

**CLAIM NO.**

**IN THE HIGH COURT OF JUSTICE  
CARDIFF DISTRICT REGISTRY  
ADMINISTRATIVE COURT  
PLANNING COURT**

**PLANNING AND COMPULSORY  
PURCHASE ACT, 2004, SECTION 113**

**BETWEEN:**

**NORTON ST PHILIP PARISH COUNCIL**

Claimant

- and -

**MENDIP DISTRICT COUNCIL**

Defendant

- and -

**(1) SECRETARY OF STATE FOR LEVELLING UP, HOUSING AND COMMUNITIES**

**(2) LOCHAILORT INVESTMENTS LIMITED**

Interested Parties

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**SUPPLEMENTARY CLAIM BUNDLE**

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**SUPPLEMENTARY CLAIM BUNDLE**

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**NB** References in square brackets are to the relevant entries in the LPP2 examination library.

Mendip Local Plan Part II

Inspector Requests for Further Statements – Deadline Thursday 1 August

1. Regarding Duty to Cooperate, MDC to provide Note setting out key DTC consultees (eg neighbouring LPAs, HE, EA, SCC), how any liaison took place; any MOUs or SCGs indicating cooperation would be useful.
2. Re Matter 2.1: Modification to Policy FR3a, Part7 and supporting text to refer to a specific area of replacement habitat, but also to allow for flexibility in terms of quantum and location.  
[MDC & Barton Willmore]
3. Re: SA for land at edge of Midsomer Norton and Radstock, MDC & Barton Willmore [and any other parties] to consider SCG, setting out whether to consider these sites as realistic alternatives for SA to consider, based on the strategic paras 4.2.1 and 4.7.
4. Policy committing the Council to work on a Review of the Local Plan specifying a target date for submission to PINS and to include a commitment to allocate at least one site to meet the needs of the Gypsy and Traveller community.  
[All parties, including MDC]
5. MDC to clarify the Local Plan housing trajectory and divide it into three categories –
  - (a) 5 year period
  - (b) Remainder of the Plan period
  - (c) Beyond the end of the Plan period
6. MDC to provide an update on housing provision at Shepton Mallet over the Plan period
7. MDC to write Note on the status of the 505 dwellings which are identified in Core Policy 2 taking into account the references in LPPI paragraphs 4.5, 4.21 and paragraph 23 of the LPPI Inspector's Report. In particular, does LPPI provide for, or anticipate in LPP2, allocations within the north-eastern part of Mendip – eg sites adjacent to Midsomer Norton and Radstock and sustainable villages in that area?
8. MDC Note on reasons for deletion of FGA from Frome.



9. MDC Response to representors' comments that housing allocations should be phrased as 'a minimum of' rather than 'up to'.
10. Appeal refs dealing with growth in villages, including one at Bickington.
11. Note from Lochailort Investments to indicate in relation to Norton St Philip –  
(a) How many dwellings are being promoted and on which sites?  
(b) If Lochailort's proposals would make a significant contribution towards providing the community facilities set out in their representation and how many additional dwellings would be required to ensure their delivery?  
(c) What would be a realistic time scale for their implementation?
12. Note from PBA Stantec to justify why Policy FR3a should be reworded to allow for 325 dwellings.
13. Note from MDC to explain why site ST3 is not extending to the FGA provided in LPPI.
14. Note from MDC on why odour modelling can overcome problems of allocations at ST3 and WL5, but not at FR6.
15. In the absence of a SHLAA, I need –  
(i) an updated 5 year housing land availability assessment, which takes on board the Council's response to the comments made by representors in relation to the time tabling and capacities of the housing allocations listed under Matter 3.3 (ii);  
(ii) an updated windfall assessment, bearing in mind the requirements in NPPF para 48;  
(iii) consents;  
(iv) estimated completion rate (or non-implementation rate); and  
(v) the effect of a 5% buffer.  
It would also be helpful if a SCG could be agreed with as many of the representors as possible.

