Dear Mr Smith

Main Modifications

Thank you for your post hearing letter (13 November 2015). Please find attached our Schedule of Main Modifications (ED29) which details all the modifications to policies including the proposed changes and further proposed changes put forward before the hearing, the changes agreed at the hearing sessions and the modifications that you suggested in your post hearing letter.

I have also attached a marked up copy of the Plan which shows the changes.

We have taken on board the majority of your suggested modifications and have included these changes in the Schedule of Main Modifications.

With regard to paragraph 33 of your post hearing letter we do not wish to provide any further evidence but I have set out our approach, in light of your comments, to these policies:

DM27: Bus accessibility criteria
Transport officers have looked at bus stopping frequencies at all bus stops across the district by extracting data from the SWPTI database that is used to inform bus timetable information services and RTI. Whilst there are a range of service frequencies across the district, many stops are visited by multiple services and so average stopping frequencies per stop were much higher than the target frequencies cited in DM27.

In the spirit of supporting the policy aim for future development to be more sustainable and in light of the existing level of bus service provision on existing bus routes it is felt that the target frequencies should remain at least as frequent as those set out which are in line with archived regional guidance RPG10. However it is acknowledged that, as pointed out by you, the
threshold of 10 dwellings could have unintended consequences in terms of inhibiting future development, in particular development of appropriate or affordable homes for local people.

With this in mind it is suggested that the policy is changed to a more reasonable threshold of more than 50 dwellings in line with the council’s threshold for a Transport Statement/Transport Assessment as set out in Appendix A of the NSC Highways Development Design Guide, December 2013 http://www.n-somerset.gov.uk/KBA/DM/Documents/highways%20development%20design%20guide%20(pdf).pdf

Similarly, the threshold for non-residential development should be changed. In reviewing this threshold it is thought more appropriate to use number of jobs rather than Gross Floor Area (GFA) as a proxy for trip generation as trips could vary significantly across different types of development. The suggested revised threshold is 50 jobs on the basis that, using standard trip rate assumptions spread over a 2 hour AM peak period, this number of jobs would generate a broadly similar number of movements to a 50 home development and should therefore be expected to ensure access to a suitable bus service for staff and customers.

DM64: Primary Shopping Frontages
In terms of DM64 we accept the Inspectors comments and will amend the proposals map to remove the extended Primary Retail Frontage along Regents Street (between the High Street and seafront) in Weston-super-Mare.

DM66: The sequential approach to retail development
In terms of DM66 we accept your proposed modifications and do not intend to submit further evidence. However, we do feel that it is necessary to retain Policy DM67 as DM66 does not cover retail proposals in locations outside of a defined retail centre. If DM67 were removed then there would be no policy to judge out of town retail proposals against. However, we have made modifications to DM67 in light of your suggested changes to DM66 which are set out on the Schedule of Modifications.

DM57: Conversion, re-use and new build for visitor accommodation in the countryside.
In terms of your comments on DM57 we would be very reluctant to remove the reference preventing change to permanent residential within10 years. Our main concern with this policy is with new build tourist accommodation/holiday homes which then apply to change to residential use a year or two after being constructed. Visitor accommodation, especially new build, is very much an exception to normal planning policies in the countryside. It is important that the system is not abused by any approvals being closely followed by planning applications for permanent residential accommodation.

If this clause was removed from Policy DM57 along with the removal of bullet point iv from the policy and bullet point 4 from DM45 the council will be left in a very weak position with regard controlling the change from holiday accommodation to permanent residential use.

We would like to suggest the following change to the second paragraph of DM57 for clarity: “Subsequent applications to change holiday accommodation to permanent residential use or the removal of conditions for holiday accommodation will not be permitted within 10 years of the conversion or construction and unless it complies with Policy DM45 (The conversion of rural buildings to residential use)”.
Further Modifications:

There are also three policies where we would like to make additional Main Modifications purely to clarify the meaning of the policies or to set out how the policy will be implemented. They are:

DM41: Nursing and care homes for older people and other vulnerable people
Changes to this policy are to clarify that it refers to drug rehabilitation centres as well as care homes for the elderly, and some minor text has been added to the justification stating that these uses will be controlled through conditions. The proposed Main Modifications have been highlighted in blue on the Schedule of Main Modifications.

DM22: Existing and proposed railway lines
The Main Modification is to amend the current allocation to reflect the most up-to-date site for the proposed Portishead railway line.

DM38: Extensions to dwellings
Modification to make it clear that the policy is related to outbuildings ancillary to the main residential use as well as extensions to dwellings. These Main Modifications are highlighted in blue on the Schedule.

We look forward to hearing from you.

Yours sincerely

Claire Courtois
Principal Planning Policy Officer

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