

Council – 23rd April 2012

7. National Planning Policy Framework and its Implications for the Emerging Core Strategy (Report by Project Management Board)

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Purpose of the Report

To inform members of the main elements of the National Planning Policy Framework (NPPF) published on 27th March of this year and its implications for the emerging Core Strategy and to present any amendments to the emerging Core Strategy with justifications for endorsement by Council. The implications of the Planning Policy for Traveller published on the same day and intended to be read alongside the NPPF are also considered in relation to the Core Strategy.

Public Interest

The report serves to check the emerging Core Strategy against the contents of the new NPPF (and Planning Policy for Traveller sites) to which it must comply and to suggest amendments where appropriate.

Recommendations

That Members:-

1. Note that the Core Strategy be renamed the South Somerset Local Plan 2006 – 2028
2. Amend the Core Strategy (South Somerset Local Plan 2006 – 2028) with the changes as indicated in annex1 and associated appendices.
3. amend the Core Strategy (South Somerset Local Plan 2006 – 2028) to refer in supporting text to the national Planning Policy for Traveller sites (as indicated in section 2 below) and not pursue a specific rural exception policy for Gypsies, Travellers and Travelling Show people.
4. delegate to the Project Management Board the decision on which currently saved Policies to retain through integration into the South Somerset local Plan 2006 – 2028 from the existing list of saved policies from the former Local Plan (1991 – 2011).
5. delegate to the Project Management Board the decision to integrate into the South Somerset Local Plan 2006 – 2028 policies in former Planning Policy Statements not continued within the NPPF.

Background

The District Executive Committee considered the draft NPPF at its meeting in October 2011 and made representations to the Government on it. The final approved NPPF was published on and is operative from 27th March of this year. It has been necessary to await the approved NPPF before considering its implications for the emerging Core Strategy.

This report presents the Project Management Board recommendations on the NPPF and its implications (along with the Planning Policy for Traveller sites) following its meeting on 12th April and presents recommendations for the Council in relation to the implications for the Local Plan 2006 – 2028.

Report

In addition to the NPPF/ Traveller Policy it also presents issues relating to continuation of saved policies emerging from a detailed comparison of NPPF policies against outgoing Planning Policy Statements (PPS's). The report consists of 4 parts:-

1. Review of Contents and implications of the NPPF for the emerging Core Strategy – set out in detail in annex 1. Further information relating to a required Housing Trajectory, a review of windfall provision in Yeovil emerging from NPPF changes, a proposed Historic Environment policy and supporting text and a review of joint working done to meet the Duty to Co-operate required by the NPPF are set out in appendices to annex 1.
2. Planning Policy for Traveller sites – implications for Local Plan 2006 –2028.
3. Review of Saved Policies.
4. Comparison of NPPF policies against outgoing PPS's

The summary, conclusions and implications for further work emerging from these assessments are set out below.

1. Review of Contents and implications for emerging Core Strategy

In general terms the NPPF reflects the previous policy context set out in Planning Policy Statements and so the Core Strategy is already broadly consistent with it. There are a number of issues however requiring change to the emerging policy document and these are specifically set out in annex 1. The main implications are summarised below:-

- a) Core Strategy's are to be renamed local plans and so to avoid confusion it is recommended to rename the Core Strategy the South Somerset Local Plan 2006 - 2028
- b) Refinements in the definition of sustainable development in the NPPF should be reflected in the Plan
- c) Changes in the details of the sequential test for planning applications for designated town centre uses need to be recognised including the identification of office uses as relevant for application of the sequential test and the application of the test in rural areas needs to be clarified in the new Plan by a definition of "small scale rural offices or other small scale rural development"
- d) A housing trajectory is a requirement of a Local Plan and one is set out in appendix A reflecting work undertaken on Trajectories by Consultants Baker's and Tym in earlier work produced for the Authority and also work undertaken to produce the latest Annual Monitoring Report and 5 year land supply
- e) The re introduction of windfall estimation to inform housing supply has required a review of the Yeovil Urban Capacity work and the expected housing provision to be provided within Yeovil's urban frame (including the three key sites) and that expected in the Urban Extension. The detailed work is presented in appendix B and the general outcome is that the previous estimation of development within the urban frame is similar although the optimistic provision figure of 6,250 dwellings set out in proposed policy is around 900dw more than the windfall estimation. It is felt that the windfall estimation review confirms the broad scale of development likely to come forward within the urban frame. Should the lower figure materialise, then the Yeovil Urban Extension has scope to provide sufficient additional provision to ensure the overall Yeovil requirement of 7,815 dw can be achieved.
- f) With the demise of eco town guidance and the more uniform application of eco standards it is suggested that the Eco town urban extension be recognised as following the principles of Garden City suburbs (as recommended in the NPPF)

reflecting the high design and open space aspirations for the extension and be renamed as a Sustainable Urban Extension (rather than eco town extension).

- g) The re use of redundant and disused buildings in rural areas for residential use is now to be permitted where there are special circumstances including “where the development would re-use redundant or disused buildings and lead to enhancement to the immediate setting”. This new policy approach is directly at odds with the policy approach proposed in the Council’s emerging Policy EP4 which seeks to put business or community re –use first and resist residential use unless every reasonable attempt has been made to secure suitable business use or live/ work use. The proposed policy also sets out criteria on building qualities to apply to proposed developments. This policy approach in EP4 cannot now be maintained in the light of the new Government policy in the NPPF and the policy should be deleted from the emerging Local Plan 2002 - 2028.
- h) Changes in the NPPF now allow Council’s to apply the code for sustainable homes district wide rather than in named areas and this should be pursued.
- i) Biodiversity protection should be enhanced by reference to promoting coherent ecological networks and by seeking clearer protection of and recovery of priority species as defined in the Natural Environment and Rural Communities Act section 41 in emerging policy EQ3.
- j) Reference should be made to the materiality of the new noise contours relating to Ilchester and the Yeovilton air base in dealing with proposed development there.
- k) Promotion of Historic Environmental conservation needs to be emphasised more in the Core Strategy. Additional supporting text and policy should be brought forward in recognition of the particular importance the NPPF puts on the Historic Environment. Furthermore this would address the perceived understatement of the Council’s commitment to Conservation in the draft Core Strategy and the need to set the context more clearly for the future development of the required “Positive strategy for the conservation and enjoyment of the historic environment” which is required to be produced by the Council. Appendix C shows suggested additional wording for the Core Strategy for endorsement.
- l) In relation specifically to Landscape, reference should be made in supporting text to emerging Policy EQ2 to produce a landscape strategy that would clarify and amplify how landscape should be applied when dealing with development and serve to implement the requirement of section 156 of the NPPF in relation to landscape.
- m) Whilst the requirements for Joint working on Local Plans have been taken into account in the past as demonstrated by appendix D it is felt an appropriate time to re acquaint members with this work and where it has led. There is a need for confirmation of progress made at Member level within Somerset and through specific meeting with Members from West and North Dorset Councils and from Dorset County Council.
- n) Confirmation that existing policies remain as part of the Development Plan for 1 year only beyond which, whilst material considerations, they do not form part of the statutory development plan requires the review of these policies (see below)

2. Planning Policy for Traveller sites

Following the consultation on the draft Planning Policy for Traveller sites in April 2011 the Government has now published the final version. This came into effect on the same day as the NPPF. The Government intends to review this policy when “fair and representative” results of its implementation are available. For the purposes of the planning policy Gypsies and Travellers and Travelling Showpeople are defined in Annex 1: Glossary of the Statement. The term “travellers” is used to describe Gypsies, Travellers and Travelling Showpeople. The main implications of the new Guidance are set out below:-

- a) Plan documents should no longer refer to Circulars 10/2006 and 04/2007.
- b) New requirement to identify annually a 5 year supply of sites set against locally set targets.
- c) Consideration should be given to the production of a site allocations DPD perhaps in conjunction with other Somerset authorities (in due course as part of the forthcoming review of the Council's Local Development Scheme).
- d) A need to consider if the Council should have a rural exception policy as advocated by the new Guidance. Paragraph 5.5 Affordability, Figure 5.5.2 of the Council's Gypsy and Traveller Accommodation Assessment (2011) evidence identifies that 71 respondents said they could afford a mortgage and 80 could afford rent, 36 people said they could not afford rent and 58 could not afford a mortgage. However, detailed questions on income were not asked – focus was on the respondent's perception of affordability. The absence of such a policy would not prevent the Council or a registered housing provider being able to buy land in an appropriate location i.e. well related to an existing settlement with a school and other community facilities, gaining planning permission and renting pitches at an affordable rate. An exception to normal policy could be approved should all other material factors weigh in the balance of any such an exception. It is therefore recommended that this Council should not adopt a specific exception site policy for Gypsies, Travellers and Travelling Showpeople.
- e) Content of Policy H Determining planning applications should be noted. Emerging Local Plan Policy HG6: Gypsies, Travellers and Travelling Showpeople provides the criteria by which to consider planning applications and allocate sites in any subsequent site allocations Development Plan Document (DPD) and this remains a valid policy in the context of the new guidance.
- f) The Guidance makes clear that where no 5 year supply of sites can be demonstrated this should be a significant material consideration in any decision for temporary planning permission within the next 12 months. Currently the Council has a 5 year land supply.
- g) The supporting text should be amended to refer to this new national policy guidance on Gypsies and Travellers and Travelling Show people.

