identified imbalance in the existing local housing stock, meet the needs of local residents and contribute positively to the promotion of sustainable and inclusive communities and, in Weston-super-Mare employment-led regeneration.

The council will require proposals on strategic housing sites (100+ houses) to, where practical and viable, include a range of building types and tenures. Where there is evidence of demand proposals should also facilitate opportunities supporting those proposals which include small-scale local builders, individually designed homes and self-build and custom build schemes.

The emphasis at Weston Villages should be on family housing, although a range of accommodation is required to meet all ages, household sizes, choices and tenures.

Aspirational housing will be supported throughout Weston-super-Mare and as part of regeneration schemes. Ideally this should be in locations which help create an attractive image and establish a high quality status for the town.

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.

Retirement accommodation and supported independent housing aimed at older people will be required to comply with Policy DM40: Retirement accommodation and supported independent living for older and vulnerable people.

Policy DM34

Gated developments are not normally supported in the interest of establishing well integrated communities.

Within some of the more deprived areas, initiatives to increase the range and the quality of housing will be prioritised.

Justification

This policy sets out what is meant by the term 'mixed and balanced community' within the North Somerset context. 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.

Within Weston town centre support will be given to high quality high rise flats as part of the regeneration strategy based on high density urban living in the town centre.

North Somerset has considerable variation in the size and affordability of its housing stock. In most villages and rural areas but particularly in the Green Belt the lack of smaller market and affordable housing is an issue for local people. On the other hand parts of Weston-super-Mare has seen the conversion of family housing into poor quality one bedroom flats which causes social and physical problems in some areas. Evidence from Council Tax records also shows that Weston has far fewer dwellings in the upper Tax Bands (E-H) than elsewhere in the District. It is therefore proposed that as part of the regeneration and employment led strategy for Weston a proportion of the homes should be aspirational (see glossary for a definition of aspirational housing).

Much of the public criticism of recent housing development has arisen due to what is seen as mass housing estates often developed by a limited number of volume housing builders. Within this model there has been little opportunity for individuals or local small builders and architects to produce innovative and unique housing designs. Opportunities to redress this and allow self-build schemes on both small sites and as part of larger developments will be encouraged.

An increasing proportion of people are working from home either full time or occasionally. Many of these do so quite happily from standard housing. However not all housing and locations are suitable particularly if the work generates additional traffic and delivery of goods or requires workshop space. Some groups of live/work units may benefit from clustering together to share services

or locate in places removed from other residential areas. These new ways of working will be encouraged in appropriate locations especially where it reduces the need to commute.

Gated development may address security concerns, however they restrict public access and therefore choice. This is considered divisive as it reduces social, visual and physical permeability and actively works against engendering community and social cohesion.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. An indicator regarding the number of self-build schemes will be added to the Annual Monitoring Report to monitor this new element of the policy.

DM35: Nailsea housing type and mix

Links to CS15 Mixed and Balanced Communities and Replacement Local Plan Policies: H/3 Residential Densities

Policy aim

To redress the current imbalance in property type in Nailsea and to create a vibrant and balanced community for future years.

Policy DM35

The council will require new housing developments of 5 or more dwellings within the administrative boundary of Nailsea town council to provide a mix of housing types to meet the needs of current and future populations, create a balanced age structure which will support the sustainability of the town and enable existing residents and future generations to stay within the local area. Proposals for new residential development within Nailsea and on allocated sites will be permitted provided they contain a range of housing types which meet the needs of the local population. In particular new housing developments should, where practical and viable, contain some or all of the following categories:

- One bedroom properties
- 2-3 bedroom properties aimed at young families
- A range of 2-3 bedroom properties, including houses, apartments and bungalows, aimed at people downsizing from larger properties.
- Age-restricted retirement properties

Policy DM35

The larger the site the greater the range of housing types expected. Developers should set out in a statement clear Justification for the mix proposed and how this meets the local needs.

- On housing developments of 10+ dwellings (or on sites of 0.3 hectares or above) no more than 20% of new dwellings will be 4 bedrooms or more (after taking account of the allocation of affordable housing).
- Housing developments comprising 5-9 dwellings no more than 2 dwellings will be 4 bedrooms or more (after taking account of the allocation of affordable housing).

Justification

Nailsea has an imbalance in the age structure of the town whereby there is a rapid decline in the number of residents under 45 years old and a disproportionate increase in older age groups as the total population falls. This age imbalance is a natural consequence of the rapid growth of the town whereby younger families settled in the town (primarily for work related reasons) largely in the 1970s and 1980s.

This period saw a predominance in larger (four bedroom or more) houses being built. Many are now under-occupied as children have moved away from the town but their parents still reside in the family house. Many smaller properties have been extended which also contributes to the existing over-supply of 4-5 bed properties.

As residents age these properties can prove to be too large for their needs, and they may look for the opportunity to downsize to smaller properties in the town. It is therefore the intention to provide a wider mix of properties within all new developments with the emphasis on smaller dwellings to meet these needs.

Equally, in order to redress the imbalance for younger people who are seeking to buy a property in the town but cannot afford to do so it is necessary to seek a higher proportion of smaller dwellings in all new developments and at affordable prices. This will be of benefit for those younger persons wishing to settle in the town, and over time will have the effect of helping to redress the age structure imbalance that currently exists.

The aim of this policy is to seek a higher proportion of smaller dwellings to meet the identified needs within Nailsea for both younger persons seeking housing and older people wishing to downsize from larger properties. This policy is intended

to redress the current imbalance and to create a vibrant and balanced community in future years.

Delivery and monitoring

Indicators will be included in the AMR to monitor in particular the number of 4 bedroom dwellings being built on housing developments of more than 10 dwellings. This will be reported on annually through the North Somerset Annual Monitoring Report to assess whether the policy is achieving its aim of limiting the number of 4 bed properties being built in the town.

DM36: Residential densities

Links to Replacement Local Plan Policy H/3 Residential Densities

Policy aim

To encourage a range of densities appropriate to its context and encourage higher densities at accessible locations. Respect lower densities particularly in rural locations and other sensitive areas.

Policy DM36

Residential development should optimise the potential of the site to accommodate development whilst protecting or enhancing the distinctiveness and character of the area.

In determining the appropriate density for a particular site, particular attention will be given to:

- the physical characteristics of the site;
- the character of the locality and neighbouring buildings;
- the proximity to public transport opportunities, transport corridors, cycle routes and pedestrian linkages;
- the mix of dwellings and the development's contribution to forming balanced communities;
- the proximity to community facilities and employment opportunities; and
- parking should meet the councils parking standards.

Justification

Minimum density levels are no longer specified in national planning policy. However, the Core Strategy aims to achieve a target density across North Somerset of 40 dwellings per hectare. Whilst individual site densities will need to be determined according to the characteristics of the site and location the NPPF is clear that development should optimise the potential of the site to accommodate development. This in turn minimises the need to allocate further, possibly greenfield sites for development.

- In assessing the appropriate density a flexible approach will be required which ensures that;
- efficient use is made of land and reduces the need to use greenfield allocations in the countryside or on the edge of towns; and
- ensures the level of development does not detract from the character of the area; and
- promotes excellence in design and layout – the precise density will need to be determined according to the site's immediate context, constraints, accessibility, the type of development proposed and the need to promote mixed and balanced communities.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM37: Residential development in existing residential areas

Links to CS12: Achieving High Quality Design and Place-Making and Replacement Local Plan Policies GDP3: Promoting good design and sustainable construction and H/7 Residential Development within settlement boundaries

Policy aim

To ensure new residential development is not squeezed into inappropriate locations or gardens and ensure new development is in keeping with the character of the surrounding area.

Policy DM37

Any proposal for new dwellings on infill, backland plots, garden land or other sites within predominantly residential areas will only be permitted if it does not adversely affect the character of the area.

Proposals will be permitted provided:

- the siting of the building(s) on the new plot(s) and layout respects the existing street scene;
- the plot sizes of both the new and existing property are in keeping with nearby properties;
- gardens are an appropriate size for both the proposed new and existing dwelling; and
- the design, form, scale and building materials are in keeping with the area;
- parking standards should be met for both the existing and proposed properties;
- it would not harm the street scene and local area. This includes the loss of characteristic boundary features, original estate layout landscaping or visually important trees; and
- the living conditions of the occupiers and adjoining properties would not be prejudiced.

Justification

The development of plots of land within an existing residential area can be an emotive issue for existing residents. Whilst the use of gardens and other spaces for additional housing can play a role in increasing the supply of housing in built up areas and in some instances make good use of the land the development of sites and gardens for additional housing can sometimes lead to a harmful change in the character of the residential area. In traditional suburban areas and villages this can adversely affect the character of the area by increasing density, altering the street scene, reducing the amount of mature trees and shrubs, causing a loss of biodiversity, increasing the need for car parking both on street and on site as well as increasing domestic paraphernalia.

Changes to the definition of previously developed land now excluded garden land. However, this does not by itself prevent infilling on gardens.

North Somerset Council's policy approach set out above aims to only permit development if it is in keeping with the character of the area and complies with the other policies in the plan and design guidance.

This policy should therefore also be read in conjunction with North Somerset Council's Residential design guides:

DM37

- Residential design guide: Section 1 – Living conditions of neighbours (SPD adopted Jan 2013)
- Residential design guide: Section 2 – Character and appearance (SPD adopted Sept 2013)
- Residential design guide: Section 3 – Parking (NSC March 2014)
- Residential design guide: Section 4 – Waste and recycling (NSC Sept 2014)

In assessing any proposals the Local Planning Authority will have regard to any Townscape or Village Character Assessment, parish, town or Neighbourhood Plan. Proposals will also need to comply with policy DM12 (Development within the Green Belt) and Policy DM1 (Flooding and drainage)

Delivery and monitoring

Indicators will be added to the AMR to monitor this policy through number of applications on infill sites in residential areas and whether they meet the criteria set out in the policy.

DM38: Extensions to dwellings

Links to CS12 Achieving High Quality Design and Place-Making, CS11: Parking and Replacement Local Plan Policies H/7: Residential Development within settlement boundaries and T/6: Parking standards

Policy aim

To provide the criteria for judging the appropriateness of residential extensions, to including the affect of the proposal on the existing house, the impact on the setting, street scene and local area, and the effect on the quality of life for the occupiers and neighbours

Policy DM38

Proposals to extend existing residential properties and construct new outbuildings which are ancillary to the main residential use will be permitted provided they:

- respect the massing, scale, proportions, materials and overall design and character of the existing property.
- do not harm the street scene or local area. This includes the loss of characteristic boundary features, original estate layout landscaping or visually important trees; and
- would not prejudice the living conditions of occupiers of adjoining properties and ensures the retention of adequate private amenity space, and take account of the councils parking standards.

Justification

This policy is aimed specifically at residential extensions and new outbuildings which are ancillary to the main residential use. Extensions to residential properties can play an important role in upgrading the existing housing stock. However, in assessing the suitability of any proposal there are three main issues to consider; the effect of the proposal on the existing house; the impact on the setting, street scene and local area; and the effect on the quality of life for the occupiers and neighbours.

Residential annexes are dealt with in policy DM43. For proposals to extend dwellings which are in the Green Belt the above policy needs to be read in conjunction with policy DM12: Development within the Green Belt. Proposals

within Conservation Areas or involving Listed Buildings will also need to comply with Policies DM3 and DM4.

This policy should also be read in conjunction with North Somerset Councils Residential design guides:

- Residential design guide: Section 1 – Living conditions of neighbours (SPD adopted Jan 2013)
- Residential design guide: Section 2 – Character and appearance (SPD adopted Sept 2013)
- Residential design guide: Section 3 – Parking (NSC March 2014)
- Residential design guide: Section 4 – Waste and recycling (NSC Sept 2014)

Delivery and monitoring

No monitoring needed.

DM39: Sub-division of properties

Links to CS15: Mixed and Balanced Communities and Replacement Local Plan Policy H/6: Flats, conversions and housing in multiple occupation.

Policy aim

Reduce the concentrations of one bed flats in areas where there are increasing social problems and restore more mixed and balanced communities in these areas.

Policy DM39

Within the Areas of Restricted Subdivision shown on the Policies Map no further conversions from houses to self-contained flats or Houses in Multiple Occupation will be allowed. Any further subdivision of flats previously converted will not be permitted.

Outside of the Areas of Restricted Subdivision, but within settlement boundaries the conversion of dwellings and other buildings, including extensions and outbuildings to form self contained accommodation and Houses in Multiple Occupation will be permitted provided that:

- the proposals will not have a harmful effect on the character and living conditions of the property, adjoining properties and local area; and
- a satisfactory standard of accommodation and living conditions are provided and that the proposal does not create an over-intensive use of the site; and
- the development will not singularly or cumulatively contribute to an unacceptable change in the balance of types of properties in one street or area; and
- parking should meet the councils parking standards.

Justification

Whilst the creation of self-contained flats and the subdivision of large properties can help to meet housing need, in some instances their provision can be detrimental to the amenity of existing residential areas. For example, large numbers of flats can lead to problems such as a shortage of on street parking and bin storage areas. In addition, areas with high numbers of flats are often associated with low levels of owner occupation, which in some instances can lead to lower standards of maintenance and environmental decline

(thereby prejudicing environmental improvement and regeneration objectives). Furthermore, the cumulative impact of converting larger dwellings to flats can have a detrimental impact on maintaining mixed and balanced communities by reducing the number of family homes available within an area and increasing the numbers of single person households. This can in some instances be associated with problems of noise and antisocial behaviour.

Areas of Restricted Subdivision (ARS)

DM39

The policy of resisting the conversion of family housing to flats or HMO's in certain areas of Weston-super-Mare aims to:

- restore more mixed and balanced communities in these areas;
- reduce the concentrations of one-bed flats in certain areas where there are increasing social problems;
- address some of the practical issues that the conversions from traditional housing to flats cause in terms of shortage of on street parking, noise, waste storage etc.;
- prevent environmental decline, as lower levels of owner occupation can, in some instances, also lead to lower standards of maintenance.

Some typical terraced residential streets in parts of Weston have around 50% of the properties subdivided into smaller units. A point at which over-saturation with subdivided properties is detrimental to both the area and supply of family homes varies according to the local characteristics of the street, size of the original property and historical context. However three main areas have been identified determined by a range of factors including;

- The proportion of subdivided properties.
- Demographic/social issues
- Parking and bin storage problems
- The nature and size of the original properties
- Historical and local characteristics of the street
- Future risk of flooding

Outside the Areas of Restricted Subdivision (ARS)

Outside the Areas of Restricted Subdivision, Policy H/6 has been amended and rolled forward. Changes in legislation relating to Houses in Multiple Occupation (HMOs) have been introduced since the Replacement Plan was adopted. This changed the requirement to obtain planning permission for a change of use

between a dwelling and some forms of HMO. Nevertheless the policy approach is to avoid the further clustering of HMOs which require planning permission where this would cause an unacceptable change in the balance of types of properties in that area.