25 July 2019

## Mendip Local Plan Part 2 Examination

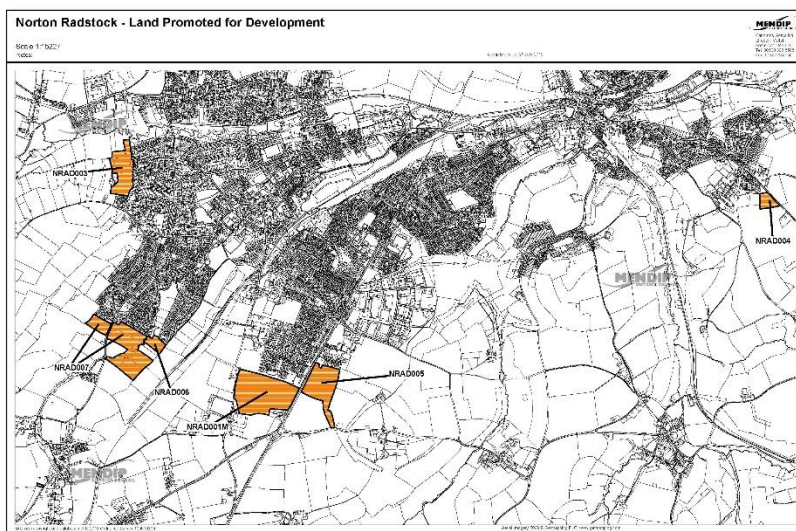
### Additional Statement - Question 7

7. status of the 505 dwellings which are identified in Core Policy 2 taking into account the references in LPPI paragraphs 4.5, 4.21 and paragraph 23 of the LPPI Inspector's Report. In particular, does LPPI provide for, or anticipate in LPP2, allocations within the north-eastern part of Mendip – eg sites adjacent to Midsomer Norton and Radstock and sustainable villages in that area?

### Relationship to the Spatial Strategy

Core Policy 1a identifies five principal towns which make up the Council's spatial strategy. They do not include Midsomer Norton and Radstock. The Council do not agree that Midsomer Norton and Radstock are in some way to be treated as Mendip's 'sixth' town

The potential for development of these 'border' sites must be considered in their settlement context. Map 1 – below shows the location of promoted land through the Mendip Land Availability process and other consultations. This shows a number of individual site opportunities on greenfield sites rather than any coherent or comprehensive development location. The map also shows they are in every sense physically and functionally dependent on facilities and services in BaNES



### The 505 Dwellings

The Council's view is that these paragraphs do not direct LPP2 to address a specific quantum of planned growth or create a specific requirement for this to be located adjacent to Midsomer Norton and Radstock.

Para 4.21 sets out a number of routes through which the roll-forward number of dwellings could be met. The text states that this could be through

- (1) A review of future growth areas (ie release of growth areas)
- (2) Growth identified in neighbourhood plans
- (3) Updated housing delivery
- (4) Revised housing market areas (HMA) and housing needs identified through cross-boundary working

In particular, the council considers the reference to *updated housing delivery* implies that it is entirely legitimate to take account of windfall growth/monitoring in meeting the requirement.

The reference to revised HMA's was included to anticipate future work to update SHMA's in the West of England area and specific joint working. In the years following adoption of LPP1, no joint cross boundary housing needs have been identified with BaNES.

### **Direction of Growth**

While It is accepted that while these locations are not exempted from consideration in LPP2, para 4.21 only states that this 'may include' land in the north/ north east of the District. The council dispute the interpretation with other parties that the phrase "*that the council will consider making specific allocations*" amounts to a direction in LLPP1 to explicitly allocate sites. Subject to the specific concerns raised around sustainability appraisal, the council's view is that it has 'considered' sites in this location in the emerging LPP2. This is summarised in appendix 1

### **BaNES development plans**

Throughout the period of preparing the LPP2, BaNES and the Parishes of Midsomer Norton, Westfield and Radstock have maintained their opposition regarding peripheral development contrary to the BaNES core strategy, placemaking plan. Particular issues have been raised in terms of development impact on the existing infrastructure in the Somer Valley and its potential to undermine the adopted planning strategy based on an imbalance between housing growth and employment opportunities.