3. Review of Saved Policies

The Council currently has saved all apart from 6 policies of the former South Somerset Local Plan 1991 – 2011. The NPPF in para 214 makes clear that these policies may continue to be given full weight for 12 months from the day of adoption of the NPPF i.e. to 26th April 2013. Clarification has been obtained from the NPPF help line to confirm that beyond that date whilst these policies, saved from the previous plan, remain material they are no longer seen as part of the Development Plan and will no longer be the policy starting point when applied where appropriate to planning applications.

The implications of this are that there is no ability to save policies from the previous Local Plan 1991 – 2011 beyond 2013 and should Members wish policies to be continued with full weight they need to consider integration of the saved policies directly into the new Local Plan for 2006 – 2028 (complete with Sustainability Appraisal, Appropriate Assessment and Equalities Assessment having been undertaken).

Work has been done to establish which of the Council's saved policies will be effectively replaced by the Council's emerging policies in the new emerging Local Plan document and which effectively replicate the new NPPF guidance and so are unnecessary to continue to save. Those policies that are left, which are relatively small in number, need to be positively considered whether they are appropriate for continuation or not. This work has not been concluded at the time of writing this report but is nearing completion. It is considered that this work and decisions on which of the remaining saved policies should be integrated into the Council's emerging policy document should be delegated to

the Project Management Board and be undertaken as a priority prior to publication of the next stage of the Plan (Consultation on a Proposed Submission Plan).

4) Comparison of NPPF policies against outgoing Planning Policy Statement Policies –

Work will shortly be concluded on a review of outgoing National Planning Policy Guidance (including circular 5/2005 and sundry letters to Chief Planning Officers providing government policy guidance) against the new NPPF guidance. Where specific policy guidance previously in Planning Policy Statements has not been replicated in the NPPF a view needs to be taken whether to “re instate it” via a policy and supporting text (together with Sustainability Appraisal, Equality and Appropriate Assessments) in the newly emerging Local Plan 2006 – 2028. It is expected that this process, whilst rigorous, will generate few new policies, which by definition must have an exceptional local reason for inclusion in the South Somerset emerging Local Plan to justify a policy approach not identified specifically in national policy.

It is considered that this work and decisions on which omitted Planning Policy Statement policies should be integrated into the Council’s emerging policy document should be delegated to the Project Management Board and be undertaken as a priority prior to publication of the next stage of the Plan (Consultation on a Proposed Submission Plan).

Annex 1 National Planning Policy Framework (NPPF) policies and implications for the Core Strategy

NPPF Para No	Summary of NPPF policy guidance	Implications for Core Strategy	Recommendations to Council
<i>Introduction paras 1-10</i>			
Whole doc	Emphasis on economy	Confirms stance of Proposed Submission document to be based on economic growth	No change to Core Strategy (all subsequent no change recommendations are short for no change to Core Strategy)
Para 1 - 3	Introduction to NPPF	Defines development plan	No change
Para 2	Local Plan is referred to rather than Core Strategy as part of the Development Plan	Change of title	Plan to be called South Somerset Local Plan 2006 - 2028 Minor change
Para 4	Link to new guidance on Gypsies and Traveller	Dealt with in main report	Presented in main report
Para 5	Link to National Waste Management Plan	N/A	No change
Para 6 - 10	Defines the Gov definition of Sustainable Development	Para 10 states that Plans need to take into account local circumstances so they respond to the different opportunities for achieving sustainable development. Refines definition of Sustainable development	Reflect new definition of sustainability in supporting text Minor change
Para 11 - 13	Defines Development Plan	NPPF forms a material consideration.	Ensure all references to PPSs are removed and replaced by NPPF references. Minor change
Para 14 - 15	Defines a 'Presumption in favour of sustainable development'	Core principal of NPPF	Amend supporting text to make reference to the 'Presumption in favour of sustainable development' Minor change

Presumption in favour of sustainable development paras 11-16			
Para 16	Link to neighbourhood planning & neighbourhood development orders	Neighbourhood planning forms a new delivery mechanism	Amend supporting text to make reference to 'neighbourhood plans and development orders' in supporting text. Minor change
Core Planning Principles para 17			
Para 17	12 principles of the planning system	Emerging Core Strategy reflects principles as set out and supports SSDC approach. Supports the inclusion of a 'brownfield' first policy, Policy HG2 target and Policy HG* phasing	No change.
Chapter 1 – Building a strong, competitive economy Paras 18-22			
Para 18	Commitment to securing economic growth to create jobs. Address challenge of global competition and low carbon future.	Chapter 9 already mentions diversifying economy and focusing on green technologies. ED strategy should focus on delivery of diversification.	No change.
Para 19	Planning should do everything it can to support sustainable economic growth. "Significant weight should be placed on the need to support economic growth through the planning system."	Reinforces the strategy of balancing economic growth with jobs.	No change.
Para 20	Plan to meet the needs of business.	This is being done	No change
Para 21	Investment in business should not be overburdened. Planning policies should recognise and seek to address potential barriers to investment – poor environment, lack of infrastructure, services or housing.	This reinforces the link between a buoyant housing market and economy. Reinforces the strategy of balancing economic growth with jobs.	No change.

Para 21	<p>Local Plans should:</p> <ol style="list-style-type: none"> 1. Set out a clear economic vision for their area. 2. Set criteria or identify Strategic Sites for local and inward investment. 3. Support existing business sectors (expanding or contracting) and plan for new/emerging sectors. Policies should be flexible to accommodate needs not anticipated. 4. Plan for high quality technology, clusters, knowledge driven sectors. 5. Identify priority areas for economic regeneration. 6. Facilitate flexible working practices such as integration of residential and commercial uses within the same unit. 	<ol style="list-style-type: none"> 1. Done in context of Corporate Plan. Need to ensure consistency with ED Strategy. 2. Done - Policy EP1. 3. Done - SS5 in context of Baker report, ELR etc. 4. Done - Bunford Park. 5. Done - Chard. 6. Policy EP7: Live/Work is contrary to NPPF but strong local evidence that proposed policy approach isn't working <p>The definition of "live/work" contained in the NPPF could effectively be a 'house' where a room is used as an office etc.</p>	No change
Para 22	<p>Avoid long-term protection of sites ALLOCATED for employment use, where no reasonable prospect of a site being used for that purpose.</p>	<p>Change from the Draft NPPF, which referred to employment land and floorspace. On this basis can retain Policy EP3: Safeguarding Employment Land (see further implications for EP3 of para 51 below).</p> <p>Policy EP1 safeguards allocated sites, because they are strategically significant for inward/local investment (see para 21 above) and it is considered reasonable that they will come forward over the plan period, retain.</p>	<p>No change</p> <p>(to Policy EP1: Strategic Employment Sites and EP3: Safeguarding Employment Land.</p>
Chapter 2 – Ensuing the vitality of town centres			
Para 23	<p>Set out policies for the management and growth of centres of the plan period.</p>	<p>This appears in Chapter 9.</p>	No change.

Para 23	<p>Local Plans should:</p> <ol style="list-style-type: none"> 1. Have policies to support town centre vitality and viability. 2. Define a network and hierarchy of centres. 3. Define the extent of Town Centres and Primary Shopping Areas (but based on a clear definition of Primary and Secondary Frontages) make policies which state which uses will be permitted. 4. Promote competitive Town centres, providing customer choice and diverse retail offer. Reflects individuality of centres. 5. Retain and enhance existing markets and where appropriate re-introduce or create new ones. 6. Allocate a range of suitable sites for retail, leisure, office and other main town centre uses – need to undertake assessments of the need to expand the town centre to ensure a sufficient supply of sites. 7. Allocate edge-of-centre sites where town centre ones not available. 8. Set policies for consideration of main town centre uses outside preferred locations. 9. Recognise the role of residential development in Town Centres – have policy to encourage. 	<ol style="list-style-type: none"> 1. Done - EP10: Location of Main Town Centre Uses. 2. Done - EP9: Town Centre Hierarchy. 3. Town Centres and Primary Shopping Areas have now been defined for all MT & RC. Have Primary Shopping Frontages in some places, but not all and no Secondary Frontages have been identified. Core Strategy recognises this and there is a commitment to an early review of retail boundaries in subsequent Development Plan document. 4. New paragraph, but PPS4 included consumer choice and retail mix, so nothing new. 5. New requirement, Core Strategy contains nothing on this, but can be controlled by other Council functions. 6. & 7. Assessment of need undertaken, but no allocations. 8. Done - EP10: Location of Main Town Centre Uses & EP2: Office Development. 9. No policy about Living Over the Shop, but supporting text does support a range of uses and mentions residential, and Saved Local Plan Policy MC4 is supportive. 	No change
Para 24	<p>Sequential test for main town centre uses.</p> <p>The sequential approach strengthened (from the Draft NPPF) back to PPS4 approach, i.e. LPAs should <u>require</u> town centre sites first for main town centre uses.</p>	<p>Policy EP10 generally follows the outlined sequential approach.</p> <p>Policy EP2, which outlines a sequential approach to office development, remains in accordance with the NPPF.</p>	<p>Amend supporting text to Policy EP10 to fully reflect the NPPF definition of sequential test.</p> <p>Minor change</p>