The subdivision of previously converted rural buildings will also be subject to policies DM45: The conversion or re-use of redundant rural buildings to residential use and DM57: Conversion, reuse and new build of rural buildings for visitor accommodation in the countryside.

Delivery and monitoring

Indicators set out in the Core Strategy Monitoring Framework already monitor the sub-division of properties. This will be expanded to monitor application for the sub-division of properties specifically in the Areas of Restricted Sub-division. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

4. Older and vulnerable people

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

Links to CS26: Supporting Healthy Living and the provision of health care facilities, CS15: Mixed and Balanced Communities, Replacement Local Plan Policy H/11: Housing with care and/or support for vulnerable people

Policy aim

DM40

To support the provision of accommodation aimed at achieving various degrees of independent living for older or vulnerable people on all new major residential developments and support developments aimed at independent living elsewhere within certain criteria.

Policy DM40

The council will support retirement accommodation and supported independent living for older and vulnerable people provided that:

- it is located within the settlement boundary;
- shops, public transport, community facilities and medical services can be reached easily by those without access to a car, as appropriate to the needs and level of mobility of potential residents; and
- it will provide an appropriate standard of facilities, independence, support and/or care.

For all residential schemes of 100 dwellings or more developers will be required to assess the need for retirement and supported independent living schemes and make appropriate provision dependent on suitability and viability. This should be set out in the design and access statement or similar document.

Justification

As the population ages, providing a range of different types of accommodation to meet the varying needs and aspirations of this sector of the community need to be provided. Most people wish to remain in their own homes for as long as possible and national and local health and social care policy is aimed to support this through

increased investment in telecare, and tele-health and a focus on re-enablement. This will extend the suitability of homes that can be adapted to meet specific needs.

There is also likely to be increased demand for a variety of types of schemes that support a level of independent living like close care developments and Extra Care facilities. These will typically replace traditional residential and nursing provision, albeit especially for dementia services, care homes will remain an alternative choice for people who no longer wish to or are unable to remain in their original homes and for other people who are unable to care for themselves without limited support.

The council will therefore support a range of different types of developments aimed at providing independent accommodation for older and vulnerable people. This is also seen as a more cost effective alternative for the local authority than residential care. These are likely to include a range of property types and tenures and levels of services which help support residents. This will range from owner occupied retirement living accommodation aimed at the active 65+ age group to extra care schemes and similar developments which offer high levels of support and nursing care for older people that combine independent living with support.

As it is predicted that there will be an increase in the demand for accommodation aimed specifically at older people and in order to achieve mixed and balanced communities all new major residential developments (100+) will be expected to assess the local demand and provide some schemes which support independent living. The proportion is likely to depend on local demand together with an assessment of future needs. An over provision of care homes which would increase in-migration of the 65+ age group would not be supported. The Strategic Housing Market Assessment (SHMA) will form the evidence base for assessing need for retirement and supported independent living schemes.

In addition to ensuring sufficient provision is made, the plan seeks to ensure that it is provided in appropriate locations. This means within settlement boundaries in locations that are characterised by high standards of accessibility to local services and facilities. Integration with the local community or neighbourhood can play an important role for many residents. As such, isolated locations which are difficult to access will not be favoured. Different schemes will undoubtedly have residents with different degrees of mobility however accessibility considerations for staff, residents and visitors will need to be at the forefront in decision making. Locations outside of settlement boundaries are not regarded as appropriate. Communal facilities needed to support the schemes on site will need to be readily accessible and developed at the same time as the housing.

Retirement villages which combine a range of independent, supported living and limited care home provision (and which blur the edges of C2 and C3 uses) should be located in accessible locations to meet the needs of both residents and staff. Isolated retirement communities separated from the existing community and that are poorly integrated with the neighbourhood or village will not be supported.

The design of retirement accommodation and supported independent living schemes will be in accordance with policy DM32: High quality design and place-making and Policy DM42: Accessible and adaptable housing.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM41: Nursing and care homes for older people and drug and alcohol rehabilitation units

Links to CS26: Supporting Healthy Living and the provision of health care facilities, CS15: Mixed and Balanced Communities, Replacement Local Plan Policy H/11: Housing with care and/or support for vulnerable people

Policy aim

To limit the provision and extension of care homes unless they replace an existing one and there is a continuing need, or there is insufficient provision locally to meet an identified need for that type of specialist care.

Policy DM41

Planning permission will be granted for extensions that would result in extra capacity to, or new residential care or nursing homes within Class C2 of the Use Classes Order (including the change of use of an existing property) provided:

- the new proposal replaces an existing similar sized care home in North Somerset which will no longer be used for that purpose and there is a continuing identified local need; or where it can be demonstrated that there is insufficient provision in the locality to meet local need for that type of specialist care; and
- the proposal is within a defined settlement boundary or is a conversion of an existing property or on previously developed land; and
- the proposals itself or in conjunction with other similar uses or proposals nearby, will not harm the overall environmental, social or economic character of the surrounding area and/or character and amenities of adjacent properties; and

Policy DM41

- sufficient outdoor space is available to meet the needs of the residents either within the curtilage or in reasonable proximity.

Where appropriate, conditions will be attached to any new proposal to restrict any subsequent change of use to an alternative type of care home or use.

Justification

Currently North Somerset has a higher proportion of residents aged over 65 in care homes than virtually all other local authorities. Whilst we have an ageing local population provision for older people is changing as more people want to remain in their own homes or live as independently as possible. This shift in priority and aspirations from residential care to supporting independent living can only be managed to a limited extent through the planning system. However, in order to ensure that more mixed and balanced communities are achieved the council will not support additional care homes for older people unless it meets a demonstrated local need. The provision of speculative care homes which attract in-migrants will not be supported.

Similarly whilst efforts have been made recently to reduce the number of beds for registered drug and alcohol care, North Somerset still provides 9% of the care across England. By restricting (through conditions if appropriate) the number of new beds which can be provided to that which meets only local needs and by conditioning any new permissions for care homes so that they cannot change use from one type of residential institution to another without planning permission this will help to ensure care is provided for local people but at the same time additional people are not attracted into the area from elsewhere.

Many existing care homes particularly in Weston-super-Mare and Clevedon have been converted from other uses and are in need of updating and modernising to current standards. Often modern standards and aspirations are difficult to achieve in some of the older properties therefore replacements either on the same site or elsewhere which upgrade the quality of provision will be supported, subject to demonstrable local needs for the continued service and as long as an alternative use is proposed for the existing building or site.

Even with a move away from care homes as the main provision for elderly care, specialist dementia care, other nursing facilities and specialist provision will be required in the future. In order to control speculative developments which do not cater for the needs of local residents and attract people into the area applicants will need to demonstrate that there is insufficient capacity to meet local need. This will also help

to direct provision to parts of the district where there is currently less provision. The council will expect that care should be delivered through a Care Quality Commission registered service and that before any new proposal for a care home is submitted the developer should be engaged with Adult Social Services.

In addition to ensuring that care is provided for local needs the plan seeks to ensure that provision is made in appropriate locations. On the whole this means locations which are characterised by high standards of accessibility to local services and facilities. Integration with the local community or neighbourhood can play an important role for many older people in residential institutions and as such isolated and locations which are difficult to access will not be favoured. Other groups may prefer more restricted locations however accessibility considerations for both staff and residents and visitors will need to be at the forefront in decision making. Locations outside of settlement boundaries are not generally regarded as appropriate.

DM41

An over-concentration of residential care homes for older people and for drugs and alcohol rehabilitation units can have an undesirable effect on neighbourhoods in terms of loss of residential character, increased traffic and commercial activity. Similarly the social and economic impact can impinge on the local community. At present many of the homes are located where larger properties dominate and historically have been conversions from some of the seaside accommodation and villas in Weston-super-Mare and Clevedon. With higher physical standards being set and rising aspirations from residents older period properties are becoming less suitable as care homes. As these close to be replaced by purpose built accommodation new uses will need to be found for these premises.

Where proposals for care homes do involve the conversion of an existing period property particular attention will be taken of the effect of the proposal on the architectural and historic features of the property and its surroundings. Properties should usually have sufficient amenity space for residents to enjoy the gardens and to provide adequate parking in line with the council's parking standards. Extensions to care homes which reduce the amount of space to unacceptable levels will generally not be permitted.

Residential care homes and nursing homes fall within the same general use category (Class C2 of the Use Classes Order) as other types of establishments. Because they are often located in residential areas and require very specific control, permissions of this kind will be limited to the particular use described and not allowed to change between uses within Class C2. The council will impose conditions on any new planning permissions restricting the specific use in order to protect the environment and amenity of the locality.

Delivery and monitoring

The amount and location of care home bed spaces by type is currently monitored through indicators set out in the Core Strategy Monitoring Framework. A further indicator to monitor the change in number of supported living establishments across the district will also be added to the Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM42: Accessible and adaptable housing and housing space standards

Links to CS2: Delivering sustainable design and construction. This will update the CS policy reflecting changes to national policy and practice in this area.

Policy aim

To create homes which provide greater choice and independent living over the long term.

Policy DM42

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.

The appropriate proportion will be based on the evidence of need and will be subject to feasibility and viability.

Where practical and viable, the Council expects all new build market and affordable housing (across all tenures) to comply with the DCLG's 'Technical housing standards – nationally described space standard'.

In relation to accessible and adaptable housing the policy will be reviewed within two years of adoption to establish specific targets in line with paragraph 009 of the planning practice guidance.

Justification

Category 2 homes are broadly comparable to Lifetime Homes standard and are an optional intermediate standard set out in the Building Regulations. Changes to the national context mean that the delivery of accessible housing has been made optional requiring local planning authorities to prepare local policies to require

certain standards to be achieved. These policies have to be based on evidence of need and take viability into account.

Category 2 standards provide a higher level of accessibility and adaptability than Category 1 dwellings. The Nationally Described Space Standard is the appropriate space development standard for new build market and affordable housing. These new standards are broadly in line with the space standards currently contained within our existing AH SPD (2013) which were widely consulted on during the AH SPD adoption process. Furthermore, our development standards were viability tested as part of the Core Strategy.

Delivery and monitoring

DM42

The standard set out in this policy will be required through planning condition where considered necessary and subject to viability. The Core Strategy Monitoring Framework currently monitors the percentage of new dwellings on sites of 10 or more houses that are delivered to Lifetime Homes Standards. This will be updated to reflect the number of homes built on sites of 10 or more to Category 2 standard set out in the Building Regulations. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM43: Residential annexes

Links to CS12: Achieving High Quality Design and Place-making and Replacement Local Plan Policy H/7: Residential development in settlement boundaries.

Policy aim

To support residential annexes where appropriate.

Policy DM43

Proposals for residential annexes will be permitted within settlement boundaries provided that they are of a good quality design and do not cause significant adverse impacts on the living conditions of adjoining occupiers.

Outside settlement boundaries annexes will only be permitted where they are clearly a physical extension to the main dwelling, do not exceed 50% of the floor area of the existing dwelling and can be incorporated into the main dwelling once there is no longer a need for the annex. Proposals which are not designed as an integral part of the house will not be permitted.

Parking for residential annexes should meet the councils parking standards.

Justification

'Granny annexes' and other types of residential annexes provide a way of supporting older people or other family members who need limited support to live relatively independently but with relatives or carers on hand to provide support as required. Residential annexes can offer a way of addressing this need.

In the towns and service villages subject to other policies in the plan, in particular those regarding design and garden grabbing, annexes will be permitted as conversions, extensions or in the form of new detached buildings within the grounds of existing dwellings.

However, national policy and the Core Strategy do not promote additional residential development in the countryside. There is concern that the promotion of residential annexes in the countryside could lead to detrimental impacts on the countryside and result in pressure in the future to permit the annex to be sold or let as an independent unit. In order to address these concerns residential annexes in these areas must be in the form of physical extensions to the main building which are capable of being integrated into the house when no longer needed. Proposals for residential annexes in the countryside should not exceed 50% of the size of the existing dwelling at the time the application is submitted. Stricter controls are likely to apply regarding the size of proposed extensions in the Green Belt and proposals will therefore also need to comply with policy DM12: Development within the Green Belt.

All annexes both in the towns, villages and countryside would need to comply with design standards set out in the Plan particularly in relation to DM32: High quality design and place-making, DM37: Residential development in existing residential areas and North Somerset Councils Residential design guides:

- Residential design guide: Section 1 – Living conditions of neighbours (SPD adopted Jan 2013)
- Residential design guide: Section 2 – Character and appearance (SPD adopted Sept 2013)
- Residential design guide: Section 3 – Parking (NSC March 2014)
- Residential design guide: Section 4 – Waste and recycling (NSC Sept 2014)

Delivery and monitoring

This policy will be monitored on a case by case basis and reported in the Annual Monitoring Report where appropriate.

5. Dwellings in the Countryside

DM44: Replacement dwellings in the countryside

Links to CS33: Smaller settlements and countryside and Replacement Local Plan Policy H/8: Residential development in the countryside.

Policy aim

Restrict isolated residential development in the countryside unless there are special circumstances such as replacement dwellings and protect the countryside from inappropriate sized dwellings that would harm the character of the area.

Policy DM44

The replacement of a single permanent dwelling in the countryside will be permitted, provided that:

- the dwelling it replaces has an existing lawful permanent residential use; and
- the dwelling has not been abandoned; and
- the dwelling has not been granted planning permission for the conversion from a non-residential building; and
- the dwelling is not a designated or undesignated heritage asset; and
- the replacement dwelling is within the same curtilage, is not out of scale and character with the surrounding area and its design and siting will not harm the character of the area, the living conditions of its own or adjoining occupiers; and
- the replacement dwelling is no more than a 50% increase in the size of the dwelling it replaces, providing that the dwelling itself is not a replacement dwelling.

Justification

Residential development in the countryside is strictly controlled. However replacement dwellings in the countryside will be allowed on a 'one for one' basis if there is an existing lawful, permanent residential use to be continued. The policy does not apply to unlawfully occupied or constructed buildings and mobile homes or to buildings with occupancy conditions which restrict their

use on a temporary basis or to non permanent occupation e.g. holiday lets. The replacement of a former rural building that has previously been converted to residential use from a non-residential use e.g. barn conversions will not be permitted as the purpose of permitting the original conversion will have been based on the aim of reusing an existing building which was assessed as being of permanent and substantial construction and capable of conversion without major or complete reconstruction.

Evidence may also be required to demonstrate that the building has not been abandoned. Proposals to rebuild on site where the dwelling has been abandoned or has already been demolished will be assessed as a new build and will not normally be permitted.

Proposals to replace dwellings which are Listed Buildings or which have been identified as being of local or regional historical importance or contribute to the locally distinctive rural environment will only be acceptable where the proposals accord with Core Strategy Policy CS5 (Landscape and the historic environment) and the NPPF. These proposals will not normally be permitted and the council will seek repair not replacement.

