

# Chapter 1

## INTRODUCTION

The South Somerset Local Plan (SSLP) was adopted on 27 April 2006 and “saved” until 26 April 2009 pending the preparation of replacement Local Development Framework (LDF) documents.

The Government Office for the South West have agreed to extend most Policies and Proposals beyond the 3 year saved period”.

**Policies** that have not been extended are struck through in the text. For ease of reference these are:

Chapter 6: Utilities	Policy EU1	Renewable Energy
	Policy EU2	Wind Turbines
	Policy EU5	Flooding
Chapter 10: Housing	Policy HG5	Replacement Dwellings in the Countryside
	Policy HG13	Sites for Travelling Show People
	Policy HG14	Sites for Travelling Show People

A number of **Proposals** have also not been extended as they have already been implemented or have Planning Permission and are under construction. These are:

Chapter 12: Area East	Proposal ME/CACA/3(ii)	Torbay Road, Castle Cary
Chapter 13: Area North	Proposal HG/SOME/4	The Mill House, Sutton Road, Somerton
	Proposal HG/SOPE/2	Land at Lightgate Lane, South Petherton
	Proposal TP/SOME/5	Widening of Cartway Lane, Somerton
	Proposal TP/SOME/6	Pedestrian Priority in West Street, Somerton
	Proposal CR/FIVE/1	Land at existing playing field, Fivehead
Chapter 14: Area South	Proposal HG/YEOV/2	Former Factory site, west of Larkhill Road, Yeovil
	Proposal HG/YEOV/3	Former Jewsons Yard, Newton Road, Yeovil
	Proposal ME/YEOV/6	Land east of Buckland Road, Pen Mill, Yeovil
	Proposal CR/BRYM/3	Land at Abbey Farm, Yeovil
Chapter 15: Area West	Proposal HG/CHAR/2	Land off Lower Touches, Chard
	Proposal HG/ILMI/1	Land north of Summervale Medical Centre, Wharf Lane, Ilminster
	<b>Proposal MU/ILMI/2</b>	<b>Land off Shudrick Lane, Ilminster</b>



## CHAPTER 1: INTRODUCTION

### INTRODUCTION

- 1.1 The South Somerset Local Plan provides a detailed guide for the conservation and development of the District until 2011.
- 1.2 The following Local Plans, which previously covered the District, ceased to have effect on 27<sup>th</sup> April 2006 when this Local Plan was adopted:
- Chard and Ilminster Local Plan (adopted 1995)
  - Crewkerne Local Plan (adopted 1984)
  - Langport and Somerton Local Plan (adopted 1993)
  - Wincanton Local Plan (adopted 1987)
  - Yeovil Area Local Plan (adopted 1990)

### FUNCTIONS OF THE LOCAL PLAN

- 1.3 The main purposes of the South Somerset Local Plan are to put forward proposals for the conservation and development or other use of land, and to guide most day-to-day planning decisions. It also fulfils a number of related functions, which may be summarised as follows:
- To apply the strategic planning policies of the Somerset and Exmoor National Park Joint Structure Plan Review (April 2000) in terms of Local Plan policies and proposals for the District;
  - To examine local issues and problems which need consideration but may not have been considered in the Joint Structure Plan Review;
  - To identify sufficient land to meet the development needs of the District during the Plan period, while also conserving and enhancing the environment;
  - To provide a satisfactory basis for development control decisions on planning applications;
  - to provide, together with the Joint Structure Plan Review, a means of co-ordinating the investment and

development programmes of private and public organisations; and

- To bring planning issues to local communities for consideration.

### SCOPE & ENVIRONMENTAL APPRAISAL

- 1.4 The role and status of local plans was enhanced by the addition to the Town and Country Planning Act 1990 of Section 54A, which introduced the concept of the plan-led in decision-making. S54A has been replaced by Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states:

*If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.*

The "development plan" for the area consists of the Local Plan, Regional Planning Guidance for the South West (RPG10), the Joint Structure Plan Review and the Minerals and Waste Local Plans. RPG10, published by the Government, represents the Regional Spatial Strategy (RSS) for the South West. The Structure Plan is prepared jointly by Somerset County Council and the Exmoor National Park Authority and sets out key, strategic policies as a framework for local planning. Somerset County Council also prepare the Waste and Minerals Local Plans. These documents should, therefore, be referred to for guidance on planning decisions.

- 1.5 The Government have recently introduced a new planning system with Regional Spatial Strategies and Local Development Frameworks (LDF's) replacing Regional Planning Guidance, Structure Plans and Local Plans. The final stages of Local Plan's preparation to adoption were carried out under the old planning system in accordance with transitional arrangements. The key legal requirements for Local Plans are that they shall include policies for:
- The conservation of the natural beauty and amenity of the land;

- The improvement of the physical environment; and
- The management of traffic.