	<p>Main Town Centre uses (defined in the glossary) now include offices (removed in draft NPPF).</p> <p>Requirement for extensions to undertake a sequential test has been removed.</p>		
Para 25	New paragraph - the sequential approach should not apply to small-scale rural offices or other small-scale rural development.	There is a need to define small-scale in the context of rural development, otherwise this could encourage inappropriate development, which could undermine the vitality and viability of Market Towns and Rural Centres, i.e. retailing in the countryside.	Amend supporting text to Policy EP10 to explain small-scale rural development and its relevance to the requirement to undertake a sequential test.
Para 26	Impact Assessments – required for leisure, retail & office development over 2,500 sq m or a locally defined threshold.	Policy EP11: Floorspace Threshold for Impact Assessments is only applicable to retail development. The threshold for office and leisure development would be 2,500 sq m.	No change.
Para 27	Applications that fail sequential or impact assessment should be refused.	Reinforces the weight of the tests.	No change.
Chapter 3 - Supporting a prosperous rural economy			
Para 28	Support economic growth in rural areas to create jobs & prosperity.	In Policy SS5 we are identifying a need for employment land in Rural Settlements. Also Policy SS2 supports sustainable economic growth.	No change.
Para 28	<p>LPA should:</p> <ol style="list-style-type: none"> 1. Support sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and new ones. 2. Promote the development and diversification of agriculture and other land- 	<ol style="list-style-type: none"> 1. Policy EP5: Expansion of Existing businesses in the countryside, and Policy EP4: Conversion & Re-use of buildings are supportive, however it would be prudent to explain the meaning of sustainable growth (i.e. scale in relation to the settlement). 2. Done - Policy EP6: Farm Diversification, and Policy SS2. 	<ol style="list-style-type: none"> 1. Amend supporting text to Policy EP5 to explain sustainable rural growth, as otherwise economic growth in Rural Settlements could be at the expense of Market Towns & Rural Centres. 4. Amend Policy EP14 to promote new community services and facilities as well as protect existing ones.

	based rural businesses. 3. Support sustainable rural tourism. 4. Promote the retention and development of local services and community facilities.	3.Done - Policy EP8: New and Enhanced Tourist Facilities. 4. Policy EP14: Protection and Provision of Local Shops, Community Facilities and Services- currently policy only protects existing, a new line is needed to promote NEW facilities (as listed in NPPF).	Minor change
Chapter 4 – Promoting Sustainable transport			
Paras 29-41 generally	Emphasis on ensuring pattern of development supports sustainable modes of transport	Chapter 10 of Core Strategy Transport & Accessibility (policies TA1 to TA5) and Policy YV5 (Delivering Sustainable travel in the Yeovil SUE) concur with the NPPF.	No Change
Para 35	Specific reference to catering for the needs of travellers with disabilities	Text needs to reflect this	Amend supporting text in respect of policy TA1 to consider the needs of people with disabilities by all modes of transport Minor change
Para 40	Parking provision in town centres	Parking provision needs improving in town centres to ensure convenient, safe and secure Parking charges should not be set to adversely affect vitality of town centres	No change
Chapter 5 – Supporting high quality communications infrastructure			
Paras 42-46	Encourage, where appropriate, new telecoms development e.g. high-speed broadband essential to sustainable economic growth. Where development proposed evidence should be provided.	Economic Prosperity Chapter - supporting text covers this, as does Infrastructure Plan (IDP).	No change.

Chapter 6 – Delivering a wide choice of high quality homes

Para 47	Ensure needs of market and affordable housing are met in HMA - including the identification of key sites based on evidence	Covered by policies SS4: Delivering New Housing Growth and SS5: Delivering Employment Growth	No change
	Identify and update annually a supply of deliverable sites to provide 5 years worth of housing with an additional 5% buffer moved forward from later in plan period (where a persistent record of under delivery buffer should be increased to 20%)	Need to present a housing trajectory and also present evidence of a 5 year land supply (which is not a Core Strategy issue)	Present housing trajectory with Implementation Strategy. Trajectory set out in appendix A. Endorse Trajectory as set out in appendix A to this Annex.
	Identify specific, developable sites or broad locations for growth for yrs 6-10 and where possible years 11-15	Confirmation of providing for 15 years Plan period. Implications for future SHLAA to consider policy constraints	No change
	For market and affordable housing illustrate the expected rate of housing delivery through a trajectory and set out a housing implementation strategy for the full range of housing describing how the 5 yr supply will be maintained	As above	As above
	Set out own approach to housing density	Confirms approach being taken	No change.
	Windfalls can be included (not gardens)	Need to consider in trajectory	Present in Housing Trajectory (as set out in appendix A).
Para 48	Removal of no consideration of windfalls in first 10 years but still requirement to have compelling evidence of availability and their continuing to come forward in context of SHLAA and likely future trends	Need to consider if any evidence of windfalls in past and likely in future. Need to consider implications for Yeovil Urban Extension (YUE) and Chard and strategic allocations. Urban Capacity table to be reviewed and implications for YUE scale assessed. Review undertaken and presented in appendix B and outcome is	No change (see appendix B)

		<p>that there are no implications for the current proposals for development within the urban frame of Yeovil and for the Urban extension. Any under provision within the urban framework over the plan period can be accommodated within the proposals for the Urban Extension</p> <p>Use of windfalls for 5 year land supply to be considered and implications for growth provisions considered (not a Core Strategy issue)</p>	
Para 49	Presumption in favour of sustainable development - cannot be considered up to date if no 5 year supply	Ensure we have a 5 year land supply (not a Core Strategy issue)	No change
Para 50	Ensure that a mix of housing types and tenures for all is achieved (based upon evidence)	Addressed by Policy HG4: Achieving a Mix of Market Housing and Policy HG3: Provision of Affordable Housing.	No change
Para 51	<p>Should identify and bring back into use empty properties for residential use.</p> <p>Should approve applications for change of use to residential from B uses classes where there is an identified need in the area provided there are no strong economic reasons why inappropriate</p>	Implications for the protection / retention of B use employment land. SSDC has an empty property strategy, which is referred to in Core Strategy. Has implications for future monitoring	<p>Retain Policy EP 3: Safeguarding Employment Land but amend the emphasis to allow housing where there is a justified need.</p> <p>Minor change</p>
Para 51	Approval of residential changes of use of employment land	As per Para 22	<p>No change</p> <p>(To Policy EP1: Strategic Employment Sites and EP3: Safeguarding Employment Land.</p>

Para 52	Support for larger scale housing development - new settlements, extensions to existing towns and villages that follow the principles of Garden Cities. Working with communities should decide if this is the best way of achieving sustainable development and whether it is appropriate to establish Green Belt around or adjoining the development (Local Green Spaces referred to in para 76)	Amendment to supporting text required to refer to principles of Garden Cities. Local Green Space is considered under para 76 of NPPF principle of Policy YV4: East Coker and North Coker Buffer Zone.	Amend supporting text to refer to principles of Garden Cities rather than eco town principles. Eco town references to be removed and the Urban extension referred to as the Sustainable Urban Extension.
Para 53	Consider case for policies to resist inappropriate development of residential gardens	It is not considered necessary to have such a policy particularly as Development Areas will be removed from many settlements	No change.
Para 54	In rural areas in exercising the duty to cooperate with neighbouring authorities should reflect need for housing development particularly affordable housing including through rural exceptions sites. Should consider whether allowing some market housing would facilitate the provision of more affordable housing.	Approach set out in Policy SS2: Developing in Rural Settlements endorsed. Given that the NPPF allows for market housing with affordable housing it is unlikely that affordable housing only sites will come forward. Given the provisions of SS2 it is not considered necessary or appropriate to re-introduce a rural exceptions policy.	No change
Para 55	Housing should be located where it will enhance and maintain the vitality of rural communities. Should avoid isolated new homes in the countryside unless: essential need for a rural worker, where development would represent the optimum viable use of a heritage asset or enabling development to secure the future of the asset, re-use of redundant or disused buildings and lead to enhancement or dwellings of truly innovative or exceptional quality	: Housing for Agricultural and related workers, however given that Annex A of PPS7 has now been deleted Policy HG8 should be amended to include a bullet point referring to economic viability. Endorses approach in Policy SS2: Developing in Rural Settlements and Policy HG8 The re use of redundant and disused buildings in rural areas for residential use is now to be permitted where there are special circumstances including “where the development would re-use redundant or	Delete policy EP4 and supporting text

		disused buildings and lead to enhancement to the immediate setting". This new policy approach is directly at odds with the policy approach proposed in the Council's emerging Policy EP4 which seeks to put business or community re-use first and resist residential use unless every reasonable attempt has been made to secure suitable business use or live/ work use. The proposed policy also sets out criteria on building qualities to apply to proposed developments. This policy approach in EP4 cannot now be maintained in the light of the new Government policy in the NPPF and the policy should be deleted from the emerging Local Plan 2022 - 2028.	
Chapter 7 – Requiring good design			
Paras 56 - 57	Requirement for high quality design (buildings, public and private spaces)	Approach in EQ2 endorsed	No change.
Para 58	Use local and neighbourhood plans to articulate requirements policies should be based on stated objectives for the area. New development should be considered against certain criteria: <ul style="list-style-type: none"> • Lifetime functionality • Need to establish a comfortable sense of place • Efficient use of land • Respond to local character but encourage innovation • Create safe and accessible 	Approach in EQ2 endorsed	No change.