In principle, the replacement of an existing permanent dwelling on a similar 'one for one' basis is unlikely to harm the character of the countryside. However, siting, design and materials must all be appropriate to the location. Special regard should be paid to the use of appropriate building materials. The reclamation and re-use of appropriate traditional or natural materials from the demolished property may be required by condition. The size of the replacement dwelling will be assessed on the size of the existing dwelling at the time the application is submitted irrespective of any outstanding unimplemented planning permission(s) for extensions to the property.

The replacement dwelling should be sited on or close to the site of the existing dwelling in a position that is most advantageous in terms of minimising visual impact and of the relationship with adjoining uses and highway access and road safety. Where the replacement is not on the exact same site conditions will be imposed on the permission to ensure the demolition and removal of the existing dwelling. Applicants will need to include details in the application regarding the sustainable reuse and disposal of waste from the demolition.

The council is concerned to maintain the essential rural nature and distinctiveness of the countryside. The replacement of small country dwellings with more grandiose houses can radically change the character of a site to one of a more suburban nature and also reduce the supply of the smaller rural dwellings. A replacement dwelling, when clearly disproportional to the original, can be tantamount in its impact to a new dwelling and can therefore undermine both

national and local policies on restriction of new development in the countryside. Even where a site is well screened there is a wider concern to maintain the essential rural nature and qualities of the area.

Preventing the over development of sites, visual intrusion into the countryside and need to ensure a supply of housing to meet the needs of the rural population require that significantly larger dwellings will not be permitted. The size of the replacement dwelling should therefore not exceed a 50% increase in floorspace of the dwelling it is replacing providing that dwelling is not itself a replacement dwelling. It should also respect the predominant character of existing properties in the area. Floorspace contained in ancillary buildings no longer required for their original use will only contribute towards the floorspace of the replacement dwelling if in close proximity to the original dwelling and if physical improvements or visual gains could be achieved by their removal.

DM44

All proposals for replacement dwellings will need to comply with the other policies in the plan. In particular applicants are directed to the following policies: DM12: Development in the Green Belt, DM8: Nature conservation (an ecological survey may be required especially if the existing building has bats in the roof), DM10: Landscape and DM32: High quality design and place making.

The replacement of residential caravans or mobile homes, which do not benefit from a permanent planning permission, with permanent buildings will only be permitted in accordance with Policy DM46: Rural workers dwellings.

Delivery and monitoring

An indicator will be added to the Annual Monitoring Report to monitor, through planning applications, the number of dwellings that are replaced in the countryside each year.

DM45: The conversion or re-use of rural buildings to residential use.

Links to CS33: Smaller settlements and countryside and Replacement Local Plan Policy H/8: Residential development in the countryside.

Policy aim

Restrict isolated residential development in the countryside unless there are special circumstances such as the conversion of rural buildings.

Policy DM45

The conversion or re-use of rural buildings for residential use will be permitted provided that:

- they are of permanent and substantial construction and capable of conversion without major or complete reconstruction;
- any extension as part of the conversion or subsequently should not be disproportionate to the original building and respect the scale and character of the building and its setting;
- the proposal would result in an enhancement of the immediate setting, and the impact of external facilities (such as curtilage treatment, parking) is minimal and landscaping respects the local rural character;
- any architectural and historic significance of the building and its setting is conserved;
- it would not have a significant adverse effect on the living conditions of adjoining occupiers or adversely affect the operation of working farms; and
- the building is not in an isolated location remote from a settlement with a range of services and facilities or where access to those services and facilities would be poor.

Notes:

To meet the test of 'capable of conversion without major or complete reconstruction' 70% of the original exterior walls should be standing and in good condition and the building should have a roof.

Justification

Agricultural diversification may result in proposals for the re-use of farm buildings. Non-agricultural buildings in the countryside may also fall into disuse for various reasons. Government policy encourages the re-use and adaptation of rural buildings. Re-use of these buildings can assist the rural economy by helping to meet the demand for workspace for rural businesses or by providing holiday accommodation. However, buildings remote from main roads and settlements will require particular consideration in terms of the potential for visual intrusion associated with re-use and the access and other services running to them.

Conversion of buildings for employment or recreational uses (including tourist attractions) or for holiday accommodation can help the rural economy and benefit the local community. The council considers such uses are generally preferable to residential conversion which does little to help the rural economy and can harm the character and setting of some buildings. Indeed, not all buildings in the countryside will be suitable for conversion and the council will need to be satisfied that all the criteria in the policy are met.

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. As the fabric of the building will embody its character and interest, as much as possible should be retained. Good practice advice prepared by Historic England is available to help inform a sensitive approach to any conversion.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM46: Rural workers dwellings

Links to CS33 Smaller settlements and countryside and Replacement Local Plan Policy H/9: Rural workers dwellings.

Policy aim

Restrict isolated residential development in the countryside unless there are special circumstances such as essential rural workers dwellings.

Policy DM46

The erection of dwellings in the countryside for full time workers in agriculture, forestry, or other land-based rural businesses will be permitted provided that the applicant provides an appraisal that demonstrates:

- the dwelling is required to satisfy a clearly established existing and long-term functional need to live permanently at or within the immediate area of their work; and
- the agricultural, forestry or land based use (excluding other elements) have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so; and
- the need could not be fulfilled by another existing or recently disposed dwelling on the unit or any other accommodation or building capable of conversion in the area which is suitable and available for occupation by the worker concerned; and
- the proposal is satisfactorily sited in relation to the agricultural or forestry unit and, wherever possible, is sited within a hamlet or existing group of buildings (in particular, that the need for a new vehicular access is where practical avoided); and
- the proposed floor space of the dwelling does not exceed 150 square metres.

Where the need and location for a rural workers' dwelling have been accepted under the above criteria except for the economic viability of the unit, the council may permit temporary accommodation for up to three years in a caravan or mobile home, provided that there is clear evidence that the enterprise has been planned on a sound financial basis with a firm intention and ability to develop it.

Planning permission will be granted only subject to a condition limiting occupation to the rural workers and their dependants. Where a second or further dwelling is permitted on a holding, a condition will be imposed on any unrestricted existing dwellings to similarly limit their occupation.

The removal of an occupancy condition will not be permitted unless it can be demonstrated that there is no need for the dwelling on the unit or in the locality, nor is a need likely to arise in the foreseeable future, and that there has been a genuine and unsuccessful attempt to market the property at a realistic price that reflects the agricultural tie.

Justification

Farmers are now encouraged to diversify their activities and supplement their income from enterprises other than normal food production. In some cases, this may lead to demand for on-site residential accommodation for non-agricultural enterprises (for example, where livestock are kept as part of a leisure or tourism-based enterprise). As with proposals for farm dwellings, both the need for such dwellings and the viability of the enterprise must be adequately demonstrated. 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.

Establishing need

DM46

Applicants will be required to submit an appraisal justifying an exception to the general policy of restraint. To ensure a high quality and impartial assessment, appraisals are best prepared by:

- a Member of the British Institute of Agricultural Consultants;
- other consultants demonstrating qualifications and experience in the subject area.

The appraisal should provide the following information:

- existing accommodation on the unit and how it is occupied; the purpose of the new dwelling and how important it is for the operation of the unit;
- whether the new building is necessary rather than convenient, i.e. must it be in the countryside rather than in a nearby village;
- the Justification for a particular site, when there may be others less open to planning objection;
- the recent history of the unit, including recent severance and details of any dwellings on the unit that have been sold or converted for non-agricultural occupation;
- where a new unit is to be formed, proof that the enterprise will be permanent and economically viable.

Applications are often received for dwellings associated with new enterprises, especially horticulture. In certain instances, a financial test will be applied in order that further evidence of the genuineness of stated intentions can be provided. In such circumstances, where need is established temporary planning permission will normally be granted for a residential mobile home. Such temporary planning permissions will extend to two or three years depending on

the circumstances of the enterprise. In order to receive consent for a permanent dwelling then the enterprise would have to be proven viable and the requirements of Policy DM46: Rural workers dwellings fully met. In appropriate circumstances, a condition may be attached restricting the occupation of a dwelling until works necessary for the establishment of the enterprise have been completed.

Design considerations

If the need for a dwelling is established, then it is important that its scale, design, size and siting have a minimal effect on the countryside. Dwellings should therefore be well-related to existing buildings and where possible share an existing vehicular access. They should not exceed a size necessary to meet normal family requirements and accommodate minor ancillary office facilities. Any proposals above 150 square metres would not normally be acceptable and would need to be fully justified. Proposals for the size, siting and landscaping of the curtilage should also ensure that the impact on the landscape is acceptable.

Occupancy conditions

When granting permission under this policy, where appropriate, an occupancy condition will be imposed not only on the dwelling itself, but also on any existing dwellings on the unit which are under control of the applicant and do not have occupancy conditions. This will help to protect the countryside against the risk of pressure for new houses.

In recent years there has been a steady number of applications to remove occupancy conditions, while at the same time applications for new agricultural dwellings are still being received. The council require that before an application for removal of an occupancy condition is approved it must be shown that there is now no need for the dwelling on the unit, or in the locality, and that a genuine and unsuccessful attempt has been made to sell the dwelling with the condition attached.

In determining such applications regard will be had to:

- evidence of existing demand or lack of demand for agricultural workers within a radius of at least five miles from the property;
- whether there are any vacant agricultural dwellings within this area; the number of recent applications in the locality for agricultural dwellings;
- evidence of efforts to dispose of the dwelling, whether it has been advertised, how frequently, for how long and whether the asking price reflected the occupancy condition.

Delivery and monitoring

An indicator will be added to the Annual Monitoring Report to monitor the number of planning applications that are approved for rural workers dwellings across the district.

6. Delivering a prosperous economy

DM47: Proposals for economic development within towns and defined settlements.

Links to CS20: Supporting a successful economy.

Policy aim

To ensure that economic development is located in sustainable locations that minimise impacts on residential areas and are compatible with the district wide approach to deliver an improved balance between jobs and homes.

Policy DM47

Proposals for economic development within the settlement boundaries of the four towns of Weston-super-Mare (including Weston Villages), Clevedon, Nailsea and Portishead will be supported provided that:

- the proposal would not have unacceptable environmental effects or harm the character or amenity of the area or settlement;
- proposals would not, either individually, or taken together with existing or proposed land within the vicinity of the site, lead to unacceptable adverse harm on the living conditions of existing and proposed residents;
- adequate space is provided on-site to accommodate the servicing and delivery activities of both workers and visitors to ensure the development does not give rise to unacceptable levels of vehicular traffic, or on-street parking, to the detriment of highway safety;
- the development is located to encourage sustainable travel and avoid adverse impacts on the highway network. Travel intensive uses should be readily accessible by public transport and seek to minimise the adverse impact on the strategic road network, the local highway network and disturbance to residential neighbourhoods;
- the proposal in terms of jobs capacity created, layout, scale and design makes efficient use of the site in relation to its location, accessibility and surroundings;

Policy DM47

- where a proposal is for a retail use the development also satisfies the impact and sequential tests set out in policy DM66: The sequential approach for retail development.
- proposals for business accommodation and conference facilities are encouraged to be well-related to existing or proposed business uses.

Within the settlement boundaries of Service and Infill Villages proposals for economic development would, in addition to the above, need to be of a scale appropriate to the settlement.

Justification

The four towns are the focal point for economic growth within North Somerset in line with the settlement hierarchy and function. This policy seeks to help guide the provision of these uses to sustainable locations that minimise impacts on residential areas and are compatible with the district wide approach to deliver an improved balance between jobs and homes.

Delivery and monitoring

The policy will be monitored through the take-up of employment land and the delivery of economic development uses. The location of provision will be monitored in addition to each scheme to ensure effective and sustainable provision is being made.

DM48: Broadband.

Links to CS20: Supporting a successful economy.

Policy aim

To ensure that new development provides infrastructure to enable broadband connectivity that will future proof the development and that the provision of telecoms and broadband is considered with residential and employment applications.

Policy DM48

For new residential developments over 10 dwellings and employment developments above 200sq m applicants should demonstrate how the proposal will be able to accommodate superfast broadband (24Mbps+) and be compatible with local broadband fibre networks where relevant. Where needed, multiple ducts will be provided to enable several providers access to the site.

Appropriate technology will be identified that will deliver superfast broadband as part of infrastructure planning and should be considered early on as part of a comprehensive utility network plan.

Costs associated with additional works can be considered as part of any viability assessment.

These requirements will be sought through the use of conditions.

Justification

The provision of suitable broadband infrastructure is often as critical as gas or electricity. This is especially true for new or upgraded employment sites where the availability of a superfast broadband will be a critical and often a major determining factor in attracting new employment opportunities to the district.

It is important in designing employment and residential sites that the concept of providing broadband is fully integrated with other service provision. This will eliminate upgrading work at a later date and ensure that the development is able to accept and adopt technological improvements in the future.

For example, multiple ducting is necessary in order to enable more than 1 telecoms/ broadband service provider/ infrastructure provider to supply the site to increase competition. This will benefit landowners and developers by their sites

being considered more attractive by the provision of increased choice for residents and businesses. Multiple ducting also allows for broadband fibre as well as voice (phone) cables to residential and employment sites. Developers are expected to work with service providers to secure the infrastructure and make sure the service is available at occupation.

