



WEST SOMERSET LOCAL PLAN TO 2032

EXAMINATION STAGE

PROPOSED MODIFICATIONS – May 2016

1. **BACKGROUND INFORMATION**

- 1.1 The 1947 Town and Country Planning Act introduced the requirement for Local Authorities to prepare development plans; a requirement which remains enshrined in law through subsequent legislation up to the present day. The 'planned system' as it is referred to, establishes that planning decisions should be made in accordance with the development plan unless material considerations indicate otherwise.
- 1.2 In West Somerset the development plan is made up of a series of Development Plan Documents (DPDs). The Minerals and Waste plans are prepared and maintained by Somerset County Council as the authority responsible for such matters. The current development plan is comprised of the following:
- West Somerset Local Plan (2006)
 - Somerset Waste Core Strategy (2013)
 - Somerset Minerals Plan (2015)
- 1.3 The current West Somerset Local Plan is now time expired insofar as the statistical projections that under-pinned the overall strategy and several key policies only operated up to 2011. The introduction of the Coalition Government's National Planning Policy Framework (NPPF) in March 2012 produced a revised national context for the future development of development plan strategies and policies. Existing development plan policies continued to be the basis on which planning applications could be determined. However, the weight which could be attached to them in the determination process has subsequently been determined on the degree of consistency with the relevant parts of the NPPF.
- 1.4 Work commenced on the West Somerset Local Plan in 2009. This was originally conceived as a Core Strategy, a strategic level Development Plan Document (DPD) as part of the Local Development Framework (LDF) for West Somerset under the provisions of the Planning and Compulsory Purchase Act. Following subsequent changes to the development plan legislation it remains primarily a strategic level document but includes a number of detailed policies in order to ensure that it is NPPF compliant and is now referred to as the West Somerset Local Plan to 2032. The production of the new Local Plan has been an iterative process involving public consultation that has gone through the following stages:

Stage	Consultation period
<i>Issues letter</i>	8 th July – 1 st September 2009
<i>Options</i>	29 th March – 24 th May 2010
<i>Preferred Strategy</i>	22 nd March – 16 th May 2012
<i>Revised Preferred Strategy</i>	29 th July – 23 rd September 2013
<i>Publication</i>	10 th February – 23 rd March 2015

- 1.5 The Local Plan to 2032 was submitted to the Secretary of State on 31st July 2015 and a Planning Inspector, Brian Cook MRTPI was appointed to take it through the Examination stage. The purpose of the Examination stage is for the local

plan document to be scrutinised by an independent planning expert. They would seek to establish if it had been properly prepared in the context of the development plan legislation, was compliant and consistent with national policy and, as a consequence could be recommended as being 'sound' and, therefore, providing an acceptable basis for the determination of planning applications. Hearing Sessions to explore further, specific matters identified by the Inspector were held between 14th and 22nd March 2016.

1.6 The Modifications proposed through this document are a result of a number of elements associated with the Examination stage, commencing with the Publication of the Local Plan to 2032 in early 2015. The Modifications were endorsed by Full Council for consultation at its meeting on 11th May 2016. The Modifications arose from one, or a combination of, sources including;

- Responses to the consultation process on the Publication version (February 2015) of the Local Plan to 2032,
- Correspondence between the Local Planning Authority (LPA) and the Inspector prior to the Hearing Sessions in March 2016,
- Discussions at the Hearing Sessions, and,
- Post-Hearing correspondence between the LPA and the Inspector following publication of the papers for the Full Council meeting on 11th May 2016.

Some parts of the Local Plan's contents have been subject to several changes through these phases whilst others have not been affected or only subject to minor alteration.

1.7 There have been some changes to the Modifications presented to Full Council and those included in this document. Most of the changes have been minor in nature and relate to a change in the status of the Modification itself (see xx below). One substantial change has been the deletion of the proposed wording for Policy SC4: Affordable Housing as a Modification. The version proposed to Full Council in the documentation was recommended to be deleted as a consequence of the judgement handed down by the Court of Appeal on that day (11th May). This has been reflected in the relevant documentation that will be the subject of this consultation.

Type of Modification

1.8 The Regulations identify two different types Modification to be consulted on at this stage in the process;

- **Main Modifications** – these are changes to policy-wording including additions and/or deletions to words, sentences or, parts there-of and, creation of new policies. Also included are changes to the supporting text where this would have a significant effect on the way that the related policy is interpreted.
- **Additional Modifications** – these are minor changes to the supporting text in order to clarify what is being said and errors in typography/grammar.

1.9 For the purposes of the consultation on the Modifications, for ease of identification and understanding of the qualifying types of change proposed, these have been summarised in the Tables in Appendix A to this document.

Table 1 deals with the Main Modifications only whilst Table 2 lists the Additional Modifications. Both tables have a common format with the summary information contained in six columns for each individual modification. These comprise;

- **Modification number** – preceded by characters MM or AM according to type.
- **Policy reference and Page number** – the first of these relates to the relevant Policy number in the Local Plan to 2032 to which the proposed change applies whilst the second refers to the page number in the latest version of the document (copies of this version which is based on the Publication version [February 2015] and incorporates all the highlighted changes proposed through this Modifications document. This will be available on the Council's web-site at; <https://www.westsomersetonline.gov.uk/Planning---Building/Planning-Policy/Local-Plan-to-2032/Examination> and, in hard copy format at the identified Deposit locations e.g. Council offices and, local libraries).
- **Occurrence** – this refers to where during the Examination stage to date the need for the change was identified. It also includes the period between the start of the consultation on the Publication version of the plan and its Submission to the Secretary of State on 31st July 2015.
- **Proposed Change** – this provides a brief description of the type of change proposed.
- **Justification** – this provides a summary of the reason(s) why the change is required.
- **SA Implications** – this provides a summary of any implications in the context of the Sustainability Appraisal of the Local Plan to 2032.

1.10 Appendix B is in a tabular format similar to that used in the Publication and Submission versions of the Local Plan to 2032. It incorporates all the proposed changes that are recommended to be made to the Publication Draft version of the Local Plan in order to assist the Inspector in finding the plan 'sound'. It only refers to those bits of the Local Plan that are Proposed to be changed. These need to be compared with the full version of the Local Plan referred to in the previous paragraph.

1.11 Appendix B comprises two columns of information identified by the policy number and title to which it relates. These comprise;

- The first column provides contextual information that helps to:
 - Identify the location of the proposed change within the relevant Local Plan policy (normal text and font).
 - The point within the Examination stage of the process including the period between the commencement of the consultation period on the Publication version and the document's submission to the Secretary of State on 31st July 2015. e.g. Pre-Submission, Examination Hearings, etc. (identified in *italics* and within brackets ()).
 - A page reference to the latest version of the Local Plan referred to in para.1.9 above (page no. is shown in **bold** font).

- The second column includes the policy wording (in CAPITALS) and/or the section of text that is the subject of proposed change. This is represented in three formats:
 - Strikethrough – to be deleted
 - Bold – new/additional/replacement wording
 - Normal font – unchanged

1.12 Where a change to the wording of a policy is proposed, the whole of the Policy is included. The same approach has been applied to each of three elements of the supporting text (Purpose, Assumptions and, Justification). The only exceptions to this approach has been in relation to the provision and/or amendment of 'Definitions' in the Justification text where these alone have been provided. Also, the list of 'Sources' that accompany the Justification text have not been included unless these have been subject to change. If the latter is only to indicate an additional reference, then only the new citation is identified.