	<p>environments</p> <ul style="list-style-type: none"> • Good architecture and landscaping 		
Paras 59 - 61	Consider use of design codes although design policies should not be too prescriptive - should not try and impose architectural styles or tastes. Policies should address connections between people and places and the integration of the new and old.	Approach in Policy EQ2: Design endorsed. Existing design advice referred to and new advice can be introduced as produced	No change.
Paras 62 - 63	LPA's should have local design review mechanisms. Great weight should be given to innovative designs that raises standards	Implications for development management	No change.
Para 64	Poor design should not be accepted	Approach in Policy EQ2: Design endorsed.	No change.
Para 65	Economic benefits of heritage asset should be balanced against townscape impact	None	No change.
Para 66	Applicants should work closely with those affected by the development	None	No change.
Para 67	Adverts should not be an issue unless they are having a clear impact in terms of safety and amenity and cumulative impact	None	No change.

Chapter 8 – Promoting healthy communities			
Para 69	Promote social interaction and create healthy, inclusive communities. Should facilitate neighbourhood planning	None, reference to neighbourhood plans made	No change
Para 70	Provision of shared space for community uses and guarding against the loss of valued facilities and services	Issues are relevant to neighbourhood planning /master planning	No change
Para 71	Community Right to Build Order	None	No change
Para 72	Schools	None	No change
Para 73	Open Space / sports and recreation	Sports and open space provision should be based on an assessment of need (previously a PPG17 assessment) Policy HW1 addresses	No change
Para 74	Protection of open space, sports and recreation facilities	Policy HW3 cover issue	No change
Para 75	Public rights of way and access	None	No change

Para 76 - 78	Local Green Space and criteria for its designation	The Council will need to justify the designation for buffer to East and North Coker at the Plan Examination. Buffer role not referred to as a special reason justifying Local Green space designation so an especial case will need to be made	No change
Chapter 9 – Protecting Green Belt land			
Para 79 - 92	Green Belt Land	None	No change
Chapter 10 –meeting the challenge of climate change, flooding and coastal change			
Para 95	Actively support energy efficiency improvements to existing buildings.	Support for energy efficiency improvements to existing buildings is included in explanatory text as a potential “Allowable Solution”, but general support for this may not currently be clear enough.	Make support for energy efficiency improvements to existing buildings more explicit. Minor change
Para 95	When setting local requirements for buildings’ sustainability to do so in way consistent with Government’s zero carbon buildings policy and adopt nationally prescribed standards	Policy EQ1 only requires meeting code for sustainable homes standards at the urban extensions and Market towns within Directions of growth as outgoing PPS advise was for application of such standards at specific locations not district wide	Given that government policy can now be applied District Wide apply the sustainable homes standard District wide in Policy EQ1
Para 97	Consider identifying suitable areas for renewable and low carbon energy, and supporting infrastructure, where this would help secure the development of such sources.	Would specifically identifying such areas help bring forward renewable and low carbon energy? Wind map already produced- not necessary to include in Core Strategy	No change.
Para 97	Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.	Need to reflect the outcome of studies on decentralised, renewable or low carbon energy that have been produced for the Yeovil and Chard urban extensions.	Make more explicit the potential for decentralised, renewable or low carbon energy supply systems at Yeovil and Chard urban extensions Minor change

Para 100	Tech guidance on flood risk methodology published alongside NPPF	Additional guidance published. This provides additional guidance to ensure the effective implementation of the NPPF. The retention of this guidance is an interim measure pending a wider review of guidance to support planning policy. It retains key elements of PSS25, with detail on the sequential and exception tests, flood risk assessment and managing residual flood risk. SFRA complies	No change
Chapter 11 – Conserving and enhancing the natural environment			
Para 109	Protect and enhance landscape & geological conservation, recognise ecosystems, minimise impact on biodiversity & ecological networks, soil, air, water and noise pollution and land stability	Need to ensure ecological networks are identified – being done by SCC. EQ3 has limited coverage at present in seeking to minimise only ‘fragmentation of habitats’	change EQ3 by adding at end of first bullet “and promote coherent ecological networks”
Para 110	Minimise pollution	None,	No change
Para 111	Brownfield first target	Confirms appropriateness of our HG3 policy setting brownfield targets	No change
Para 112	Agricultural Land	Preference for lower quality land maintained where requirement for development is identified (still agricultural grades 1, 2 and 3a identified as best and most versatile quality).	No change
Para 113	Criteria based policy for wildlife or geodiversity sites	Policy EQ3 covers this	No change

Para 114	Strategic approach to be set out in Local Plans for creation, protection, enhancement and management of networks of biodiversity and greenspace	None already referenced need for Green Infrastructure Strategy.	No change
Para 115 - 116	National Parks, the Broads and AONBs	Not required	No change
Para 117	*Biodiversity at landscape scale * Identify & map local ecological networks * preserve & restore priority habitats * protect and recover priority species, monitor biodiversity * geological conservation interests * Nature improvement areas	Local ecological networks are being mapped by Somerset County Council and will be part of the green infrastructure strategy to be produced	Add reference to protection and recovery of priority species to policy EQ3 and refer in supporting text to section 41 of the Natural Environment and rural communities Act section 41 which clarifies the priority species
Para 118	Conserve & enhance biodiversity *SSSIs *Ancient woodland * Special Protection Areas & Special Areas of Conservation	Supports approach taken Policy EQ3 & EQ5 cover issue	No change
Para 119	Exclusion of 'Presumption in favour of sustainable development' in relation to development requiring Habitats Directive.	None	No change
Para 120 - 122	Pollution / land stability	None	No change
Para 123	Noise and mitigation.	Need to strengthen comments regarding noise pollution for Ilchester in particular in light of renewed emphasis	Amend supporting text in Ilchester chapter to in relation to noise contours and refer to materiality of the new noise contours for Yeovilton Minor change
Para 124	Air Quality Management Issues	Policy EQ6 addresses	No change

Para 125	Light pollution - intrinsically dark landscapes & nature conservation	None	No change
Chapter 12 – Conserving and enhancing the historic environment			
Para 126	Strategy for historic environment *heritage assets at risk	The emerging Local Plan does not currently reference the requirement for an historic environment strategy,	Make reference to the requirement to prepare an historic environment strategy. Need to make more in Core Strategy of Council's commitment to conserving and enhancing the historic environment by means of a generic policy and supporting text that emphasises that approach and makes links to the NPPF and sets context for the strategy for historic environment – see appendix C which attempts to do this. Endorse new policy and supporting text as set out in appendix C for incorporation into the Local Plan 2006 – 2028.
Para 127	Designation of Conservation Areas	None	No change
Para 128 - 129	Significance of historic assets affected * require developers to submit a desk-based assessment and where necessary a field evaluation *LPA to identify and assess significance of asset affected including setting	Requirement would apply for instance to Yeovil Urban Extension, which contains a SAM and setting of conservation areas and listed buildings.	No change
Para 130	Deliberate neglect or damage to heritage assets	none	No change

Para 131	Desirability of historic assets & their positive contribution	Development management issue	No change
Para 132 - 136	* Substantial harm to SAM, battlefields, grade I & II* listed buildings, grade I & II* registered parks and gardens, world heritage sites should be exceptional	None	No change
Para 137 - 138	Explore opportunities to enhance development in World Heritage Sites or Conservation Areas	Development management issue	No change
Para 139	Non-designated heritage assets of archaeological interest	Development management issue	No change
Para 140	Enabling Development	Development management issue and to be considered in the Positive Strategy for the conservation and enhancement of the historic environment Strategy	No change
Para 141	Make information about the significance of the historic environment available gathered in the Plan making process available to the public. * Require developers to record and enhance understanding publicly available.	Issue to be considered in the Positive Strategy for the conservation and enhancement of the historic environment Strategy	No change
Chapter 13 – Facilitating the sustainable use of minerals			
Chapter of relevance to Mineral Planning Authorities			
Plan Making			
Para 150-151	Local Plans form part of the Development Plan, should contribute to sustainable development and the presumption in favour.	Revisions to the detailed definition of sustainable development	Include a 'local' definition of Sustainable Development in Strategy Chapter. Minor change

Para 152	Adverse impacts should be avoided but where mitigation is not possible compensatory measures may be appropriate.	Recognition that sustainable development objections may conflict and need to manage and minimise impact in such circumstances	No change
Para 153	Requirement to prepare a Local Plan. Additional Development Plan Documents should be justified and Supplementary Planning Documents should be used to make successful applications or aid infrastructure delivery but should not be used to add financial burdens.	Being implemented through the Core Strategy and for further development through the Local Development Framework review	No change
Para 154	Address spatial implications of change and show opportunities for development and require clear policies.	Policies in the Local Plan must provide a clear indication on how decision makers should react to development proposals.	No change
Para 155	Early engagement with neighbourhoods, local organisations and businesses is essential. Local Plans as far as possible should reflect the vision and priorities of for sustainable development including those in neighbourhood plans that have been made.	Supports the “front loading” done with Parish and Town Councils	No change
Para 156	Strategic Priorities: *Homes and Jobs * provision of retail, leisure and commercial * infrastructure transport, telecommunications, waste, water, flood risk, minerals and energy * health, security, community and cultural reference and local facilities. * climate change, conservation and the historic environment	conservation and enhancement of the natural and historic environment, including landscape all need to be included	Further consideration to be given to ensure proper “hooks” given for landscape and historic environment. Appropriate policy and supporting text needed (see above and appendix C) In relation specifically to Landscape reference should be made in supporting text to Policy EQ2 to produce a landscape strategy that would clarify and amplify how landscape should be applied when dealing with development and serve to implement the requirement of para 156 in relation to landscape