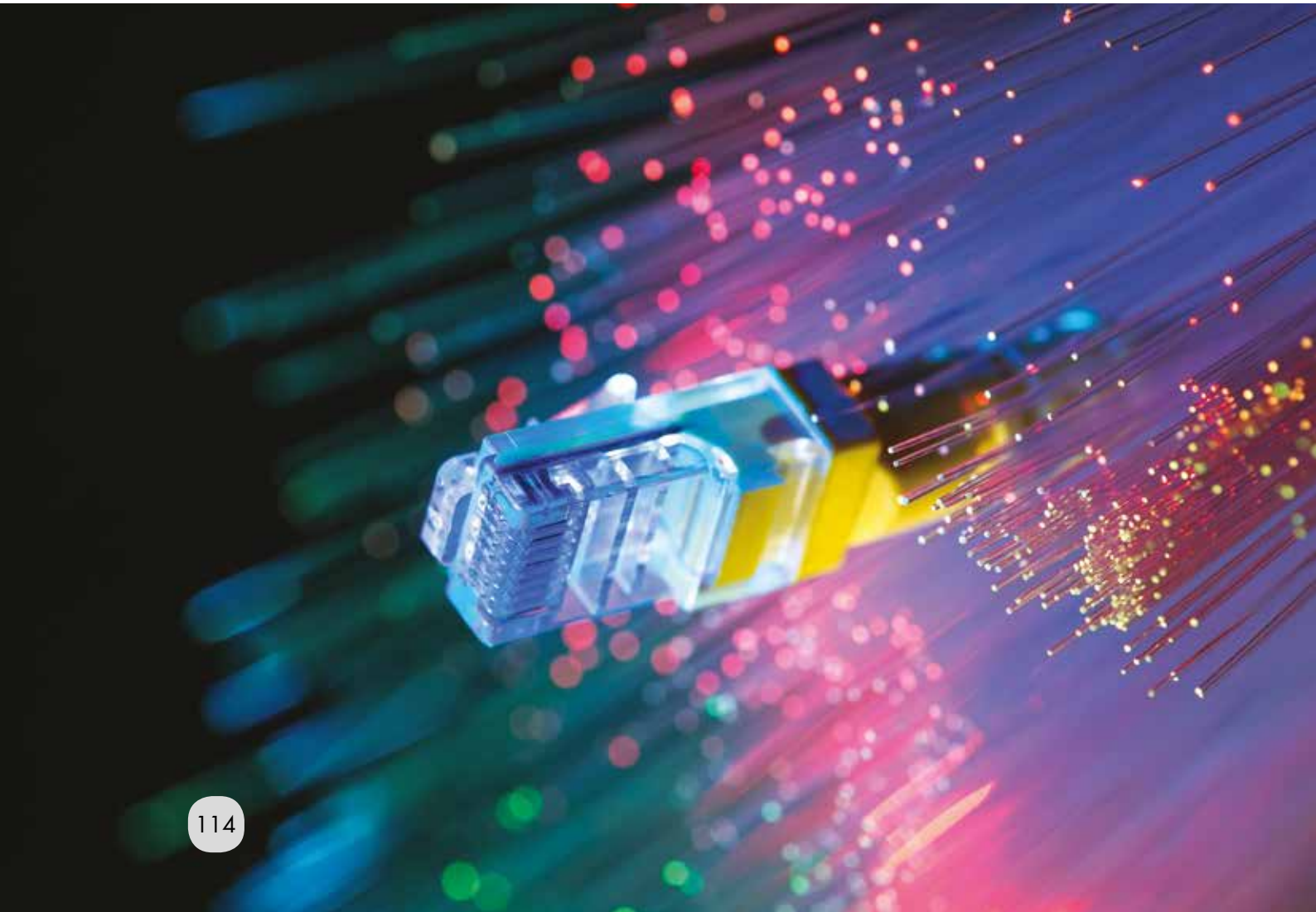
Superfast broadband with fibre connections to homes and business is critical. This is of particular benefit to SMEs and for landowners and developers to secure end users for employment and business units/sites. Access to good options for Broadband are becoming increasingly more important to a business expansion and relocation decisions.

Alternative technologies and innovative solutions such as satellite, wireless and mobile connectivity should also be considered in terms of future proofing to ensure there is access to superfast broadband irrespective of location.

Delivery and monitoring

Broadband connectivity in new major developments will be monitored and reported on in the Annual Monitoring Report.

DM48



DM49: Royal Portbury Dock

Links to CS24 Royal Portbury Dock and Replacement Local Plan Policy: E/6 Proposals for development on safeguarded land at Court House Farm

Policy aim

To ensure that development of land safeguarded for port uses at Court House Farm takes account of environmental considerations and proposals for rail-based park-and-ride.

Policy DM49

The role of Royal Portbury Dock will be maintained and enhanced by providing for the expansion/intensification of employment and business development associated with the port where compatible with Green Belt constraints.

Where need is demonstrated, the development of safeguarded land south of Royal Portbury Dock, at Court House Farm, for port uses will be permitted, subject to:

- satisfactory environmental safeguards, including mitigation/compensation where appropriate;
- there being no significant demonstrable harm to the amenities of residents of Easton-in-Gordano and smaller settlements; and
- demonstrating that development would not prejudice proposals for a station and associated parking facilities off Royal Portbury Dock Road.

Justification

This policy rolls forward Policy E/6 of the North Somerset Replacement Local Plan and re-iterates support for the Port. Core Strategy Policy CS24 safeguards land at Court House Farm for port uses, subject to a demonstrable need that cannot be accommodated elsewhere within the Port estate. Further detailed requirements are set out above. Other constraints – a Listed Building, a Wildlife Site and areas at risk of flooding – are managed under other policies.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM50: Bristol Airport

Links to CS23: Bristol Airport and Replacement Local Plan Policy T/12: Bristol International Airport

Policy aim

To ensure that, if further development 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.

Policy DM50

Development within the Green Belt inset at Lulsgate as shown on the Policies Map will be permitted provided that:

- it is required in connection with the movement or maintenance of aircraft, or with the embarking, disembarking, loading, discharge or transport of passengers, livestock or goods;
- environmental impacts such as emissions are minimised, and there is no unacceptable noise impact;
- it is suitably sited, designed and landscaped so as not to harm the surrounding landscape; and
- appropriate provision is made for surface access to the airport, including highway improvements and/or traffic management schemes to mitigate the adverse impact of airport traffic on local communities, together with improvements to public transport services.

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.

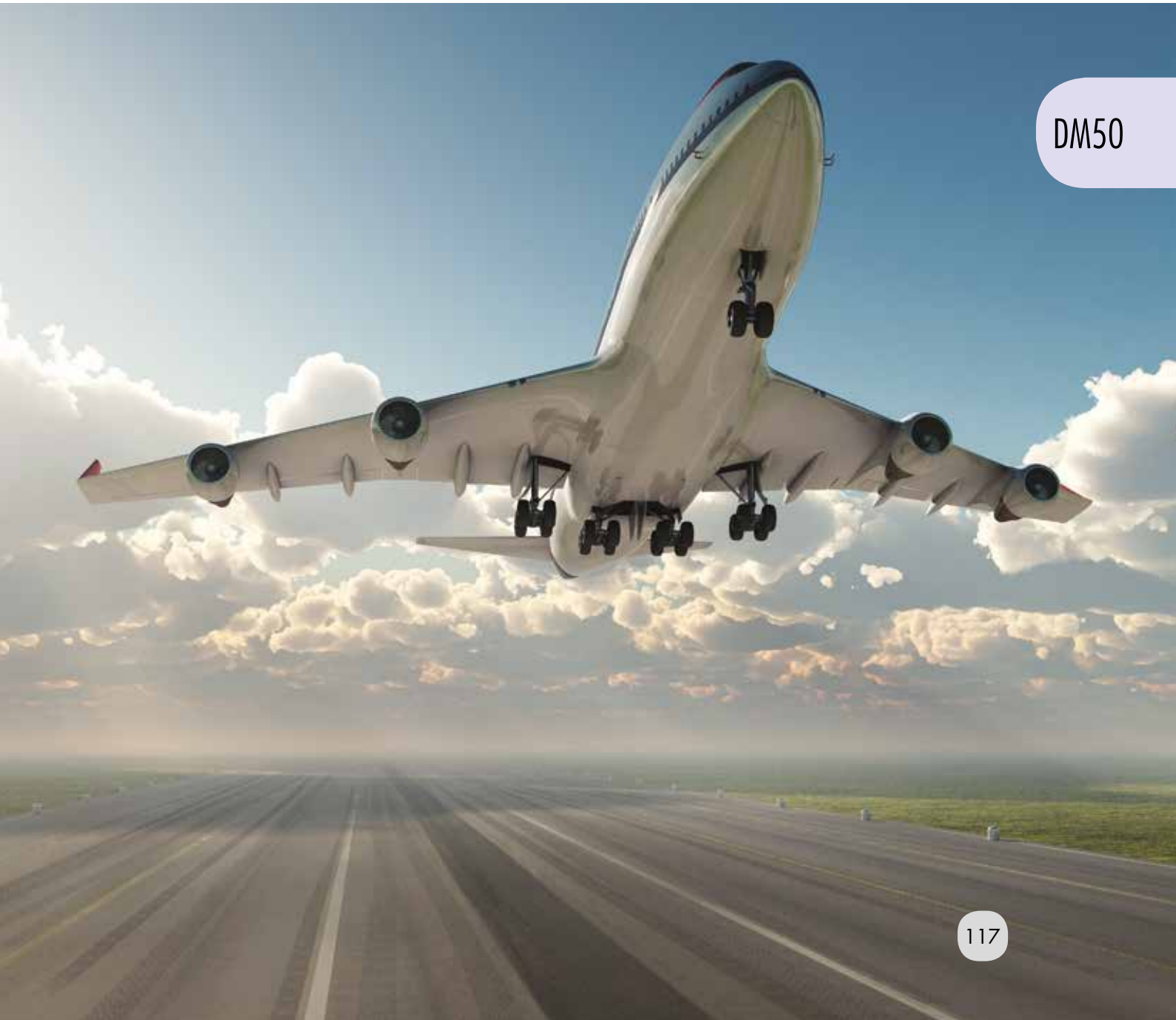
Justification

Core Strategy Policy CS23 makes general provision for future development at Bristol Airport. Major development is expected to form the subject of a more detailed planning policy document, if such development is required. The Airport has no current expansion plans beyond implementing the 2010 and 2011 permissions that provide for growth up to 10 million passengers per year.

The policy wording largely repeats the criteria for airport-related development within the Lulsgate inset from the North Somerset Replacement Local Plan (Policy T/12), which are sufficient to deal with minor development that requires a further grant of planning permission. Outside the inset, Green 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. Off-airport parking, also included in the scope of Policy T/12, is now dealt with in Policy DM30: Off-airport car parking.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.



7. Agriculture

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

Links to CS33 Smaller settlements and countryside and Replacement Local Policy RD/1 Agricultural and forestry development and farm based diversification

Policy aim

To support proposals for new agricultural buildings which are genuinely necessary and ensure that any new building which is permitted meets very high design standards and respects the landscape and its rural setting.

Policy DM51

Planning permission will be granted for agricultural or forestry development on existing and new holdings, or development for the purposes of farm based and other land-based rural businesses or diversification provided that:

- the proposals are necessary for and ancillary to the use of land for viable agricultural or land-based rural businesses purposes; and
- the re-use of existing buildings on the holding is given priority over new buildings; only where no suitable buildings are available will new development be acceptable; and
- in the case of diversification proposals, there is sufficient certainty of long-term benefit to the farm business as an agricultural operation, that other rural businesses and the character and appearance of the countryside are not adversely affected; and
- the siting and design of the building respects its rural setting and does not harm the character of the landscape.

If the proposal involves a new or emerging business the application will need to be supported by a plan to show the business will be capable of being economically sustained in the long term.

Justification

New farm buildings can have a major impact on the countryside, especially in prominent or open locations. Care therefore needs to be taken with the size, form, siting, design, colour, materials and landscaping of new farm buildings in order to reduce their impact on the countryside. The council has adopted supplementary planning guidance on agricultural buildings in the Mendip Hills AONB.

Farm diversification activities can contribute to the local economy by providing opportunities for employment or recreation for residents and visitors and by resulting in increased patronage for local shops and services. Such activities, where they come within planning control, will generally be supported provided that the character and appearance of the countryside are not harmed.

As this policy provides criteria for assessing activities where they are intended to form part of a diversified agricultural enterprise the locational requirements of other policies may be relaxed, if appropriate. New buildings for the purposes of agriculture are acceptable in the Green Belt, however those for other purposes, including farm based diversification, are strictly controlled.

Proposals for recreation and tourism based diversification should provide links to and reinforcements of the surrounding public rights of way and public access network.

Delivery and monitoring

Employment monitoring will be expanded to include the agriculture and land-based rural business development.

DM52: Equestrian Development

Links to CS4: Nature Conservation, CS5: Landscape and the Historic Environment, CS6: Green Belt, CS27: Sport Recreation and Community Facilities, Replacement Local Plan Policies CF/3: Cultural and community facilities in the countryside, RD/3: Development in the Green Belt, RD/2: Conversion and reuse of rural buildings and Guidelines for Horse Related Development for the Mendip Hills Area of Outstanding Natural Beauty (AONB)

Policy aim

To protect the distinctive landscape, heritage and wildlife assets of North Somerset and ensuring that any new building which is permitted meets very high design standards and respects the landscape and its rural setting.

Policy DM52

Permission for equestrian development will be permitted provided that either individually or cumulatively:

- they do not harm the landscape character of the area;
- in areas at risk of flooding, the proposals pass the sequential test and can demonstrate through a flood risk assessment that they are safe and would not increase flood risk elsewhere;
- new buildings, shelters or arenas are located near existing farmsteads or groups of buildings. Developments in the open countryside will not be permitted unless it can be demonstrated that they are sited and designed to be as unobtrusive as possible;
- the scale, design, colour and materials of any new buildings (preferably being of timber construction) or structures has regard for the rural settings and need to minimise light pollution in the countryside;
- there is no harm to identified wildlife or archaeological sites;
- proposals will need to demonstrate that they would not prejudice highway safety; and
- sufficient routes are available nearby where riding activities can take place without conflicting with the free flow of vehicular or pedestrian traffic or with pre-existing outdoor activities.

Justification

The scale of horse related development varies from a single family pony in a small paddock with a field shelter to large commercial establishments such as riding schools, studs, livery yards or racing stables.

When assessing proposals for horse related development the impact on the landscape, traffic generation and highway safety will be the primary considerations.

Equine enterprises are an accepted land use in the countryside, however badly located or designed buildings or a proliferation in one area can have a significant effect on the landscape. In assessing the landscape impact regard will be had to buildings, hard standings, jumps, field boundaries, access ways and landscaping. Within the Mendip Hills Area of Outstanding Natural Beauty (AONB) additional care will need to be taken of the sensitive landscape and applicants should refer to the SPG Guidelines for Horse Related Development.

Elsewhere regard will be taken of the landscape character of the area described in the Landscape Character Assessment Supplementary Planning Document. Proposals will also need to comply with policy DM12: Development within the Green Belt.

Delivery and monitoring

A new indicator will be added to the Annual Monitoring Report to monitor planning applications for equestrian development.

8. Businesses in the countryside

DM53: Employment Development on greenfield sites in the countryside

Links to Core Strategy policy CS20 Supporting a Successful Economy, CS27 Sport, Recreation and Community Facilities and CS33 Smaller Settlements and Countryside.

Policy aim

To prioritise the re-use or existing sites and buildings for the above uses in order to protect the character and appearance of the countryside.

Policy DM53

Development proposals for new buildings for business use (B1, B2 or B8 use) on previously undeveloped sites in the countryside will only be permitted where no suitable redevelopment sites or redundant rural buildings suitable for re-use are available and:

- the proposal relates to processing locally grown produce or other land-based rural business;
- the location has safe and convenient access to the highway network and would not have a significant adverse impact on the highway network;
- it would not have a significant adverse impact on the living conditions of adjoining occupiers; and
- it is demonstrated that the use could not be located at existing settlements or that the intended use specifically and measurably benefits from the specific countryside location.

Retailing, other than farm shops, small scale village stores, proposals under 200m2, or proposals that are ancillary to the main use, will not be permitted.

The character and appearance of the countryside must not be harmed and the materials, form, bulk and general design of new buildings will need to be in keeping with their surroundings

Justification

The general principle set out in the Core Strategy policy CS20 is that any new development of employment related uses outside of the four main towns and within service and infill villages, be of a scale commensurate with the settlement, and only in exceptional circumstances will employment development be allowed in the countryside outside any existing settlement.