### **Allocations in Identified Villages in the North of the District**

LPP1 paras 4.28 – 4.27 set out the rationale and principles of site allocations in villages based on proportionate growth (see para 4.32). LPP2 does not make additional allocations in primary and secondary villages in the north east of the district. LPP2 Para 3.22 explains that the Plan focuses on those settlements where land supply falls short of the minimum requirements. Table 1 demonstrates that settlements in the north east of district have already significantly exceeded minimum requirements.

Table 1 : primary and secondary villages in the north of the District			
Settlement	Village minimum Requirement in LPP1	Completions Commitments 2006 -18	Percentage of requirement
Beckington	55	108	196%
Chilcompton	70	158	
Faulkland	20	36	180%
Norton St Philip	45	113	251%
Rode	65	79	121%

Source: Housing land availability monitoring.

## Appendix 1

### Midsomer Norton/Radstock Sites – Summary of Appraisal and Assessment in Preparing the Mendip Local Plan Part 2

1. MDC carried out a desktop study of all the sites received as part of the HELAA and those with severe constraints were excluded from further consideration.
2. Sites NRAD001M, NRAD003, NRAD004 and NRAD005, received as part of the 2014 HELAA above were included in the Issues and Options paper as land potentially suitable for housing.
3. Objections at issues and options stage to the allocation of some/all of the sites were received by MDC from BaNES Council, Westfield Parish Council, Midsomer Norton Town Council, Stratton on Fosse Parish Council. Other comments were received from Somerset county Council. Education Funding Agency, Transport for Greater Bristol . 57 representations from members of the public were received
4. Following Issues and Options consultation MDC reviewed the sites and a strategic decision was taken to exclude those that did not contribute to delivery of the spatial strategy set out in LPP1.
5. MDC carried out SA of sites that were potentially suitable and had the potential to contribute to delivery of the LPP1 spatial strategy. Sites NRAD001M, NRAD003, NRAD004 and NRAD005 were not considered to contribute to the delivery of the LPP1 spatial strategy and were not included in the SA process.
6. The SA also included appraisal of District wide options for growth, focussing on delivery of the spatial strategy set out in LPP1
7. Sites received by MDC later in the process were reviewed at the appropriate times.  
Site NRAD006 was received after Issues and Options consultation and NRAD007 was received as a result of pre-submission consultation. MDC did not consider these sites to have the potential to contribute to delivery of the LPP1 spatial strategy and they were not subject to SA.
8. The sites were not included in the Pre-Submission draft plan, and representations supporting this approach were made by Westfield Parish Council and Midsomer Norton Parish Council in response to pre-submission consultation. All the responses to pre-submission consultation are published on MDCs website.
9. Members of the public made representations during consultation on proposed changes in April 2019, although no proposed changes relating to sites in Midsomer Norton and Radstock were proposed. All of these representations objected to development of NRAD003, Underhill Lane.

**From:** Young, Robert  
**Sent:** 25 September 2019 14:48  
**To:** Sestini, Andre <[Andre.Sestini@mendip.gov.uk](mailto:Andre.Sestini@mendip.gov.uk)>  
**Subject:** RE: Draft Letter of Response to ED20

Hi Andre

The inspector has asked me to pass on his thanks for the helpful and constructive response to his Interim Note, and also the following message for your attention -

“My overall response is that I welcome the contents of his letter and I note the suggested timings (Clarification 2), which I will build into my future work programme.

Dealing with the individual points:

1. I note the choice of the Council for go for LGS option 1. In relation to Clarification 1, I will not be taking into account any LGS sites promoted by town and parish councils.
2. I will set aside time around mid-November to consider the draft MMs.
3. I note the first two paragraphs. In relation to Clarification 3, I do not want to be over-prescriptive in relation to the LPP1 guidance, but in my view, the area of search should include the edges of the two towns of Midsomer Norton and Radstock (within Mendip), as well as considering the possibility of land for new homes within the primary villages which are located to the north of Frome.