Para 157	Local Plans should: * Meet objectives, principals and policies of the NPPF * preferably a 15-year time horizon * Co-operate with neighbouring authorities * indicated broad locations for strategic growth * allocate sites, provide detail and form & scale * identify areas that limit the freedom to change the use of buildings * identify land that would be inappropriate to develop because of environmental or historic significance * strategy for enhancing natural, built and historic environment and support nature improvements	No longer a requirement for a 15-year time horizon now a 'preference'. This re-enforces Chard and Yeovil extensions to the Plan period and beyond. Consider co-operation with neighbouring authorities has occurred at Officer level but need to strengthen Member co-operation. (see appendix D)	No change (to Core Strategy) Recommendations in appendix D to be endorsed by Council (and replicated below) <ol style="list-style-type: none"> 1. seek further active member involvement in joint working initiatives. 2. continue to engage with adjacent Local Planning Authorities in the preparation of joint policies or evidence base documents where relevant and a meeting of Members should be arranged to confirm work undertaken at Officer level soon. 3. Continue to co-operate with SCC and Infrastructure providers and form new links with the relevant Local Enterprise Partnership & Local Nature Partnerships
Para 157	Local Plans should identify land where development would be inappropriate, for instance because of its environmental or historic significance; and contain a clear strategy for enhancing the natural, built and historic environment, and supporting Nature Improvement Areas where they have been identified	Noted and reference to historic environment made, (see above)	See above and appendix C
Para 158	Base a Local Plan on adequate, up-to date and relevant evidence base *take account of relevant market and economic signals.	Local Plan evidence is currently up-to date	No change
Para 159	Should prepare a Strategic Housing Market Assessment (SHMA) which should identify the scale, mix and tenures of housing the population is likely to need which:	None. SHLAA now needs to be realistic and take policy considerations into account. SHMA and SHLAA will require regular up dating.	No change.

	<ul style="list-style-type: none"> • Meets household population projection • Addresses the needs for all types of housing including affordable housing • Caters for housing demand • Should prepare a SHLAA 		
Para 160	Clear understanding of business needs – robust evidence base (working with LEPs and SCC) & work with businesses to understand barriers.	Supporting text to Chapter 9 illustrates joint working with Economic Development and how ED and Area Teams will assist in the delivery. Understanding the barriers to growth also links into the delivery section of Chapter 9.	Amend introduction to explain how joint working was undertaken with SCC and LEP. Minor change
Para 161	Evidence base should assess: 1. Need for land and floorspace for retail, employment and leisure (qualitative and quantitative). 2. Existing and future supply of land and its sufficiency to meet identified need. ELR taken same time as SHLAA. 3. Role & Function of town centres and trends and relationships between them. 4. Capacity of centres to accommodate new town centre development. 5. Locations of deprivation. 6. Needs of food production industry and any barriers that planning can resolve.	1. Done - but no info on leisure. 2. Done - update as and when, LDS matter. 3. Done. 4. Retail done, but not fully for Local Market Towns or Rural Centres - also only covers retail, not office or leisure. 5. Done - LDA work on Chard? 6. Not done- but nor directly a Core Strategy issue	No change.
Para 162	Infrastructure - access quality and capacity - need for strategic infrastructure	Infrastructure Delivery Plan covers issue	No change

Para 163	Minerals	NA	No change
Para 164	Defence, national security, counter-terrorism and resilience - work with MOD	Meetings have been held with Defence estates and RNAS Yeovilton.	No change
Para 165	Environment * River Basin Management Plans * Work with Local Nature Partnerships * Ecological network * Sustainability Appraisal that meets the requirements of the European Directive	Requirement for ecological network being pursued through Green Infrastructure Strategy	No change
Para 166	Prepare a Habitats Regulations Assessment if required. Strategic Flood Risk Assessment.	HRA is required for Somerset Levels and Moors - this has been prepared and updated by Royal Haskoning - Brackets Coppice SAC has been prepared and updated by SCC. SFRA carried out by Halcrow	No change
Para 167	Assessments must be proportionate and should not duplicate work already done.	Assessments undertaken have been proportionate	No change
Para 168	Shoreline Management Plans	NA	No change
Para 169	Requirement for evidence on the Historic Environment. Likelihood of unidentified heritage sites being discovered in the future.	SCC contain records on archaeology, SSDC review conservation areas, Scheduled Ancient Monuments, Historic Parks and Gardens and Listed Buildings are mapped. Additional Historic Environmental Assessment completed for Yeovil periphery, Further work can be accessed in the Positive Strategy for the conservation and enjoyment of the historic environment	No change

Para 170	Prepare landscape character assessments and integrate with Historic Landscape Character where there are major expansions,	Landscape Character Assessments have been prepared for Yeovil, Market Towns and Rural Centres. Yeovil Landscape assessment has been integrated with corresponding Historic Environment Assessment.	None
Para 171	Health & Wellbeing: Work with public health leads and health organisations to understand and take into account health status and needs of the local population.	Have consulted through IDP and Core Strategy. Reference made to faith buildings under Health and Wellbeing chapter	No change
Para 172	Public safety from major accidents – need for planning policy to take these factors into account.	None	No change
Para 173	Ensuring viability and deliverability: Plans should not be subject to obligations and policy burdens that compromise viability.	Considered through Community Infrastructure Levy. (CIL)	No change
Para 174	Impact of policies on viability	Taken into account in CIL evidence	Refer to in supporting text of Obligations policy Minor change
Para 175	Community Infrastructure Levy (CIL) should be tested alongside Local Plan. A meaningful proportion of funds should be placed under the control of the neighbourhood were development takes place.	CIL is currently being prepared.	No change
Para 176	Environmental mitigation or compensation should be agreed though appropriate conditions or agreements.	Policy SS6 covers issue	No change

Para 177	Infrastructure and development policies should be prepared at the same time alongside Affordable housing or local standards requirements.	Considered through CIL & Policy SS6.	No change
Para 178	Duty to co-operate on planning issues that cross-administrative boundaries.	Consider co-operation with neighbouring authorities has occurred at Officer level but need to strengthen Member co-operation. (see appendix D)	<p>No change (to Core Strategy)</p> <p>Recommendations in appendix D to be endorsed by Council (and replicated below)</p> <ol style="list-style-type: none"> 4. seek further active member involvement in joint working initiatives. 5. continue to engage with adjacent Local Planning Authorities in the preparation of joint policies or evidence base documents where relevant and a meeting of Members should be arranged to confirm work undertaken at Officer level soon. 6. Continue to co-operate with SCC and Infrastructure providers and form new links with the relevant Local Enterprise Partnership & Local Nature Partnerships
Para 179	LPA should work collaboratively. Consider joint planning policies on strategic matters and informal strategies such as joint infrastructure an investment plans.	Where appropriate the Authority has prepared joint documents; examples include Somerset wide Gypsy and Traveller Accommodation Assessment, Strategic Housing Market Assessment and SHLAA methodology. Attendance at Somerset Strategic Planning conference Officer group. Authority should continue to engage with adjacent LPA in the preparation of joint policies or evidence based documents were relevant.	<p>No change (to Core Strategy)</p> <p>Recommendations in appendix D to be endorsed by Council (and replicated below)</p> <ol style="list-style-type: none"> 7. seek further active member involvement in joint working initiatives. 8. continue to engage with adjacent Local Planning Authorities in the preparation of joint policies or evidence base documents where relevant and a meeting of Members should be arranged to confirm work undertaken at Officer level soon.

			<p>9. Continue to co-operate with SCC and Infrastructure providers and form new links with the relevant Local Enterprise Partnership & Local Nature Partnerships</p>
Para 180	<p>Consider other geographic areas i.e. travel-to-work areas. In two tier areas authorities should cooperate on relevant issues. LPA should cooperate with Local Enterprise Partnerships and Local Nature Partnerships. LPA should work collaboratively with private sector bodies, utility and infrastructure providers.</p>	<p>Continue to cooperate with SCC Infrastructure providers and form new links with the relevant Local Enterprise Partnership & Local Nature Partnerships.</p>	<p>No change (to Core Strategy)</p> <p>Recommendations in appendix D to be endorsed by Council (and replicated below)</p> <p>10. seek further active member involvement in joint working initiatives.</p> <p>11. continue to engage with adjacent Local Planning Authorities in the preparation of joint policies or evidence base documents where relevant and a meeting of Members should be arranged to confirm work undertaken at Officer level soon.</p> <p>12. Continue to co-operate with SCC and Infrastructure providers and form new links with the relevant Local Enterprise Partnership & Local Nature Partnerships</p>
Para 181	<p>Evidence is required of cooperation through Plan making process. Either through plans or policies prepared through a joint committee, a memorandum of understanding or a jointly prepared strategy</p>	<p>Consider co-operation with neighbouring authorities has occurred at Officer level but need to strengthen Member co-operation. (see appendix D)</p>	<p>No change (to Core Strategy)</p> <p>Recommendations in appendix D to be endorsed by Council (and replicated below)</p> <p>13. seek further active member involvement in joint working initiatives.</p> <p>14. continue to engage with adjacent Local Planning Authorities in the preparation of joint policies or evidence base documents where relevant and a meeting of Members should be arranged to confirm work</p>

			undertaken at Officer level soon. 15. Continue to co-operate with SCC and Infrastructure providers and form new links with the relevant Local Enterprise Partnership & Local Nature Partnerships
Para 182	Local Plans will be examined by an Independent Inspector who will assess the Plan against the Duty to Cooperate, legal and procedural requirements and whether it is Sound. A Sound Plan must be positively prepared, Justified, Effective and Consistent with National Policy.	Actively considered these requirements throughout Plan preparation	No change
Para 183	Neighbourhood Plans - set policies - grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders.	Neighbourhood planning forms a new delivery mechanism.	No change
Para 184 - 185	Neighbourhood Plans must be in general conformity with strategic policies in the Local Plan. Neighbourhood Plans should not promote less development than set out in the Local Plan or undermine its strategic priorities. LPA should avoid duplicating planning processes for non-strategic policies in neighbourhood plan preparation.	Further justification of need to provide fully for development needs now in core strategy	No change
Annex 1			
Para 208	The NPPF applies from the date of publication.	Noted.	None
Para 209	NPPF strengthens local decision-making & reinforces importance of up-to-date plans.	Noted.	None