Similarly policy CS33 directs employment and community facilities generally to within settlement boundaries

The need to also support existing businesses in the countryside is recognised, however, as is the provision of community facilities such as schools, nurseries, doctors surgeries, meeting hall and other leisure uses, to support the local rural population. This policy therefore allows new buildings provided specific criteria are met. The policy should be read in conjunction with Policy DM55 which covers business expansion in the countryside including new buildings.

New buildings are inappropriate in the Green Belt other than for the exceptions specified in the National Planning Policy Framework or in very special circumstances.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM54: Employment development on previously developed land in the countryside

Links to Core Strategy policy CS20 Supporting a Prosperous Economy and CS33 Smaller Settlements and Countryside.

Policy aim

To prioritise the redevelopment of redundant sites and buildings in the countryside for economic and community uses.

Policy DM54

The partial or complete redevelopment of previously developed land in the countryside for economic development will be permitted provided:

- the character and appearance of the countryside is not harmed; and
- existing structurally sound buildings on the site which contribute to the rural character of the area are maintained and converted; and
- the materials, form, bulk and general design of new building is in keeping with their surroundings; and
- the location has safe and convenient access to the highway network and would not have a significant adverse impact on the highway network; and
- there are no significant adverse impacts on living conditions of adjoining occupiers; and
- redevelopment would bring significant local environmental, economic or social benefits.

Retailing, other than proposals that are strictly ancillary to the main use or proposals under 200m2, will not be permitted.

Justification

Redevelopment of previously developed sites is preferable to development on greenfield sites in order to reduce impact on the countryside. Priority is given to economic uses to support the rural economy. The policy also supports facilities such as schools and community halls in order to enhance access for rural communities.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

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

Links to Core Strategy policy CS20 Supporting a Successful Economy

Policy aim

To support the expansion of rural businesses providing development is in keeping with the rural context.

Policy DM55

Replacement buildings, extensions to buildings, ancillary buildings or the intensification of use for existing businesses, located in the countryside will be permitted provided that:

- the scale of the proposal is not harmful to the character and appearance of the countryside; and
- the materials, form, bulk and general design of buildings are in keeping with their rural surroundings; and
- there is no significant adverse impact on living conditions of adjoining occupiers; and
- the proposed development has safe and convenient access to the highway network and would not have a significant adverse impact on the highway network.

The re-use of existing buildings is given priority over new development; only where no suitable buildings are available will new development be acceptable.

Proposals to extend outside the curtilage into surrounding countryside will need to be fully justified and not be harmful to the character and appearance of the countryside.

Retailing, other than proposals that are strictly ancillary to the main use or proposals under 200m2, will not be permitted.

Justification

This policy relates to existing business uses (policy DM53 is relevant for new uses on greenfield sites).

The NPPF supports sustainable growth and expansion of all types of business and enterprise in rural areas. Although the council is committed to sustaining and enhancing the rural economy, it is also recognised that this needs to be balanced against protecting the landscape value and biodiversity of the countryside, as well as the character of the smaller settlements and villages. The council's preference is therefore for the re-use of existing buildings outside settlement boundaries.

There may be instances where new buildings, outside the Green Belt, are acceptable to allow an existing business to expand provided that they are of a design and scale appropriate to their rural surroundings. The council may, need to evaluate whether or not it is beneficial to the rural economy for the business to expand or intensify in the same location or whether any detrimental effect on the character of the area would outweigh these benefits.

This policy does not apply to the conversion of redundant rural buildings which is covered by a separate policy and proposals for extensions or alterations to buildings located in the Green Belt should also comply with Green Belt policies.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM56: Conversion and reuse of rural buildings for employment development.

Links to Core Strategy policy CS20 Supporting a Successful Rural Economy

Policy aim

To prioritise the redevelopment of sites and buildings for employment uses.

Policy DM56

The conversion or re-use of rural buildings for employment use will be permitted provided that:

- they are of permanent and substantial construction and capable of conversion without major or complete reconstruction;
- any extension as part of the conversion or subsequently should not be disproportionate to the original building and respect the scale and character of the building and its setting;
- if the building to be converted or reused was constructed for agricultural purposes and completed witin 10 years of the submission of the application then the applicant will need to demonstrate that the conversion of this building is essential for the long term benefit of the associated agricultural/forestry operation;
- any architectural and historic significance of the building and its setting is conserved;
- the proposal respects the scale, form, materials and design of the existing building and does not harm the character of the surrounding area and the impact of external facilities, e.g. curtilage treatment, parking is minimal and landscaping respects the local rural character;
- the location has safe and convenient access to the highway network and would not have a significant adverse impact on the highway network;
- they are not located in an isolated location remote from its potential workforce;
- it would not have a significant adverse impact on the living conditions of adjoining occupiers or adversely affect the operation of working farms; and

Policy DM56

- retailing, other than farm shops, small scale village stores, proposals under 200m^2 or proposals that are ancillary to the main use, will not be permitted.

To meet the test of 'capable of conversion without major or complete reconstruction' 70% of the original exterior walls should be standing and in good condition and the building should have a roof.

Justification

The councils preference is for the re-use of rural buildings for employment purposes. In order to determine whether the existing building is suitable for conversion a structural report and method statement may be required which demonstrates that the building can be converted without major or complete reconstruction and which clearly identifies all areas to be demolished and rebuilt, including any proposed reroofing.

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. As the fabric of the building will embody its character and interest, as much as possible should be retained. Good practice advice prepared by Historic England is available to help inform a sensitive approach to any conversion.

In order to avoid abuse the policy will not apply where the building has been substantially completed within the last ten years, (either an agricultural building permitted under the General Development Order or another building which has obtained planning permission).

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

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

Links to Core Strategy policy CS22:Tourism Strategy

Policy aim

To support new, improved and replacement visitor accommodation in rural areas, in areas of demand, where development would be in keeping with the character and appearance of the countryside and would not have adverse highway effects.

Policy DM57

The conversion or re-use of rural buildings for visitor accommodation will be permitted provided that:

i. they are of permanent and substantial construction and capable of conversion without major or complete reconstruction;

ii. any extension as part of the conversion or subsequently should not be disproportionate to the original building and all proposals should respect the scale and character of the building and its setting;

iii. the development will not result in an adverse effect on the character of the area due to the a proliferation of tourist accommodation;

iv. the building is capable of proving a high standard of tourist accommodation in accordance with a national quality assessment scheme;

v. the proposal would result in an enhancement of the immediate setting, and the impact of external facilities, e.g. curtilage treatment, parking is minimal and landscaping respects the local rural character; and

vi. it would not have a significant adverse effect on the living conditions of adjoining occupiers or adversely affect the operation of working farms.

Policy DM57

The construction of a new building for use as visitor accommodation will be permitted provided that it complies with all the criteria iii-vi above, and is:

- set within the curtilage of an existing building and is located adjacent to that building; and
- there are no other existing buildings suitable for conversion; and
- the scale of the proposal is not harmful to the character and appearance of the countryside; and
- the materials, form, bulk and general design of buildings are in keeping with their rural surroundings; and
- there is safe and convenient access to the highway network and there are no significant adverse impacts on the local highway network; and
- it would not have a significant adverse impact on the living conditions of adjoining occupiers

Subsequent applications to change new buildings from holiday accommodation to permanent residential use or the removal of conditions for holiday accommodation will not be permitted within 10 years of their construction unless the existing use is shown to be unviable. All such proposals would also be subject to Policy DM45 (The conversion or re-use of rural buildings to residential use).

To meet the test of 'capable of conversion without major or complete reconstruction' 70% of the original exterior walls should be standing and in good condition and the building should have a roof.

DM57

Justification

In order to determine whether the existing building is suitable for conversion a structural report and method statement may be required which demonstrates that the building can be converted without major or complete reconstruction and which clearly identifies all areas to be demolished and rebuilt, including any proposed reroofing.

The NPPF supports sustainable rural tourism that benefits businesses in rural areas, communities, visitors and which respects the character of the countryside.

This includes the provision and expansion of appropriately located tourist and other visitor facilities to meet identified needs which aren't already met in service villages.

Provision of tourist accommodation in the countryside both catered and self catering has often occurred as farmers have diversified thought he conversion of rural buildings. There is a need to ensure that there is a genuine demand for provision and that it is suitable for long term use. Therefore, the policy sets out a 10 year timeframe for the use to be retained as tourist accommodation to ensure that any new proposal is genuinely seeking to establish a long-term business use as tourist accommodation. Conversion to self catering accommodation should not be regarded as a stepping stone to gaining full residential use.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM58: Camping and caravan sites

Links to Core Strategy policy CS22 Tourism Strategy

Policy aim

To support sustainable rural tourism which respects the character of the countryside.

Policy DM58

Planning permission will be granted outside of the Green Belt and Area of Outstanding Natural Beauty for new or extended touring and static caravan sites and camping sites provided that:

- the proposal respects the scale, form, materials and design of any existing buildings and does not harm the character of the surrounding area; and
- there is safe and convenient access to the highway network and there are no significant adverse effect on the local highway network; and
- it would not have a significant adverse impact on the living conditions of adjoining occupiers; and

Policy DM58

- the re-use of existing buildings is given priority over new development; only where no suitable buildings are available will new development be acceptable; and
- proposals are sited so as to minimise their visual and landscape impact – extensions to existing sites that are considered intrusive must include environmental improvements to the existing site; and
- proposals which are granted planning permission will be conditioned to ensure they are used solely for holiday use.

Justification

Throughout North Somerset there are approximately 1,200 touring pitches, the vast majority located within 5 miles of Weston-super-Mare.

The legal definition of a caravan was established in the Caravan Sites and Control of Development Act 1960. It was modified in 1968 to include twin-unit mobile homes and again in 2006 when the sizes where increased. Caravan refers to any building that's designed to be lived in and can be transported by road in one or two sections. The term 'Caravan' covers traditional touring caravans, static caravans and mobile/park homes e.g. log cabins which can be transported by road by two transporters. When a twin-unit mobile home/log cabin is joined on-site it must remain divisible for transport.

Caravan and camping sites are not considered to be appropriate in the Green Belt. In the Mendip Hills Area of Outstanding Natural Beauty great weight will be given to conserving landscape and scenic beauty in accordance with paragraph 115 of the NPPF and Policy DM11: Mendip Hills Area of Outstanding Natural Beauty. In other locations the policy supports sensitively designed and sited developments which avoid harm to the character of the surrounding area, in accordance with NPPF paragraph 28.

Given their potential impact on the landscape and the importance of raising the standard and therefore attractiveness of accommodation in the district, the strategy is to encourage investment in and retention of the most appropriately located sites. The re-use of existing buildings will also help to protect the countryside from further sporadic development.

Consideration will also need to be given on the impact of development through extension to existing or new sites where these are located within areas identified as being liable to flooding.

Delivery and monitoring

A new indicator will be added to the Annual Monitoring Report to monitor any planning permissions granted for new camping and caravan sites, or extensions to existing sites.

DM59: Garden centres

Links to CS21: Retail Hierarchy and provision and Replacement Local Plan policy RT/7: Garden centres, nurseries and farm shops in the open countryside

Policy aim

To control new retail development in the countryside, unless it is related to produce or garden-related goods.

Policy DM59

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:

- there are no significant retail impacts on any of the centres listed in Core Strategy Policy CS21; and
- are located with safe and convenient access to the highway network; and
- 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.

Justification

There has been a considerable increase over recent years in the amount of retail floorspace provided by farm shops, garden centres and nurseries. In some cases, retailing has become far more important than horticulture with the large scale of such 'garden centre' operations potentially diverting trade from the town and district centres. To avoid conflict with the retail strategy of the Core strategy applications for retail development will be assessed against other policies including Policies DM66 and DM67 regarding the seqential approach to retail development and the retail proposals outside centres and the policies relating to businesses in the countryside.

Development proposals should also minimise any adverse effects on the environment, living conditions, countryside, landscape, highways, traffic and car parking considerations and where relevant, the openness of the Green Belt.

Delivery and monitoring

This policy will be delivered through adding conditions to planning permissions for farm shops, garden centres and nurseries restricting the goods that can be sold. The discharge of conditions will then be monitored.

9. Retailing, town, district and local centres

DM60: Town centres

Links to Core Strategy policies CS21: Retail hierarchy and provision and CS29: Weston-super-Mare town centre

Policy aim

The aim of this town centre policy is to identify an area in the heart of each town where a range of town centre uses will, in principle, be supported and directed to. The aim is to ensure flexibility over uses and encourage activity which supports the economic, social and environmental well being of the town and its residents.

Policy DM60

The boundaries of the town centres of Clevedon, Nailsea, Portishead and Weston-super-Mare are defined on the Policies Map. The vibrancy, vitality and community focus provided by the town centres will be maintained and enhanced. Proposals for main town centre uses within these areas will, in principle, be supported provided they contribute to the improvement of the town centre. In assessing this the proposal should:

- Make a positive contribution to the centre's identity and heritage.
- Increase job, education and training opportunities.
- Enhance the mix or quality of uses at the centre.
- Create additional community benefits and activities.
- Increase the activity and footfall in the centre, including supporting the evening economy.
- 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.
- Do not adversely impact on the role and function of the centre.
- Do not prejudice the delivery of proposed redevelopment schemes.
- Retain or increase the amount and quality of public car parking spaces available.

Residential development within the centres is encouraged especially as part of mixed use schemes using upper floors with other uses on the ground floor. The conversion of vacant ground floor units in residential style streets back to residential use outside of the primary shopping areas will be supported.

Proposals for main town centre uses outside of the defined centres or not on allocated sites will need to demonstrate that the proposal could not be accommodated in the centre and that the proposal does not significantly impact individually or cumulatively on existing and proposed centres and offer significant benefits.

Justification

This policy reflects the national objective of promoting competitive town centre environments and the sequential approach to the assessment of town centre uses set out in the NPPF. The Policies Map defines the boundaries of the town centre areas where the policy will apply. Main town centre uses are defined in the NPPF.

At Clevedon and Nailsea the boundaries of the town centre are synonymous with the primary shopping area.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM61: District Centres

Links to Core Strategy policy CS21: Retail hierarchy and provision

Policy aim

To define the district centres and their role in the hierarchy as supporting neighbourhoods with a wider range of goods and services than local centres.

Policy DM61

The district centres at Worle High Street, Locking Castle, Queensway and Hill Road, Clevedon are defined on the Policies Map.

Within these areas proposals which increase the range of shopping and other local services will be supported. Proposals for new retail floorspace up to 500m2 will be supported; proposals which exceed this will need to demonstrate that there would be no significant impact on the vitality and viability of the other centres and that there are no sequentially preferable sites available elsewhere within the town.

Proposals for other uses within the A use classes or community uses which serve the local area will be supported provided this does not result in the loss of a retail unit(s) which adversely impacts on the vitality or viability of the centre.

Opportunities to increase public car parking and improvements to the public realm should be taken where possible.

Residential and other appropriate active uses above shops or other commercial premises will be supported.

At Hill Road, Clevedon specialist small scale shops, craft workshops, cafes and restaurants will be supported and the loss of these uses on the street frontages will be resisted. Opportunities to increase outdoor café culture should be pursued and welcomed provided it does not hinder pedestrian access.