1.6 Although it is not a legal requirement for Local Plans, it is prudent that they should also take into account the requirements that Structure Plans and Unitary Development Plans shall have regard to:

- Social & economic considerations; and
- Environmental considerations.

1.7 The main source of advice on the preparation of the South Somerset Local Plan was Planning Policy Guidance note 12 (Development Plans). In particular, PPG12 advises that environmental concerns need to be integrated into policy appraisals in local plan preparation. The good practice guide 'Environmental Appraisal of Development Plans' was published by the Department of the Environment in late 1993. An Environmental Appraisal was undertaken and published separately to the Deposit Draft Local Plan.

#### LOCAL PLAN FORMAT

1.8 Any Local Plan has two main elements: the 'Written Statement' which formulates in detail the policies and proposals for the development and other use of land; and the 'Proposals Map' showing, on an Ordnance Survey base, the areas of land to which these policies and proposals apply.

#### THE WRITTEN STATEMENT

1.9 The Written Statement of the Local Plan consists of a series of chapters dealing with particular topics and includes relevant **Policies**, although it must be borne in mind that these topics, and many policies and proposals, are inter-related and should not be considered in isolation from each other. Indeed, the Local Plan must be read as a whole rather than looking at separate policies or proposals in isolation from each other. They are followed by chapters containing **Proposals** for development in each of the Council's administrative areas, an Implementation chapter, and a Glossary.

1.10 Most of the topic chapters are themselves divided into three parts:

- Introduction - giving essential background information about the Plan area, and outlining the main problems and issues;
- Objectives
- Policies - each policy is distinguished in the text by being shown in **light blue**.

1.11 A distinction can be made between the **Policies** and **Proposals** in the Local Plan. **Policies** act as guides for the District Council to make consistent planning decisions or indicate particular courses of action which it wishes to see followed (e.g. Policy ME6 states that the District Council will resist the loss of employment land, etc.). Some policies refer to the entire District, while others apply only to certain specified parts of it.

1.12 **Proposals** define the way in which a particular piece of land should be developed or used in the future (e.g. Proposal ME/YEOV/4 allocates land in Yeovil for employment development). To be achieved, proposals often require expenditure of public or private funds, or a combination of both. Only proposals which have a realistic prospect of being implemented during the Plan period should be included in the Local Plan.

1.13 Within the text of the Written Statement, there are several STATEMENTS OF INTENT, highlighted by being printed in **bold italic lettering**. These statements of intent are important objectives or actions which the District Council will carry out or seek to promote. But, because they are not strictly land use matters, they cannot be included in a Local Plan as either policies or proposals. Nor can they be used to decide planning applications or justify the imposition of conditions.

1.14 In view of the Local Plan's role as a guide for investment decisions and the importance of ensuring that Local Plan policies and proposals are realistic, the Implementation chapter (Chapter 16) indicates the phasing of particular policies and proposals. It also considers the financial and other resources

which are expected to be available, the likely sources of such funds, and which body or authority will be responsible for implementing policies and proposals. This chapter also indicates where there is an inter-dependence between various policies and proposals.

### THE PROPOSALS MAP

- 1.15 Accompanying the Written Statement is a Proposals Map which covers the whole District area. However, it indicates only the sub-areas (corresponding with the areas administered by the Council's Area Committees) which are shown in more detail on separate Inset Maps and, within them, in still greater detail are Inset Maps for individual settlements.

### STAGES IN PREPARATION

- 1.16 South Somerset District Council prepared the South Somerset Local Plan under the provisions of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991) and associated regulations.

- 1.17 Preparation of the Local Plan took place in a series of stages which are summarised below:

1. Preparation of Local Plan Brief.
2. Consultation with local communities, Parish and Town Councils on Issues and Key Sites.
3. Survey work, including consultations with the County Council, statutory undertakers and specialist advisory bodies.
4. Preparation of Draft Local Plan.
5. Approval by the District Council of the Consultation Draft Local Plan and publication for public consultation.
6. Consideration by District Council of comments received on Consultation Draft Local Plan and amendments made to Local Plan.
7. Further consultation on development proposals (after Plan's end-date extended from 2006).
8. Approval by District Council of Local Plan for public deposit.

9. Statement by Somerset County Council that the Local Plan is (or in what respect is not) in conformity with the Joint Structure Plan Review.

10. Approved Local Plan placed on public deposit for the making of formal objections/supporting representations.

11. Consideration of objections/supporting representations.

12. Publication of District Council's proposed changes to Local Plan.

13. Public Local Inquiry (before an independent Inspector) into objections to the Deposit Draft Local Plan.

14. Consideration of Inspector's report of Inquiry.

15. Publication of Proposed Modifications to Local Plan (February 2004) and Further Proposed Modifications (December 2004) - consultation process repeated.