Para 210	Planning permission must be granted in accordance with the development plan unless other material considerations indicate otherwise.	Noted.	None
Para 211	Existing Local Plan policies remain saved.	Noted. Review required of saved policies and conformity with the NPPF (see below re para 214 of NPPF). Issue dealt with in main report	delegate to the Project Management Board the decision on which currently saved Policies to retain through integration into the South Somerset local Plan 2006 – 2028 from the existing list of saved policies from the former Local Plan (1991 – 2011)
Para 212	NPPF forms a material consideration and must be taken into account.	This appendix is demonstration of compliance with this requirement	No change
Para 213	Plans may need a partial review to conform to NPPF.	This appendix is demonstration of compliance with this requirement	No change
Para 214 - 215	For 12 months any policy prepared since 2004 will continue to have full weight even if there is a degree of conflict with the NPPF. Beyond this time frame saved policies will be judged on the basis that they conform to the NPPF.	Noted. Review required of saved policies and conformity with the NPPF Issue dealt with in main report	delegate to the Project Management Board the decision on which currently saved Policies to retain through integration into the South Somerset local Plan 2006 – 2028 from the existing list of saved policies from the former Local Plan (1991 – 2011)
Para 216	From the date of publication, weight can be given to policies in emerging plans according to stage of Plan preparation, the extent of unresolved objections, and the degree of consistency with the NPPF.	Noted.	No change

Para 217	Advice is available from the Local Government Association, the Planning Inspectorate and Department for Communities and Local Government.	Noted.	No change
Para 218	Where appropriate policies within Regional Strategy can be reflected in Local Plans through a partial review. LPA can continue to draw on evidence that informed the preparation of regional strategies to support local plan policies supplemented by up-to-date local evidence.	Noted.	No change
Para 219	NPPF reflects Localism Act 2011.	Noted.	No change

Appendix A South Somerset Housing Trajectory 2006 - 2028

Settlement \ Year	2006-2011 (Completions)	2011-2016 (Commitments)	2016-2021	2021-2026	2026-2028	Achievable Core Strategy Target	Derivation and Assumptions
Yeovil	1221	1784	2150	1900	760	7815	Commitments, Key Site delivery + 120 dwellings pa windfall. Urban extension commences 2016. See Yeovil breakdown below
Chard	370	151	500	600	240	1861	Projection based on the Lister Report for delivery for Chard with development commencing 2015/16
Crewkerne	190	262	200	200	176	1028	262 dwellings reflect commitments of 142 + CLR commencement at a delivery of 40 dwellings per annum - fits previous delivery rate
Ilminster	132	99	125	125	50	531	99 including currently with consent (some lapsed) assume new consent and steady build rate
Wincanton	238	275	80	80	30	703	commitments of 474 to be built beyond 2011-2016 as Wincanton's growth housing provision on 2 large sites
Somerton	23	191	75	75	36	400	191 including existing commitments and Northfield development anticipated to come forward within the next five years. Policy imperative to phase growth
Castle Cary/Ansford	38	136	100	100	26	400	136 Commitments/Under Construction, remainder over plan period, Policy imperative to develop brownfield, employment and infrastructure first, likely to result in development over a number of years
Langport/Huish Episcopi	153	89	54	54	50	400	89 Commitments/Under Construction, remainder over plan period. Policy imperative to phase growth and Langport trajectory addresses implications of appropriate assessment
Bruton	91	22	31	40	33	217	22 Commitments/Under Construction, remainder over plan period
Ilchester	0	50	50	51	0	151	SHLAA sites available
Martock	52	49	50	50	45	246	49 Commitments/Under Construction, remainder over plan period
Milborne Port	126	66	40	40	27	299	66 Commitments/Under Construction, remainder over plan period
South Petherton	103	48	34	30	30	245	48 Commitments/Under Construction, remainder over plan period
Stoke Sub Hamdon	5	1	25	24	0	55	Duchy owned
Rural Settlements	693	700	420	420	167	2400	700 Commitments/Under Construction, remainder over plan period
						16751 *	

* Represents Core Strategy Target of 15950 + 5% and inclusive of windfalls during the plan period.

Yeovil delivery

Existing commitments	303						Taken from SHLAA analysis / 5 year land supply
Windfall	120	600	600	240			120 per annum, commencing 2015 - 2016 once commitments have been built out
Luffton	450	180					
Lyde	481						
Brimsmore	430	400					
Urban Village		150					
Urban Extension			820	1300	520		Commencing 2017 - 100 first year, 200 second year, 260 thereafter
	1221	1784	2150	1900	760		

Implications of the change in application of 'Windfall' allowance

This paper seeks to review the implications of the change in the application of windfall allowance in determining future housing priorities as a consequence of the recently published NPPF which now supersedes PPS3: Housing (June 2011).

Previous Government guidance on 'Windfall' allowance in PPS3, Paragraph 59

Allowances for windfalls (31) should not be included in the first 10 years of land supply unless Local Planning Authorities can provide robust evidence of genuine local circumstances that prevent specific sites being identified. In these circumstances, an allowance should be included but should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends.

(31) Windfall sites are those which have not been specifically identified as available in the local plan process. They comprise previously-developed sites that have unexpectedly become available. These could include, for example, large sites resulting from, for example, a factory closure or small sites such as a residential conversion or a new flat over a shop.

New Government guidance regarding 'Windfall' allowance in NPPF, Paragraph 48

Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.

Windfall sites: Sites which have not been specifically identified as available in the Local Plan process. They normally comprise previously-developed sites that have unexpectedly become available.

The definition of windfall is largely the same however a principal deference is that you can now include a 'Windfall' allowance in the first 10 years of Plan period for the purpose of calculating land supply where previously you could not. The NPPF also clarifies that National Guidance no longer expects residential garden plots to be included within the 'Windfall' allowance.

Under the previous definition of 'Windfall' allowance within PPS3, SSDC had sought to calculate the likely extent of development within the Yeovil Urban Framework and by implication the likely size of the Yeovil Urban Extension. The most up to date calculation appears in the current report to Council on the Core Strategy 'Table 8: Potential Dwelling Provision within the Yeovil Urban Framework – April 2011' and is replicated below for convenience.

Potential Dwelling Provision within the Yeovil Urban Framework – April 2011

	Achievable capacity	Theoretical Potential	Already Approved	Allocations
Completions	1221	1221		
Commitments	2483	2483		
Key sites				
KS/BRYM/1	97	97	620 commitments	717
KS/YEWI/1	137	137	*636 commitments	**786
KS/YEWI/2			830 commitments	830
Yeovil Urban Village	196	278		
SHLAA sites	257	724		
Potential windfall sites	1200	1200		
Flats above shops and conversion of houses (Urban Capacity Study)	84	84		
Total	5675	6224		

* 717 approved at outline, superseded by reserved matters applications but considered in the potential

** Increase from 717 to take consideration of land still available within the site

Produced 9/3/12

This assessment (the SHLAA approach) has been made on the basis of completions, commitments as at April 2010, Strategic Housing Land Availability Assessment sites and crucially an estimate of windfall provision post 2022 and not before i.e. in the first 10 years. It is noted that the potential windfall sites (2022-2028) of 1200dwg (please note: that this figure was based on past build rates without deleting allocated site completions and it includes housing provision from residential garden land).

An alternative approach to the estimation of the Yeovil Urban Capacity is put forward (the windfall approach), that seeks to explore the implications of the new definition and is presented below. This approach does not seek to revise the table above but to provide an alternative approach to its calculation in the light of new guidance. Allocated sites in the SSDC Local Plan 2006 and Residential Garden Plots have been excluded for the calculation as per the NPPF definition.