For the purposes of permitted development rights shops within the boundaries of the district centres are classified as being within the 'key shopping area'.

Justification

The district centres provide a range of shopping and other local services to the surrounding neighbourhood areas and the objective is to maintain and where possible expand the range of local shops and services serving these neighbourhoods. Additional large out of town retail units, should be located in

the town centre retail parks. The policy recognises that the district centres vary in character and that a flexible approach will be required to ensure that they maximise their effectiveness to the local community.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM62: Local centres

Links to Core Strategy policy CS21: Retail hierarchy and provision

Policy aim

To define the local centres and their role in the hierarchy as the focus for local shopping, services and facilities.

Policy DM62

The boundaries of local centres are shown on the Policies Map. The local centres are:

Weston-super-Mare

- Bournville (St Andrews Parade)
- Castle Batch
- Coronation Estate (Loxton Road)
- Parklands Village (proposed)
- Locking Road
- Milton Hill
- Milton Road
- Oldmixon (Aller Parade)
- Winterstoke Village (proposed)
- Whitecross Road

Policy DM62

Portishead

- West Hill

Service Villages

- Backwell
- Banwell
- Churchill
- Congresbury (Broad Street)
- Congresbury (Brinsea Road)
- Easton-in Gordano/Pill
- Long Ashton
- Winscombe
- Wrington
- Yatton

Within the Local Centres proposals for new small scale retail development which is appropriate to the scale of the settlement or neighbourhood will be supported. Proposals for a net additional floorspace over 300m2 will not normally be acceptable unless it can be demonstrated there is no adverse impact on the viability, vitality and character of other centres.

Proposals for other local services may also be appropriate within these areas such as community facilities, meeting places and small scale leisure.

All proposals should seek to ensure a safer more attractive and accessible centre and where possible and necessary improved public car parking.

Residential and other appropriate active uses above shops or other commercial premises will be supported.

Where redevelopment or regeneration opportunities arise within local centres the needs of the local community for services, facilities and parking should be assessed and incorporated within the proposal in so far as this is practicable. For the purposes of permitted development rights shops within the boundaries of the local centres are classified as being within the 'key shopping area'.

Justification

The primary function of these centres is for local shopping, although several, particularly in the rural areas, function as the hub for a range of community, commercial and retail functions.

Proposals involving the loss of existing sporting, cultural and community uses are dealt with in policy DM68: Protection of sporting, cultural and community provision.

The proposed local centres to support the Weston Villages are also defined in this policy given their importance to the development of these new communities. Guidelines for the new local centres at the Weston Villages are set out in the Weston Villages SPD.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM63: Primary shopping areas

Links to Core Strategy policies CS21: Retail hierarchy and provision and CS29: Weston-super-Mare town centre

Policy aim

To define the areas to act as the focus for new retail investment.

Policy DM63

Within the primary shopping areas of Clevedon, Nailsea, Portishead and Weston-super-Mare defined on the Policies Map 'A' class uses will be supported.

Other uses may be considered appropriate where they:

- Make a positive contribution to the vitality, viability and diversity of the town; and
- Contribute to local distinctiveness such as by reflecting the heritage/ coastal location; and
- Encourage greater footfall in the town centre in particular better linkages between the seafront/dock and the primary shopping area; and
- Extend the time frame of active use to support the evening economy.

For the purposed of permitted development rights 'key shopping areas' are the defined primary shopping areas.

Justification

Retail policy needs to respond to far reaching economic and structural changes which have affected the function and role of traditional centres. At Weston-super-Mare less retailing floorspace is likely to be required in the future, but there is a need to support a wider range of uses such as leisure and residential. At Weston the primary shopping area has been defined more tightly than in the past to focus new retailing in a more concentrated area.

In Portishead the High Street functions as a traditional shopping area however in recent years new retail developments has helped to link the High Street with the redeveloped docklands area. This area is included in an expanded town centre however the primary shopping area remains the priority location for retail development.

It should be noted that Weston-super-Mare and Portishead both have defined primary shopping areas which are distinct from the town centre boundaries at Clevedon and Nailsea the areas are the same.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM64: Primary shopping frontages

Links to Core Strategy policies CS21: Retail hierarchy and provision and CS29: Weston-super-Mare town centre

Policy aim

To retain the vitality and viability of key shopping streets by retaining and enhancing active frontages.

Policy DM64

Within the primary shopping frontages defined on the Policies Map proposals for A1 uses will be supported.

Proposals which allow for flexible use, support a modern approach to shopping for example by use of displays, integrated internet shopping or improved collection points will be supported where these can be integrated into the existing pattern of shopping.

Proposals for a change of use at ground floor level from A1 will only be permitted if the following criteria can be met;

- the proposal is for an A Class use; and
- the proposal would make a positive contribution to the viability, vitality and diversity of the primary shopping area; and
- would not result in a loss of footfall but ideally create additional footfall; and
- would extend the range of activities available to shoppers and other users so as to enhance the experience of visiting the centre; and
- would not fragment any part of the shopping frontage by creating or contributing to a significant break in the active frontage or result in a use which creates an inactive daytime use; and
- would not result in the loss of a large retail unit and/or a shop located in a key location which would be harmful to the shopping function of the primary shopping area; and
- be compatible with the retail frontage in that it includes a shopfront with a display function and would be immediately accessible from the street.

Justification

The approach identifies key shopping frontages which are important to retaining the retail attractiveness of the centre and encourage pedestrian movements. The changing nature of retailing is recognised and the extent of the retail frontages has become more focussed than in the past.

The Town and Country Planning (Use Classes) Order 1987 (as amended) and Town and Country Planning (General Permitted Development) Order 1995 (as amended) define the use classes and detail permitted changes. In brief summary A Use classes are:

A1: Shops

A2: Financial and professional services

A3: Restaurants and Cafes

A4: Drinking Establishments

A5: Hot food take-away

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM65: Development at the retail parks

Links to Core Strategy policies CS21: Retail hierarchy and provision and CS29: Weston-super-Mare town centre

Policy aim

To identify the types of uses which are appropriate at the retail parks.

Policy DM65

Land at the retail parks is allocated for large scale retail uses over 500m^2 (gross).

Within the retail parks as defined on the Policies Map, all retail proposals (A1 uses) will be required to:

- provide robust Justification setting out their specific locational requirements for a retail park location; and
- demonstrate that the sequential approach to retail development has been applied and no other suitable location is available; and
- demonstrate, for schemes over 2,500sqm (gross) of retail floorspace, that proposals do not harm the viability and vitality of any identified town, district or local centre through the submission of an impact assessment.

Proposals to extend or subdivide the floorspace of an existing unit (including the addition of mezzanine floors) for additional A1 use will be permitted provided the proposal does not result in a separate retail unit of under 500m^2.

Proposals for other uses in the A Use Class either within an existing unit, as an extension or as an independent unit will not generally be regarded as appropriate as these should be located in the primary shopping area, district centres or local centres.

Within these areas all developments will be required to:

- make a significant improvement to the overall built form of the area by the use of high quality design of buildings, layout and landscaping; and
- demonstrate that a co-ordinated approach has been developed with other retailers and businesses to ensure an improved layout of buildings and spaces including shared use of car parking and pedestrian links between buildings and the surrounding areas; and
- Improvements to the public realm are included in the proposals.

Justification

The policy approach seeks to provide a balance between ensuring that residents have the opportunity to access a range of retailing opportunities whilst at the same time including safeguards to protect the role and function of other centres. They provide the opportunity for large scale retail units which cannot be accommodated in the primary shopping area to locate in the town and therefore not lost to other towns provided they do not have a significant impact on the primary shopping area.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM66: The sequential approach for retail development

Links to Core Strategy policies CS21: Retail hierarchy and provision and CS29: Weston-super-Mare town centre

Policy aim

To set out the sequential approach to the assessment of retail proposals in order to create a sustainable hierarchy of retail centres in accordance with national advice and to specify when an impact assessment will be required.

Policy DM66

A sequential approach to retail development will be applied. New retail proposals which comply with the approach will be acceptable in principle.

A sequential test will be required for retail developments as specified in the following tables. Impact assessments will only be required for developments over 2,500sqm (gross).

Weston-super-Mare

Size of proposal (gross)	Sequential preference and tests required		
	Preferred location No sequential	Second preference Sequential test required	Third preference Sequential test required
Under 200m²	No sequential test or impact assessment is required.		
Small scale 200m² – 299m²	Primary shopping area, district centre or local centre.	Edge of primary shopping area, or adjacent to district or local centre.	Elsewhere within the defined town centre.
Medium scale 300m² – 500m²	Primary shopping area or district centre.	Edge of primary shopping area, or adjacent to the district centres	Elsewhere within the defined town centre.
Large scale Over 500m²	Primary shopping area.	Defined retail parks or edge of primary shopping area.	Elsewhere within the defined town centre.

Policy DM66

Portishead

Size of proposal	Sequential preference and tests required	
	Preferred location No sequential test required	Second preference Sequential test required
Under 200m²	No sequential test is required	
Small scale 200m² – 299m²	Primary shopping area or local centre.	Elsewhere within the town centre or adjacent to the local centre.
Medium scale 300m² – 500m² and Large scale Over 500m²	Primary shopping area	Elsewhere within the town centre.

Clevedon

Size of proposal	Sequential preference and tests required		
	First Priority No sequential test required	Second preference Sequential test required	Third Preference Sequential test required
Under 200m²	No sequential test is required		
Small scale 200m² – 299m² and Medium scale 300m² – 500m²	Town centre or district centre.	Adjacent to the town or district centre	
Large scale Over 500m²	Town centre	Adjacent to the town centre	Retail park at Strode Road

Policy DM66

Nailsea

Size of proposal	Sequential preference and tests required	
	First Priority No sequential test required	Second preference Sequential test required
Under 200m²	No sequential test or impact assessment is required	
Over 200m²	Within the town centre	Adjacent to the town centre

At the Service Villages the preferred location for retail development over 200m² is within the local centre followed by adjacent to it.

For the retail proposal to be acceptable the sequential test should conclude that there are no sequentially preferable sites available. For retail developments over 2,500sqm (gross) an impact assessment must be undertaken that shows that the proposal will not have a significant adverse impact on the primary shopping area, and/or town district or local centre as appropriate.

The primary shopping areas will be maintained as the focus for shopping.

Additional local retail proposals of up to 300m² at the defined local centres and 500m² at the district centres will also be supported.

Proposals for large format retail units at Weston-super-Mare which cannot be accommodated in the primary shopping area will be required to consider sites in the edge-of-centre or the defined retail parks.

If the proposal is for development at the retail parks a justification for a retail park location will be required.

Justification

NPPF advises that local planning authorities should apply a sequential approach to the assessment of retail proposals. The various spatial components of the hierarchy (town centre, primary shopping area, edge of primary shopping area, district centre, local centre and retail parks) are defined on the Policies Map. The town centre and primary shopping areas at Clevedon and Nailsea are synonymous.

This policy sets out how the sequential test will be applied and when sequential and impact assessments will be required. The assessment is based on the size of the proposal.

The extent of the 'edge-of-centre' for the purposes of the sequential test for Weston-super-Mare is defined on the Policies Map. At Portishead a two tier sequential approach will be applied which prioritises the Primary Shopping Area followed by the rest of the town centre area. At Clevedon and Nailsea 'adjacent to the centre' is generally regarded to be within 300m of the boundary.

At Clevedon the following order of preference should be used when applying the sequential test for retail development:

- Within the town centre boundary.
- At Hill Road district centre.
- Strode Road retail park.

At Nailsea all new retail development should ideally be located within the town centre. Should it be demonstrated that no suitable site was available within the town centre boundary then sites immediately adjacent to the town centre would need to be considered as the next priority.

Delivery and monitoring

This policy will be monitored on a case by case basis and reported in the Annual Monitoring Report where appropriate.

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

Links to Core Strategy policies CS21: Retail hierarchy and provision and CS29: Weston-super-Mare town centre

Policy aim

To provide a policy framework for the assessment of retail proposals elsewhere in the district.

Policy DM67

Areas outside the town, district, local centres and defined retail parks will be considered to be 'out of town'. Small scale retail development of up to 200m^2 floorspace will be considered acceptable in such locations together with farm shops, small scale village stores or uses ancillary to the main use that comply with policies DM53, DM54, DM55 and DM56. Proposals above 200m^2 or outside the provisions of the other specified policies would be required to demonstrate that no suitable sites were available in the defined local, district or town centres.

Justification

In order to retain and enhance the role and function of existing centres in accordance with government advice, retail developments elsewhere will be strictly controlled.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

10. Ensuring safe and healthy communities

DM68: Protection of sporting, cultural and community facilities

Links to CS26 Supporting healthy living and the provision of health care facilities, CS27 Sport, recreation and community facilities and Replacement Local Plan policy CF/4: Safeguarding of existing and proposed sites and buildings.

Policy aim

To protect existing and planned community facilities from alternative development where a community use is still viable, unless it involves the provision of a suitable replacement facility.

Policy DM68

Land and buildings in existing use, last used for, or proposed for use for a sporting, cultural or community facility, are protected for that purpose unless the land is allocated for another purpose in another planning document.

Development of such sites or buildings for other uses will only be permitted if one of the following bullet points applies:

- Where acceptable alternative provision of at least equivalent community benefit is made available in the same vicinity and capable of serving the same catchment area. In such cases, all of the following criteria must be met:
  - a) the new site is at least as accessible to pedestrians, cyclists and motor vehicles; and
  - b) the replacement facility is at least equivalent in terms of size, usefulness, attractiveness and quality to the facility it replaces; and
  - c) in the case of a replacement for an existing facility, the replacement will be available for use before use of the existing facility is lost.
- Where the site or building is genuinely redundant/surplus to requirements for cultural/community uses and does not comprise open space or undeveloped land with recreational or amenity value. A site will be deemed genuinely redundant/surplus for community uses if any of the following circumstances apply:

Policy DM68

a) the site is in an unsuitable location for alternative community use by reason of its distance from the local population or poor accessibility for non-car users; or

b) the space is unsuitable for appropriate alternative community use, bearing in mind the possibilities for subdivision and opportunities for shared and mixed uses, and it is not feasible or appropriate to redevelop the site for community use; or

c) evidence is submitted that demonstrates, to the satisfaction of the local planning authority, that attempts to rent/dispose of the property for community uses have failed (attempts being for at least 6 months, at normal market value for such uses). In addition, if the local planning authority considers it appropriate, a business plan shall be produced identifying the extent and combination of usage and charges necessary to make the facility profitable; or

d) the local planning authority, through consultation with relevant Council departments, town/parish councils, service providers and voluntary groups, etc. is satisfied that there is no demand for any appropriate form of community facility in the vicinity.

- Where the partial development of the site will secure the retention and improvement of the remainder of the site for community use;
- Where proposals relate to the intensification of community use;
- In the case of school playing fields, where the development is for education purposes or the Department for Education is satisfied that the land is no longer required for school use and its loss would not result in a shortfall in recreational open space/playing pitches for the local community.