16. Modifications Inquiry (before an independent Inspector) into objections to the above Proposed Modifications and Further Proposed Modifications.

17. Publication of Further Proposed Modifications (June 2005 and January 2006) to Local Plan - consultation process repeated.

18. Local Plan formally adopted as the statutory Local Plan for the District.

- 1.18 The Local Plan Brief was approved by the District Council in January 1992. Preliminary consultation was undertaken by writing to all Town and Parish Councils, as well as to statutory consultees and known interested parties, for their views. Subsequently, the wider public was involved in discussions on possible major development areas by means of a series of planning forums and public meetings, held in the period July-October 1993. These were followed up by further public meetings to discuss the findings of various additional studies which were undertaken.

- 1.19 Comments received from these discussions, together with many others received during the preparation of the Local Plan, were taken into

account when preparing the Consultation Draft Plan. Inevitably there were conflicting views, but the Plan tried to reconcile these as far as possible.

- 1.20 As a further means of taking public opinion into consideration, discussions were held with the Council's Planning Policy Working Party and its successor, the Land Use, Economic and Transport Strategy Group. Both were informal groups of District Council members drawn from throughout the District. Neither group was a decision making body; decisions are made by the Council itself and its Committees. Council decisions have been publicised in information leaflets and letters sent to all Town and Parish Councils.

#### Consultation Draft

- 1.21 The Consultation Draft Local Plan was approved on 28 June and 19 July 1994 by the District Council as the basis for public consultation. Widespread publicity was given to publication of the draft Local Plan, with an information leaflet delivered to every household in the District. Exhibitions and 'planning for real' techniques were used to inform members of the public about the Local Plan and to enable them to express their views. In addition, a wide range of local bodies (including Town and Parish Councils) and other organisations were consulted.

- 1.22 The resulting comments were reported to the District Council. Because of a strong objection from the Government Office for the South West, it became necessary to extend the Local Plan's end-date from 2006 to 2011. This meant that additional land for development needed to be found. Further meetings and workshop sessions with Local Councils were held and decisions on development land were made by the Council and its Area Committees in 1996 and 1997.

#### Deposit Draft

- 1.23 The Deposit Draft of the Local Plan was formally approved by the Council on 12 February 1998 and was placed 'on deposit' for a six week period ending on 7<sup>th</sup> August 1998. Subsequently, a number of changes were

made to the Local Plan prior to the Local Plan Inquiry. These included:

- Proposed Changes - published in May/June 2001 in response to representations to the Deposit Draft Local Plan and to take into account of new Government advice.
- Council Agreed Changes - November 2001 in response to objections to the Proposed Changes. With the exception of the matters published as Further Proposed Changes, these changes were not published for further consultation.
- Further Proposed Changes - were published for public comment in September/November 2001, making further amendments to the Chard Key Site (KS/CHAR/1), Crewkerne Key Site (KS/CREW/1) and the Misterton and Crewkerne inset boundaries.

#### Local Plan Inquiry

- 1.24 A Public Inquiry into objections to the Draft South Somerset Local Plan was held between 9<sup>th</sup> April 2002 and 7<sup>th</sup> February 2003. During the Inquiry itself a number of additional changes were put to the Inquiry by Officers of the Council in response to matters raised at the time. These changes were endorsed by full Council but were not advertised for public comment.

- 1.25 The Inspector's report was received June 2003. The report and its recommendations were considered by the Council during December 2003 and January 2004 and resulted in the Proposed Modifications to the Local Plan (February 2004).

#### Proposed Modifications

- 1.26 The Proposed Modifications to the Local Plan were placed 'on deposit' from 26 February 2004 to 7<sup>th</sup> April 2004. After consideration of the representations received the Council published Further Proposed Modifications in December 2004 and June 2005.

Modifications Inquiry

- 1.27 A Modifications Inquiry into objections to the Proposed Modifications and Further Proposed Modifications to the South Somerset Local Plan was held between the 7<sup>th</sup> and 16<sup>th</sup> June 2005. The Inquiry looked at the issue of employment land off Bunford Lane, Yeovil and the Development Area at Shudrick Lane, Ilminster.
- 1.28 The Inspector's report was received on 3<sup>rd</sup> November 2005. The report and its recommendations were considered by the

Council in December 2005 and resulted in the publication of a Further Proposed Modification to the Local Plan in January 2006.

- 1.29 The representations to the Further Proposed Modification were considered by the Council on 16<sup>th</sup> March 2006 when it was resolved to make no further changes and to proceed to adoption.

Adoption of the Local Plan

- 1.30 The District Council adopted the South Somerset Local Plan on 27<sup>th</sup> April 2006.