(A) Calculation of Yeovil's past 'Windfall' allowance

1. Yeovil Completions (April 2006 – April 2011) – Table 1
2. Minus Yeovil Allocated Sites (Completed in the first 5 years) – Table 2
3. Minus Residential Garden Plots (Completed in the first five years) – Table 3
4. Equals past 'Windfall' allowance in first 5 years of Plan period – Table 4

Table 1: Completions (April 2006 – April 2011)

Yeovil - Completions (April 2006 – April 2011)	1,221 dwg
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Table 2: Yeovil Allocated Sites (Completions in Plan period April 2006 – April 2011)

Allocation	Site Name	Planning Application	Delivered in Plan period
HG/BRYM/2	Abbey Manor Phase 7	97/00141/OUT 97/00721/OUT 03/02231/REM (168 dwg) 04/02118/REM (168 dwg)	94 dwg (site capacity 168 dwg)
KS/YEWI/1	Lyde Road	06/01050/OUT 08/04443/REM (226 dwg) 139 complete 08/04785/REM (119 dwg) 77 complete 10/02968/REM (126 dwg) 10 complete 10/02973/REM (103 dwg) 10/04977/S73 (of 10/03252/REM) (63 dwg) 2 complete 11/03821/REM (2 dwg) pending consideration	228 dwg (site capacity 717 dwg)
HG/YEOV/1	Bucklers Mead	15 Application 08/00271/REM (37 dwg) Refused - Approved on appeal	37 dwg
HG/YEOV/2	Larkhill Road	04/01812/FUL (150 dwg)	150 dwg
Total			509 dwg

Table 3: Residential Garden Plots (Completions in Plan period April 2006 – April 2011)

Residential Garden Plots	98 dwg
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Table 4: Yeovil 'Windfall' allowance in first five years

Past 'Windfall' allowance in first 5 years of Plan period	614 dwg
Completions (1221dwg) – Allocated Sites (509 dwg) – Garden Plots (98 dwg)	
Average 'Windfall' in first five years (614 dwg / 5 years)	123 dwg

(B) Calculation of Yeovil's existing 'Windfall' supply

1. Yeovil Commitments & Under Construction (April 2011) – Table 1
2. Yeovil Allocated sites (Commitments April 2011) – Table 2
3. Residential Garden Plots (Commitments April 2012) – Table 3
4. Yeovil Existing 'Windfall' supply

Table 1: Commitments & Under Construction (April 2011)

Yeovil – Commitments	2,455 dwg
Yeovil – Under Construction	28 dwg

Table 2: Yeovil Allocated Sites (Commitments April 2011)

Allocation	Site Name	Planning Application	Delivered in Plan period
KS/YEWI/2	Thorne Lane	05/00753/OUT (830 dwg) 11/00361/REM (298 dwg) pending consideration	830 dwg
KS/BRYM/1	Lufton	05/00931/OUT (620 dwg) 10/01875/REM (717 dwg) pending	620 dwg
KS/YEWI/1	Lyde Road	06/01050/OUT 08/04443/REM (226 dwg) 139 complete 08/04785/REM (119 dwg) 77 complete 10/02968/REM (126 dwg) 10 complete 10/02973/REM (103 dwg) 10/04977/S73 (of 10/03252/REM) (63 dwg) 2 complete 11/03821/REM (2 dwg) pending consideration	489 dwg (site capacity 717 dwg)
Total			1,939 dwg

Table 3: Residential Garden Plots (Commitments April 2012)*

Residential Garden Plots	54 dwg
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Table 4: Yeovil existing 'Windfall' supply

Existing 'Windfall' supply Commitments (2,455 dwg) + Under Construction (28 dwg) – Allocated Sites (1,939 dwg) – Garden Plots (54 dwg)	490 dwg
Existing 'Windfall' (490 dwg / 123 dwg)	4 year existing 'windfall' supply

(C) Yeovil's projected future 'Windfall' allowance to 2028

Yeovil's projected future 'Windfall' allowance to 2028 (123 dwg x 13 years)	1,599 dwg
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(D) Yeovil's Urban Capacity (using Windfall approach)

Yeovil Completions (April 2006 – April 2011)	1,221 dwg
Under Construction (As at April 2011)	28 dwg
Commitments not started (As at April 2011)	2,455 dwg
Yeovil's projected future 'Windfall' allowance from 2015 to 2028*	1,599 dwg
Total: Yeovil Urban Capacity (using 'Windfall' approach)	5,303 dwg

* Windfall allowance includes 'SHLAA' sites to avoid double counting.

Summary

- Calculation (A) demonstrate that over the first five years of the Plan period, Yeovil's average 'Windfall' rate has been 123 dwg a year if you exclude Allocated sites and Residential Garden sites that have come forward in the same period.
- Calculation (B) demonstrates that Yeovil has an existing residual 'Windfall' allowance for the next 4 years to 2014. These are sites with existing Planning permission.
- Calculation (C) demonstrates that should Yeovil's average 'Windfall' allowance be projected forward from 2015 – 2028 to the end of the Plan period, Yeovil can expect a further 1,599 dwg to come forward.
- Calculation (D) demonstrates Yeovil has a potential Urban Capacity of approximately 5,303 dwg.

Conclusion

The revised calculation using 'Windfall' allowance for the remainder of the Plan period demonstrates a Yeovil Urban Capacity of some 5,303 dwg. This figure is broadly the same as the lower Yeovil Urban Capacity estimate of 5,675 dwg using the SHLAA approach. Given the Local Plans stated aim and Policy position to maximise Yeovil's Urban Capacity before Greenfield land it is still considered appropriate to aim for the higher estimate of 6,224 dwg. Should the lower figure materialise however then the Yeovil housing requirement of 7,815 dwg could be met on a higher proportion of development in the Yeovil Urban Extension up to its full deliverable site capacity of 2,500 dwg.

Core Strategy Draft - HISTORIC ENVIRONMENT

An additional section and policy should be brought forward in recognition of the particular importance the NPPF puts on the Historic Environment. Furthermore this would address the perceived understatement of the Council's commitment to Conservation in the draft Core Strategy and the need to set the context more clearly for the future development of the required "Positive strategy for the conservation and enjoyment of the historic environment". The wording below should therefore be inserted into the Core Strategy.

The National Planning Policy Framework sets out the Government's objective for the planning system to contribute to the achievement of sustainable development by conserving the historic environment and its assets in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of this and future generations.

The historic environment is a valuable part of South Somerset's cultural heritage and contributes significantly to the local economy and identity of the district, adding to the quality of life and well-being of residents and visitors. Whether in the form of individual buildings, archaeological sites, historic market towns or landscapes, the conservation of this heritage and sustaining it for the benefit of future generations is an important aspect of the role the Council plays on behalf of the community and, as the local planning authority, fulfilling the Government's core planning principles.

The richness of South Somerset's historic environment is indicated by its high number of designated assets including 4600 Listed Building list entries, over 80 Conservation Areas, 14 Historic Parks and a high number of scheduled monuments and other archaeological sites.

The District Council is committed to protecting and where appropriate enhancing this irreplaceable heritage. All designated assets including Listed Buildings, Conservation Areas, Historic Parks and archaeological sites together with other heritage assets that contribute positively to the significance of the historic environment will be protected from demolition or inappropriate development that affects the asset or its setting. The Council will seek to work with owners and developers to ensure historic assets are properly managed and cared for and remain in a viable use.

The Council will develop a positive strategy for the conservation and enjoyment of the historic environment that will include

- Guidance and advice for owners and developers in relation to the historic environment and how its assets should be conserved
- An approach to identifying and managing heritage assets at risk through neglect, decay or other threats, and to their conservation and return to sustainable use where appropriate.
- A programme of Conservation Area Assessments and management plans
- Encouragement for the development of local skills, crafts and the production of local materials relevant to the historic environment
- Support for communities to identify locally significant historic buildings and in their preparation of Neighbourhood Development Plans

It is expected that once a Strategy is produced that all new development will be compliant with it

POLICY EQx Historic Environment

All new development proposals relating to the historic environment will be expected to

- **Safeguard or where appropriate enhance the significance, character, setting and local distinctiveness of heritage assets**
- **make a positive contribution to its character through high standards of design which reflect and complement it and through the use of appropriate materials and techniques**
- **Ensure alterations, including those to for energy efficiency and renewable energy, are balanced alongside the need to retain the integrity of the historic environment and to respect the character and performance of buildings, adopting principles of minimum intervention and reversibility.**

Duty to Co-operate

This paper seeks to review the implications of the new ‘duty to co-operate’ introduced in Section 110 of the Localism Act and set out within the National Planning Policy Framework (NPPF). (see annex on Government Guidance & Legislation)

Introduction

The Government recognise that many social, environmental and economic issues can only be effectively addressed at a ‘larger than local’ scale. As people and businesses do not confine their activities to one council area. For example employees may live in one area and work in another, thus local plan-making will have a ‘strategic’ element to it.

The term ‘strategic planning’ is more commonly used to describe policies that address ‘larger than local’ issues that cannot be dealt with by one local planning authority working alone for example new housing across a wider ‘housing market area’. Strategic Planning therefore essentially replaces the requirement for strategic Plans (such as Regional Spatial Strategies) that previously dealt with these wider planning issues. The Government explains that the priority given to these issues will depend on local circumstances and that strategic approaches may not be required in every situation.

The ‘duty to cooperate’ applies to all local planning authorities (LPA), national park authorities and county councils in England – and to a number of other public bodies of which 9 are relevant to South Somerset and are listed¹.

The new duty:

- relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a county council;
- requires that councils set out planning policies to address such issues;
- requires that councils and public bodies ‘*engage constructively, actively and on an ongoing basis*’ to develop strategic policies; and
- requires councils to consider joint approaches to plan making.

The NPPF anticipates joint working to occur on areas of common interest taking into account different geographical areas where appropriate and for mutual gain, for South Somerset this is considered to be principally the Somerset LPAs² and its relevant neighbouring LPAs³ although this is not necessarily inclusive.

Paragraph 180 of the NPPF also sets out an expectation that public bodies should also work collaboratively on strategic planning issues with the private sector bodies, utilities and infrastructure providers. Local Enterprise Partnerships and Local Nature Partnerships are specifically mentioned but are not covered by the ‘duty to cooperate’.