Designated community assets shall be retained in community use.

Justification

The policy reflects the importance of sporting, cultural and community facilities and the need to protect them from development except where certain criteria apply.

The NPPF paragraph 70 refers to the need to guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs. Policy DM68 is consistent with

this, and also with NPPF paragraph 74 which states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless certain criteria are met, including, for example, replacement of the facility by equivalent or better provision in terms of quantity and quality in a suitable location.

Land or buildings will fall within the definition of this policy if they are a cultural or community leisure facility (whether or not provided on a commercial basis) and which fall within use class D1 and D2, such as libraries, arts and entertainment facilities (such as museums and cinemas), public and private open space and other outdoor or indoor sports facilities, youth centres, places of worship, schools, health care facilities, cemeteries and allotments. It also includes pubs which fall within class A4, but excludes other A4 uses. Theatres, utilities and telecommunications infrastructure are also included. This definition also includes land or buildings listed as "community assets" in accordance with the Assets of community value (England) Regulations 2012.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

DM69: Location of sporting, cultural and community facilities.

Links to CS26: Supporting healthy living and the provision of health care facilities, CS27: Sport, recreation and community facilities and Replacement Local Plan policies CF/2: Cultural and community facilities within settlement boundaries and CF/3: Cultural and community facilities in the Countryside

Policy aim

To ensure accessible and sustainably located sporting, cultural and community facilities.

Policy DM69

Proposals for sporting, cultural or community facilities within settlement boundaries will be permitted provided:

- the site is well related to the community it is intended to serve; and
- the site is in a sustainable location, genuinely accessible by a choice of transport modes and to disabled people; and
- the layout and design include features to facilitate combining other community needs within the same site unless this is agreed to be inappropriate; and
- the proposal would not prejudice the living conditions of neighbouring properties.

Facilities will only be permitted outside settlement boundaries where it is demonstrated that the scale, character or potential impact of the facility would be appropriate taking into account the above principles.

In all cases proposals for main town centre uses will need to demonstrate that a sequential test has been applied, giving priority to sites within town or district centres, or failing this, sites on the edge of these centres. Proposals for out-of-centre sites will only be acceptable where the above criteria are met and there is no significant adverse effect on the vitality and viability of the relevant centres.

Justification

Towns and villages are generally suitable locations for most cultural and community facilities, but it is important that the best use is made of the limited

supply of land. Applicants should therefore demonstrate that they have considered the possibilities for site-sharing, including investment to enable intensification of use, and that accessibility has been considered from the sustainability point of view.

In some cases it may be possible to successfully combine two or more compatible uses within one facility, achieving cost savings to the provider as well as a more effective use of facilities. Such possibilities should be explored.

Proposal for additional facilities should be well-related to proposed users and accessible by a choice of transport modes. Some facilities may not be appropriate within settlements given the character of the development or the impacts which may be generated such as traffic movements. Where appropriate the Council will have regard to the sequential test approach as set out in NPPF.

The definition of a sporting, cultural and community facility is that set out in policy DM68: Protection of sporting, cultural and community provision. The council is preparing an SPD relating to more detailed guidance on the provision of built sport, leisure and community facilities.

Delivery and monitoring

This policy is monitored through indicators set out in the Core Strategy Monitoring Framework. These will be reported on annually in the North Somerset Council Annual Monitoring Report.

11. Delivery

DM70: Development Infrastructure

Links to CS34: Infrastructure delivery and development contributions.

Policy aim

To ensure that infrastructure is adopted in a timely manner or long-term maintenance plans are in place for infrastructure which is not adopted.

Policy DM70

The design and implementation of development infrastructure including highways, street lighting, flood management, play areas and green infrastructure will take into account its long-term maintenance and associated costs.

The councils preference will be to adopt development infrastructure on:

- Large-scale residential/mixed-use developments: in the case of highways more than six dwellings; for other infrastructure more than fifty dwellings.
- Strategic commercial sites, to be assessed on a case-by-case basis.

Developers will implement the infrastructure to the Council's required standards and shall pay supervision and adoption fees. Where infrastructure is adopted, commuted sums will be payable by the developer to fund the reasonable costs of future maintenance of the infrastructure.

The adoption of infrastructure may take place on a transitional basis with later transfer to other organisations such as Town or Parish Councils or other community organisations. Additional developer contributions may in some cases be required to assist with this transition.

In the event that infrastructure is not adopted, safeguards will be secured through planning conditions and/or Section 106 agreements to ensure that plans are in place for its long-term maintenance and that the Council or wider community does not later become liable for a sub-standard or poorly maintained space. These safeguards shall include:

- The construction of the infrastructure to the Council's required standards and the payment of supervision fees to ensure that this is achieved.

Policy DM70

- Council approval of management and maintenance arrangements, including measures for residents to hold the owners / managers of the infrastructure to account.
- 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.
- Where appropriate (for example, highways and Public Open Spaces) that infrastructure shall be open for public use in perpetuity without charge for its use, except where otherwise agreed in writing with the council.

Justification

Infrastructure on large or strategic sites is likely to be accessed by a range of users beyond the immediate residents. It should therefore be open to all and constructed and maintained to an appropriate standard.

The management of infrastructure by private management companies reduces the council's ability to control the quality and accessibility of infrastructure intended for the wider community. Most management companies are funded by service charges paid by residents which can cause community tensions in relation to those who are and are not paying whilst sharing the same infrastructure, particularly if there is a lack of accountability and oversight. In the event that management companies fail, residents and/or the council can be left with significant areas of sub-standard and poorly maintained infrastructure without the benefits of commuted sums. Where multiple management companies and/or the council operate on adjacent developments this can lead to confusion about responsibilities and variations in standards.

Adoption of infrastructure provides assurance that infrastructure delivered will be fit for purpose and up to the council's standards. It provides democratic accountability and enables a level of financial certainty, as S106 agreements can provide for the collection of commuted sums to support the ongoing maintenance of the adopted works."

Delivery and monitoring

The Infrastructure Delivery Plan is monitored by the council's Investment and Infrastructure Board and will be reported upon accordingly in future Annual Monitoring Reports.

DM71: Development contributions, Community Infrastructure Levy and viability.

Links to CS34: Infrastructure delivery and development contributions and Replacement Local Plan policy GDP/5: Developer contributions to infrastructure and other planning requirements.

Policy aim

Ensure adequate contributions are secured through development to mitigate the impacts of development and that new development is supported by the necessary investment in infrastructure and services.

Policy DM71

Planning obligations

Planning obligations will be entered into in order to mitigate the impacts of a development proposal. These obligations will be formalised through a Section 106 Agreement forming part of a planning approval, are legally binding and may include financial and/or non-financial obligations that bind on a specific parcel of land.

Section 106 Agreements will be sought in line with the appropriate regulations and will seek to deliver or address matters that are necessary to make the development proposal acceptable in planning terms and to ensure that new development is supported by the necessary investment in and/or provision of infrastructure and services to meet any additional demand.

Such planning obligations need to be:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

Community Infrastructure Levy (CIL)

A CIL Charging Schedule will be prepared separately, and this will detail the breakdown of charges applied across North Somerset. These charges will be separate to Section 106 Agreements and will be pursued in relation to the relevant regulations.

Policy DM71

Assessing viability

Development viability is a material consideration that can be considered in assessing development proposals. In some circumstances, requirements for planning obligations may render a development at the margins of financial viability. Where it is demonstrated using an agreed methodology (e.g. through residual valuation appraisal prepared to an agreed format and agreed assumptions), that the development proposal is unviable given the level of contributions sought, the council will consider whether any of the requirements can be delivered through alternative mechanisms or deferred subject to measures to seek alternative funding (such as government grants, where available) and/or to market review mechanisms. This will be at the discretion of the council and applied on a case by case basis taking into consideration the wider material considerations present.

However, in principle the inability to secure necessary contributions either through conditions or agreements to make a particular development acceptable in planning terms (such as environmental mitigation or compensation) must indicate an unacceptable proposal that should not be approved.

Where a development is agreed to be unviable, applicants will take all reasonable and practical steps to enable the delivery of required planning obligations including affordable housing through alternative mechanisms including the input of public sector grant. North Somerset Council will identify such mechanisms where known and support the applicant to secure their implementation.

The council may apply Market Recovery and other such mechanisms in order to receive required contributions upon any uplift in market conditions and this will be written into a Section 106 or similar Agreement. No such flexibility will be applied to CIL charges where these are in operation.

Collaboration

Where a development site is formed by more than one ownership the council will seek to ensure that effective collaborative procedures are in place in the planning and delivery of development. A lack of effective collaboration, particularly on larger more complex schemes may be a reason for refusal. The council will seek to maximise the economic use of current or former publicly-owned land.

Justification

Various measures have been utilised by Government over the years to allow Local Planning Authorities to ensure that developers assist in providing the infrastructure, facilities and services required to mitigate the impact of their developments. These include Section 106 style planning obligations and more recently the Community Infrastructure Levy, which North Somerset Council is seeking to introduce.

These two separate mechanisms have their own specific national regulations that apply to their use.

The Sites and Policies: Part 1 Development Management Plan contains a large number of specific policy areas which include requirements for a range of development contributions in order to secure sustainable development. This policy is intended to cover all development contributions when considering the plan as a whole – the individual policies will not necessarily reference all potential contributions or situations where contributions may be sought. This policy will provide the context for the assessment of development proposals taking into account the individual circumstances of the scheme in order to guide the nature and scale of contributions sought.

The economic redevelopment of publicly owned land will be a material consideration when determining planning applications. The NPPF gives a clear steer in favour of sustainable development or growth, with a presumption that "development that is sustainable should go ahead". Unlocking and accelerating the release and redevelopment of publicly owned land (often on brownfield or previously developed sites) will be key in driving successful economic growth and bringing underused or derelict sites back into use.

Delivery and monitoring

S106 agreements are monitored individually and reported to the council's Planning and Regulatory Committee. In future years the Annual Monitoring Report will be expanded to include information on development contributions secured, received and spent. Once a CIL charging schedule is adopted monitoring systems will be implemented and a reporting procedure agreed.

Appendix A: Superseded policies

The following policies in the North Somerset Replacement Local Plan (2007) are superseded by the Sites and Policies Part 1: Development Management Plan.

Replacement Local Plan Policies

Those Replacement Local Plan policies previously saved in March 2010 (i.e all except GDP/4, H/10 and T/5) but not listed in the table will remain saved until superseded by the adoption of future development plan documents.

North Somerset Replacement Local Plan (2007)		**Sites and Polices Part 1: Development Management Plan**	
Policy No.	Name	Policy No.	Name
GDP/3	Promoting good design and sustainable construction	DM32	High quality design and place-making
ECH/2	Public Art	DM32	High quality design and place-making
ECH/3	Conservation Areas	DM3	Conservation areas
ECH/4	Listed Buildings	DM4	Listed buildings
ECH/5	Historic parks and gardens	DM5	Historic Parks and Gardens
ECH/6	Archaeology	DM6	Archaeology
ECH/8	Mendip Hills Area of Outstanding Natural Beauty	DM11	Mendip Hills area of Outstanding Natural Beauty
ECH/11	Protected species and their habitats	DM8, DM9 and DM10	Nature Conservation, Trees and Landscape
ECH/12	Wildlife sites of international importance		
ECH/13	Sites of Special Scientific Interest and National Nature Reserves		
ECH/14	Wildlife and geological sites and local nature reserves		
RD/1	Agricultural and forestry development and farm-based diversification	DM51	Agricultural and land-based rural business development in the countryside

RD/2	Conversion and re-use of rural buildings	DM45 DM56 and DM57	The conversion or reuse of rural buildings to residential use. Conversion and re-use of rural buildings for employment development. Conversion, reuse and new build for visitor accomodation in the countryside.
RD/3	Development in the Green Belt	DM12	Development in the Green Belt
E/4	Proposals for new business developments within towns and defined settlements	DM47	Proposals for economic development within towns and defined settlements
E/6	Proposals for development on safeguarded land at Court House Farm	DM49	Royal Portbury Dock
E/7	Proposals for business development in the countryside	DM53 and DM54	Employment development on Greenfield sites in the countryside. Employment development on previously developed land in the countryside
E/9	New or extended hotel accommodation and tourist facilities	DM57	Conversion, re-use and new build of rural buildings for tourist accommodation
E/10	Camping and caravan site	DM58	Camping and caravanning sites
H/6	Flats, conversions and houses in multiple occupation (HMO's)	DM39	Sub-division of properties
H/8	Residential development in the countryside	DM44 and DM45	Replacement Dwellings in the countryside. The conversion or re-use of rural buildings to residential use.
H/9	Rural workers dwellings	DM46	Rural workers dwellings
H/11	Housing with care and/or support for vulnerable people	DM40 and DM41	Retirement accom-modation and supported independent living for older and vulnerable people. Nursing and care homes for older people and drug and alcohol rehabilitation units
T/1	Existing and proposed railway lines	DM22	Existing and proposed railway lines

T/2	Existing railway stations	DM23	Bus interchanges and park and ride facilities at existing railway stations
T/3	Proposed railway stations		
T/4	Existing public car parks	DM29	Car parks
T/6	Parking Standards	DM28	Parking Standards
T/7	Protection, development and improvement of the rights of way network and other forms of public access	DM25	Public rights of way, pedestrian and cycle access
T/8	Strategic cycle route		
T/9	Highway schemes	DM20	Major transport schemes
T/10	Safety, traffic and the provision of infrastructure associated with development	DM24	Safety, traffic and the provision of infrastructure etc. associated with development
T/11	Travel Plans	DM26	Travel Plans
T/12	Bristol International Airport	DM50	Bristol Airport
T/13	Air Safety	DM31	Air Safety
RT/2	Rejuvenating Weston-super-Mare town centre	DM60	Town centres
RT/3	The other town and district centres	DM60 and DM61	Town centres District centres
RT/5	Local shopping	DM62	Local centres
RT/6	Out of centre shopping	DM66 and DM67	The sequential approach for retail development Retail proposals outside or not adjacent to town, district or local centres
RT/7	Garden centres, nurseries and farm shops in the open countryside	DM59	Garden centres and shops in the countryside
CF/1	Provision of cultural and community facilities (Developer Contributions)	DM71	Development contributions, Community Infrastructure Levy and viability
CF/2	Cultural and community facilities within settlement boundaries	DM69	Location of sporting, cultural and community facilities
CF/3	Cultural and community facilities in the countryside		
CF/4	Safeguarding of existing and proposed sites and buildings	DM68	Protection of sporting, cultural and community facilities

Appendix B: Glossary

A1 retail use	A use class covering shops, retail warehouses, hairdressers, undertakers, travel and ticket agencies, post offices (but not sorting offices), pet shops, sandwich bars, showrooms, domestic hire shops, dry cleaners, funeral directors and internet cafes.
Affordable housing	Social rented, affordable rented and intermediate housing provided to eligible households whose needs are not met by the market.
Affordable rented	Rented housing let by registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent.
Annual Monitoring Report (AMR)	A report submitted to the government by local planning authorities assessing progress with and the effectiveness of the Local Development Framework.
Area of Outstanding Natural Beauty (AONB)	An area designated for its national landscape beauty value. The primary purpose is to conserve and enhance the natural beauty of the landscape. North Somerset contains part of the Mendip Hills AONB.
Assembly and Leisure (D2)	A use class covering cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).

Aspirational Housing

To qualify as aspirational houses should be:

- built individually or in small groups in high quality visual accessible locations;
- low density, typically between 8 and 15 dwellings per hectare;
- detached, with at least four bedrooms and two bathrooms;
- sited on large plots with a built footprint generally in excess of 100m2 and rear gardens of at least 200m2; and
- Set back from the road and provided with at least three-off street parking places.

Flats should be:

- on the upper floors of multi-storey developments or as 'penthouse'-style accommodation;
- have a significantly larger than average floor area. They may also have the provision of private outdoor space e.g. roof terrace; and
- internally finished to a higher than average specification.

These are generally considered to be minimum criteria. It may be appropriate to significantly exceed these guidelines.

B uses (B class employment)

Uses in the B Use class Order:

B1 Business Offices (other than those that fall within A2), research and development of products and processes, light industry appropriate in a residential area.

B2 General Industrial Use: for industrial process other than one falling within class B1 (excluding incineration purposes, chemical treatment or landfill or hazardous waste).

B8 Storage and Distribution: This class includes open air storage.

Biodiversity Action Plan (BAP)	A strategy prepared for a local area with the objective of conserving and enhancing biological diversity.
Combined heat and power (CHP)	An efficient way of generating electricity and heat simultaneously which can be used, for example, for district heating schemes.
Community facility	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, cinemas, public and private open space, and other outdoor or indoor sports facilities, places of 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 and theatres.
Community Infrastructure Levy (CIL)	A charge which development will pay to help fund infrastructure needed to support development in the area.
Comparison retail floorspace	This term describes the retail of goods which include: clothing and footwear; furniture, furnishings and household equipment (excluding non-durable household goods); medical and pharmaceutical products, therapeutic appliances and equipment; and educational and recreation equipment and accessories. It specifically does not include the wholesale of goods.
Conservation Area	Designated areas of special architectural or historic interest, whose character and appearance it is desirable to preserve or enhance.
Core Strategy	A Development Plan Document setting out the long-term spatial vision for the local planning authority area and the spatial objectives and strategic policies to deliver that vision.
Countryside	For the purposes of planning policy within this plan the term countryside refers to any land outside defined settlement boundaries.

Custom build	Custom build homes are those where individuals work with a specialist developer to help deliver their own homes.
Design and Access Statement	A document provided to support a planning application that sets out the rationale and process that has been gone through in developing the design strategy for a proposal. Its formulation will depend in part on the nature of the proposal and the associated design issues present.
Developer contributions	Contributions from development proposals towards the provision of infrastructure and services necessary to serve the development such as schools, affordable housing or transport. Contributions may be financial or by direct provision of works or land, secured through legal agreements.
Development Plan	The statutory planning documents setting out the policies and proposals for the development and use of land and buildings in the local planning authority area.
Development Plan Documents (DPDs)	Spatial planning documents which, once adopted form part of the Development Plan. They include the Core Strategy and other documents such as the Sites and Policies Plan.
Economic development	Economic development includes development within the B Use Classes, public and community uses and main town centre uses. It also includes uses that provide employment opportunities, generate wealth or produce or generate an economic output or product.
Employment Land Survey	An annual review of employment development, monitoring activity on sites which have been allocated for employment use and other proposals.
Environmental Impact Assessment	A procedure to be followed for certain types of projects to ensure the decisions are made in the full knowledge of any likely significant effects of the environment.

Flood risk assessment	An assessment of the likelihood of flooding in a particular area so that development needs and mitigation measures can be carefully considered. A strategic flood risk assessment (SFRA) is carried out by the local planning authority to inform the preparation of its Local Development Documents, having regard to catchment-wide flooding issues which affect the area.
Green Belt	Land designated around built-up areas to prevent urban sprawl by keeping land permanently open and where inappropriate development is tightly controlled. North Somerset includes part of the Bristol-Bath Green Belt.
Green infrastructure (GI)	Green infrastructure comprises the strategically planned and delivered network of high quality green spaces and other environmental features and includes parks, open spaces, playing fields, woodlands, allotments and private gardens.
Habitat Regulations Assessment (HRA)	Any plan or programme which could affect sites of international importance for wildlife will be subject to the Habitats Directive and will require an HRA. This involves assessing whether the plan is likely to have any significant effect on the site. If so, a full Appropriate Assessment will have to be undertaken to assess in detail the likely effects.
Heritage Asset	Is defined in the NPPF as 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions because of its heritage interest. Heritage asset includes designated historic assets and also assets identified by the local planning authority (including local listing).
Historic Park and Garden	A park or garden of special historic interest, designated by English Heritage.
Infrastructure Delivery Plan	A document identifying future infrastructure and service requirements identified by the council and other service providers needed to support the delivery of the Core Strategy.

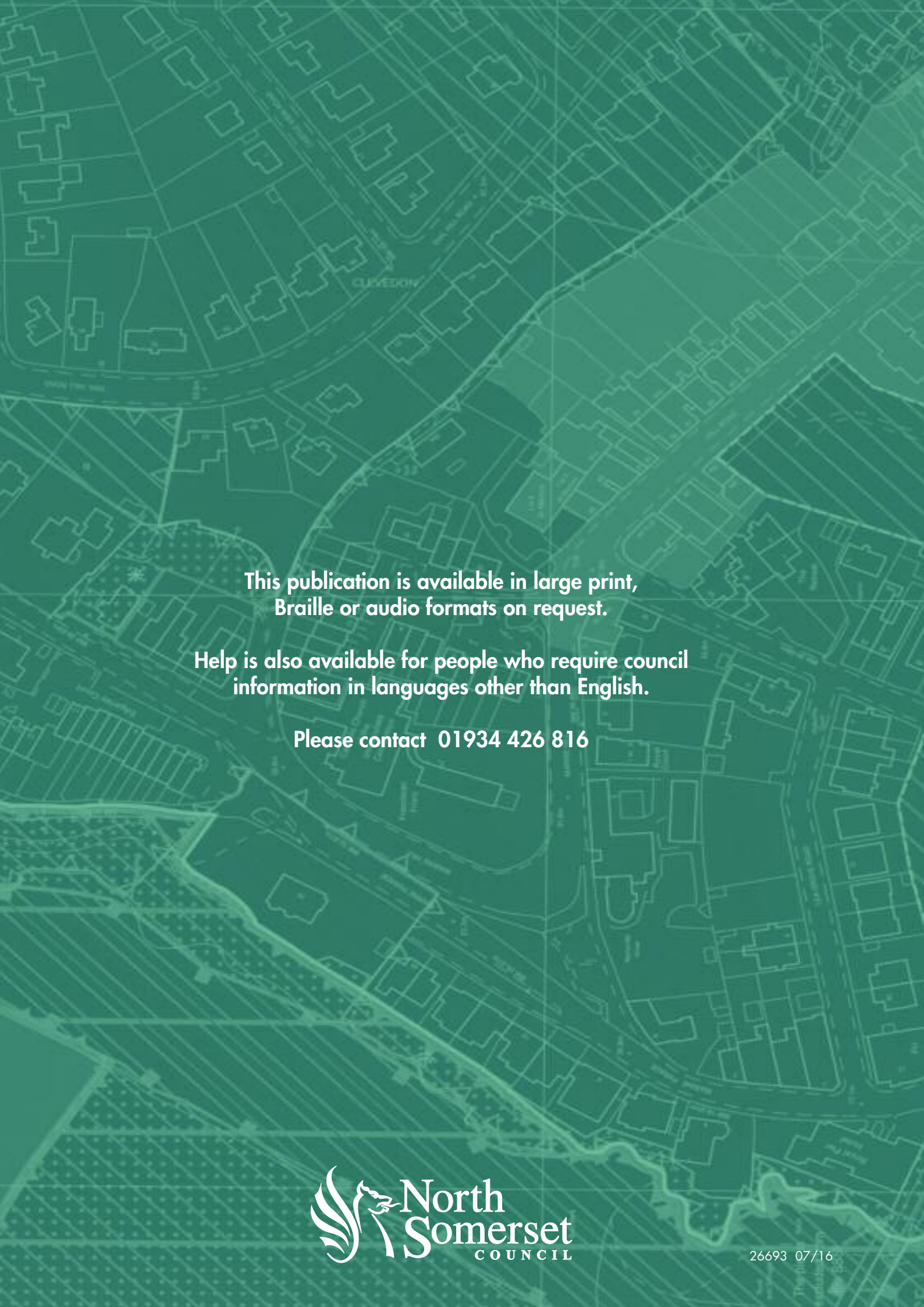
Intermediate housing	Affordable housing which is provided at prices and rents above those of social rent, but below market price or rents. This includes various forms of shared ownership housing.
Junction 21 Enterprise Area	Junction 21 Enterprise Area in Weston-super-Mare covers 72 hectares of employment land close to the M5 'ready to go' with planning permission and access.
Land based rural business development	A business which requires a rural location and is totally dependant on the use of the surrounding countryside for its business success e.g. horticultural, equestrian development, farming.
Lifetime Homes	Dwellings designed to provide accessible and adaptable accommodation for everyone, from young families to older people and people with a temporary or permanent physical impairment.
Listed Building	Buildings identified as being of special architectural or historic interest. Special consent is required for development affecting Listed Buildings.
Local Development Framework (LDF)	The collection of Local Development Documents produced by the local planning authority which collectively delivers the spatial strategy for its area. It includes the Core Strategy, Development Plan Documents and Supplementary Planning Documents.
Local Nature Reserve	Non-statutory habitats of local significance designated by local authorities where protection and public understanding of nature conservation is encouraged.
Minerals Safeguarding Area	An area designated by Minerals Planning Authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.
National Nature Reserve	Area designated with the aim of securing protection and appropriate management of the most important areas of wildlife habitat, and to provide a resource for scientific research. All National Nature Reserves are SSSIs.

National Planning Policy Framework (NPPF)	Document setting out the government's planning policies for England and how they are expected to be applied.
Non-residential institutions (D1)	Use class covering clinics, health centres, crèches, day nurseries, day centres, schools, art galleries (other than for sale or hire), museums, libraries, halls, places of worship, church halls, law courts, non-residential education and training centres.
Planning Inspectorate	The Planning Inspectorate for England and Wales is an executive agency of the Department for Communities and Local Government. It holds independent examinations to determine whether or not DPDs are `sound' and handles planning and enforcement appeals.
Planning obligation	A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.
Planning Policy Guidance Notes (PPG) and Planning Policy Statements (PPS)	Documents which formerly set out the government's national policies on planning issues and the operation of the planning system. PPGs were being replaced by PPSs, and are now superseded by the NPPF.
Previously developed land	Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.

Ramsar Sites	Internationally important wetland sites, which are especially valuable as a waterfowl habitat. They are designated under the Ramsar convention on wetlands of international importance.
Renewable energy	Energy generated from the sun, the wind, water and plant material (biomass).
Rural building	All buildings outside of settlement boundaries other than permanent dwellings (including associated garages and outbuildings used for residential purposes within the curtilage of a dwelling) and buildings on existing or safeguarded employment sites, quarry or waste sites. Primarily this is likely to be agricultural buildings.
Residual waste	Residual waste refers to the material that remains after the process of waste treatment has taken place. Such treatment can include agricultural, industrial and mining. It can also be applied in a more domestic sense, referring to the household rubbish not able to be recycled, re-used or composted.
Rural exception sites policy	A policy enabling small sites within rural areas which wouldn't otherwise be released for housing to be developed to meet identified local affordable housing needs.
Scheduled Monument	Archaeological sites, monuments or buried remains of national importance, designated by the government.
Section 106 Agreement	Section 106 of the 1990 Town & Country Planning Act allows a local planning authority to enter into a legally-binding agreement or planning obligation with a landowner in association with the granting of planning permission. They are used to support the delivery of services or infrastructure such as transport, recreation, education and affordable housing. Once adopted CIL will partially replace and supplement the S106 system, but S106 agreements will continue for site-specific mitigation of development.
Self Build	Self-build is when someone directly organises the design and construction of their own new home.

Settlement boundary	A line on the proposal map defining the area of a settlement within which specific development policies apply. Settlement boundaries do not necessarily include all of the town or village.
Site of Special Scientific Interest (SSSI)	A site identified under the Wildlife and Countryside and Rights of Way Act 2000 as an area of special interest by reason of its flora, fauna, geological or physiographical features.
Social rented	Affordable rented housing owned and managed by local authorities and Registered Providers.
Special Area of Conservation (SAC)	A site designated under the European Community Habitats Directive, to protect internationally important natural habitats and species.
Special Protection Areas (SPA)	Sites classified under the European Community Directive on Wild Birds to protect internationally important bird species.
Strategic Environmental Assessment (SEA)	A generic term used to describe environmental assessment as applied to policies, plans and programmes. The European SEA Directive requires a formal environmental assessment of certain plans and programmes, including those in the field of planning and land use.
Strategic Nature Areas (SNAs)	Are landscape scale areas of land that have been selected by Biodiversity South West as being important areas for the conservation and expansion of particular habitat types. These areas form part of the South West Nature map.
Supplementary Planning Document (SPD)	Documents prepared as part of the Local Development Framework to provide additional guidance on how policies will be implemented. They may include design guides and development briefs. They do not form part of the Development Plan.
Sustainability Appraisal (SA)	The process of appraising the economic, environmental and social effects of a plan to allow decisions to be made that accord with sustainable development.

Sustainable Community Strategy (SCS)	A document setting out the long-term vision for the area to tackle local needs. The SCS is prepared by the local strategic partnership.
Sustainable development	Development which meets the needs of the present generation, without compromising the needs of future generations to meet their own needs.
Sustainable Drainage Systems (SuDS)	Sustainable drainage is a concept that takes account of long term environmental and social factors in decisions about drainage, and is concerned with the quantity and quality of runoff, and the amenity value of surface water in the urban environment. SuDS provide an integrated approach to surface water design problems, which consider quality, quantity and amenity aspects equally.
Transport Assessment	A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will be need to be taken to deal with the anticipated transport impacts of the development.
Transport Statement	A simplified version of a transport assessment where it is agreed the transport issues arising out of development proposals are limited and a full transport assessment is not required.
Use Classes Order	The Town & Country Planning (Use Classes Order) 1987 (as amended) specifies various classes of use for buildings or land. Within each class the use for another purpose of the same class does not require planning permission.
Weston Villages SPD	A document setting out the detailed layout, phasing and provision of social, community and transport infrastructure of the Weston Villages development.



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North Somerset COUNCIL

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