¹ the Environment Agency; English Heritage; Natural England; the Civil Aviation Authority; the Homes and Communities Agency; Primary Care Trusts; the Office of Rail Regulation; the Highway Authority (i.e. Somerset County Council) the SOS as Highways Authority (i.e. the Highways Agency) ”.

² Somerset County Council, Mendip District Council, Taunton Deane Borough Council, Sedgemoor District Council, West Somerset District Council

³ Dorset County Council. Wiltshire Council, Devon County Council, East Devon District Council, North Dorset District Council, West Dorset District Council.

Most significantly the NPPF expects LPA to demonstrate 'evidence' of having effectively cooperated at the examination stage of Local Plan preparation. The NPPF suggest this could either be simply be way of plans / policies being prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy and that there is a continuous process of engagement.

South Somerset has worked closely with many of the relevant bodies listed above but has not until now been required to demonstrate how joint working has occurred. It is therefore felt prudent to collate where South Somerset has already undertaken joint strategy work to date and where the District Council needs to improve and enhance relationships and this is set out in summary form below.

Joint Working & Engagement

Attendance at Somerset Strategic Planning Conference Officer group & Somerset Waste Board has taken place on a continuous basis as well as the following joint studies (or partnerships):

- Somerset Strategic Housing Market Assessment Group (all Somerset authorities with the exception of Mendip)
- Somerset Strategic Housing Partnership (all Somerset authorities)
- Choice Base Letting (all Somerset authorities)
- Somerset Strategic Housing Market Partnership (with Taunton Deane BC, West Somerset DC, Sedgemoor DC & Somerset CC)
- Strategic Housing Land Availability Assessment (joint agreed methodology with all Somerset authorities)
- Somerset Gypsy and Traveller Accommodation Assessment (all Somerset authorities)
- Somerset Levels and Moors – Habitats Regulation Assessment (Somerset CC, Taunton Dean BC, Sedgemoor DC, Mendip DC)
- County-wide Parking standards (all Somerset authorities)
- Yeovil Transport Modelling (Somerset CC)
- Ecological Networking (Somerset CC)
- Chard Regeneration Framework (Somerset CC)
- Yeovil Eco-town - Summerhouse Village Masterplan, Renewable Energy Study and Waste & Resource Plan (Somerset CC)
- Engagement through consultation on Somerset CC Minerals & Waste Core Strategies
- Hinkley Point C (all Somerset authorities)

Neighbouring Authorities

All neighbouring authorities have been consulted on the draft Core Strategy & they have indicated broad support.

- West Dorset District Council - Officers & Members have met specifically to discuss the Yeovil Urban Extension on two occasions 29th March 2010 & 15th April 2010 as well as on-going consultation at Officer level. Other relevant cross-boundary issues include the retail impact of the Peel Centre on Yeovil Town centre and any future expansion proposals.
- North Dorset District Council - Officers met on the 24th September 2011 to discuss joint issues with Henstridge Airfield forming a continuing cross-boundary issue. SSDC has prepared a joint Masterplan with NDDC on this issue and are continuing to re-instate a Henstridge Airfield policy currently saved.
- Dorset County Council have suggested joint working arrangements relating to route management to specific routes several of which cross into South Somerset, support for sustainable transport and improvements to heavy rail through the Heart of Wessex and

South West main lines. These should be pursued with Dorset and Somerset County Councils through their LTP work.

- East Devon District Council - Although cross-border issues are negligible the two authorities share a Joint Chief Executive.
- Wiltshire Council & Devon County Council - Nominal cross-border issues

Public Bodies

All 'Public Bodies' have been involved through the Core Strategy consultation process and SSDC attended a CABA peer review on the 23rd September 2010. A meeting has been held with the Primary Care Trust on the 21st March 2012 to discuss continued engagement.

Other study work:

- Somerset Infrastructure Delivery Plan (All public bodies listed under footnote (1) above have been engaged in this)
- Yeovil Historic Environmental Assessment (English Heritage)
- South Somerset Strategic Flood Risk Assessment (Environment Agency)
- Yeovil Urban Extension – Traffic Modelling (Highways Agency)
- Somerset Levels and Moors – Habitats Regulation Assessment (Natural England)

Local Enterprise Partnership

- Although not covered by the duty to cooperate the Somerset LEP – Heart of the South West forms a collaborative body and South Somerset District Council has been engaged with it on relevant economic matters

Travel to Work & Housing Market Area

It is considered that Travel to Work and Housing Market Areas are two of the key determinants of the requirement for joint working. Plans of the Yeovil Travel to Work Area and South Somerset Housing Market Area are set out in an annex to this paper. The Yeovil Travel to work area broadly reflects South Somerset District but with some notable in-commuting from neighbouring authorities. The Strategic Housing Market Partnership work confirmed initial work by consultants acting for the Regional Assembly (in producing a South West Regional Spatial Strategy) that indicated that South Somerset formed a clearly defined Housing Market Area.

Conclusion

Existing evidence demonstrates that South Somerset DC already broadly complied with the 'Duty to cooperate' however there is scope to enhance relationships specifically at Member level where evidence of cooperation is less evident. This is particularly the case since Somerset County Council withdrew from member involvement in the Somerset Strategic Planning Conference.

The Key cross border issues have already been discussed by officers including crucially the decision on the direction for Yeovil's growth which could have had cross boundary implications at Draft Core Strategy stage but which can now be accommodated entirely in South Somerset's administrative boundary. Suggestions for transport joint working with Dorset are yet to be taken up and need to be through the Councils' respective transport plans.

The new 'duty to cooperate' indicates that South Somerset should continue to actively engage with adjacent authorities including continued attendance at the Somerset Strategic Planning Conference. Re-integration of Member engagement in the Somerset Strategic Planning Conference should be applied as an easy way to re-establish a forum of member engagement in joint matters. A meeting with members of non Somerset neighbouring authorities should be progressed early to confirm work undertaken at Officer level.

Recommendations

It is considered that co-operation with neighbouring authorities has occurred and the duty to co-operate has been addressed. There is a need however to provide stronger evidence of Member co-operation. The Council should

1. seek further active member involvement in joint working initiatives.
2. continue to engage with adjacent Local Planning Authorities in the preparation of joint policies or evidence base documents where relevant and a meeting of Members should be arranged to confirm work undertaken at Officer level soon.
3. Continue to co-operate with SCC and Infrastructure providers and form new links with the relevant Local Enterprise Partnership & Local Nature Partnerships

Annex: Government Guidance & Legislation

National Planning Policy Framework (NPPF), paragraph 178-181.

178. Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the **strategic priorities** set out in paragraph 156. The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities.

179. Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans. Joint working should enable local planning authorities to work together to meet development requirements which cannot wholly be met within their own areas – for instance, because of a lack of physical capacity or because to do so would cause significant harm to the principles and policies of this Framework. As part of this process, they should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.

180. Local planning authorities should take account of different geographic areas, including travel-to-work areas. In two tier areas, county and district authorities should cooperate with each other on relevant issues. Local planning authorities should work collaboratively on strategic planning priorities to enable delivery of sustainable development in consultation with Local Enterprise Partnerships and Local Nature Partnerships. Local planning authorities should also work collaboratively with private sector bodies, utility and infrastructure providers.

181. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development.

The Localism Act 2011 (c20) provides further detail regarding the definition of 'Public bodies' within which the 'Duty to Cooperate' applies and this is set out in 'Part 6 – Planning: Chapter 1 – Plans and Strategies: Section 110: Duty to co-operate in relation to planning of sustainable development' and forms a new section within the Planning Compulsory Purchase Act 2004 (local development '33A Duty to co-operate in relation to planning of sustainable development'). This section is further expanded within the 'Town and Country Planning (Local Planning) (England) Regulations 2012: Part 2: Duty to Cooperate'.

Annex: South Somerset Travel to Work Area & Housing Market Area

Figure 1: South Somerset Housing Market Area

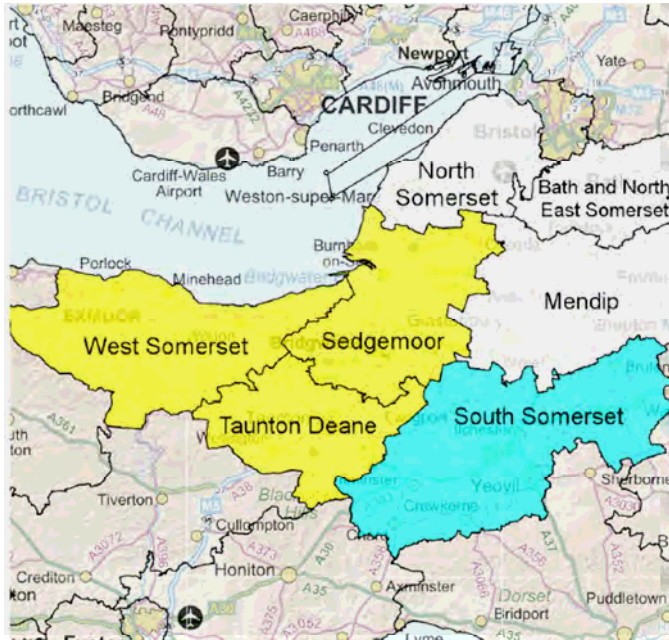


Figure 2: South Somerset Travel to Work Area