Regarding Clarification 4, I will need to consider whether written representations will be appropriate or whether I need to set aside a further couple of days for hearings. I am happy to discuss this further through the PO.

4. I note the comments regarding the odour survey. Regarding Clarification 5, I would welcome the additional information referred to.
5. I note the points made regarding the Norton St Philip Neighbourhood Plan.
6. I am satisfied to receive the documentation in line with the suggested timetable.”

Mr Mike Fox DIPTP MRTPI  
Mendip Local Plan Part 2 - Planning Inspector

c/o Bob Young, Programme Officer  
Mendip District Council

23<sup>rd</sup> September 2019

Dear Mr Fox

**MENDIP LOCAL PLAN PART 2 EXAMINATION**  
**DRAFT RESPONSE OF THE COUNCIL TO POST HEARING ADVICE (ED20)**

I am writing to provide an update in response to your interim note received on 11th September and other matters of clarification. It provides the Council's initial views on timescales for the Main Modifications and updates on matters identified in the note

This letter is in draft as certain aspects of the timescale have been agreed at officer level but still require formal confirmation from Members. I will endeavour to send a final letter for publication as soon as practicable. I have also taken the opportunity to request a number of points of clarification that will assist in the preparation of modifications and the subsequent consultation.

**1 - Suspension of examination - Local Green Spaces (LGS)**

Para 44 of the Note provides two options in addressing your concerns with the soundness of LGS designations. Your note highlights that Option 2 (which would be to revisit the methodology and designations) would entail a suspension of the examination. I can confirm that the Council's preferred option would be to follow option 1. This which would mean deletion of LGS designations from the examined plan. This also means Mendip will not be seeking a suspension of the Local Plan Part 2 examination. It should be noted that Option 1 will require a considerable number of consequential changes to the Plan and inset maps.

**[Clarification 1]** The Council will include your suggested MM7 in the schedule of Modifications. Given the substantial amount of correspondence sent to you directly relating to LGS during the hearings, it would be helpful to clarify that this approach would mean that you will not be taking into account any LGS sites promoted by town and parish councils in the Main Modifications consultation.

**2 - Timing of preparation and consultation on Main Modifications**

In programming the work to address matters within the Interim Note, I have considered whether the Council could realistically prepare modifications within the next 2 months to enable a six week consultation to be completed by December 2019. However, I do not think this gives the Council sufficient time to properly engage with neighbouring bodies in relation to the site-allocations exercise and this timetable would limit the time to review technical work being undertaken on the Morlands employment site. I also recall from your comments at the close of hearings that you may not be available in October to review modifications. Some of the timing issues are covered in more detail below.

Overall, my provisional view is that Council would be aiming to provide you with draft main modifications for consideration by mid-November. If these were considered satisfactory by the end of November, the Council would commence the six week consultation period in January 2020. I would be reluctant to start the consultation period in December as the council has been criticised in

previous LPP2 consultations for running these over a holiday period. The January start date for MM consultation would also allow for minor modifications and supporting documents to be prepared.

A January 2020 consultation would mean that representations and a summary schedule would be provided back to you the end of February 2020. **[Clarification 2]** As this is an informal letter, I would be grateful for your views on the provisional timescale set out above and whether there are practical or other implications at this stage.

### **3 - Focused site-allocations exercise (the '505' dwellings)**

Para 16 of the Note refers to the need for further work to identify allocations around Midsomer Norton and Radstock and possibly other villages. This is to address the requirements of adopted Policy CP2 to identify 505 dwellings not allocated in LPP1. The Council expects to finish its draft Sustainability Appraisal of these sites shortly as set out in IQ-3. These will be provided for technical comment with Bath & NE Somerset (B&NES) and relevant hearing participants.

The Council is mindful of LPP1 para 47 which states that where allocations in this location are considered, *this will be undertaken in consultation with B&NES and local communities*. The Council considers that in the current circumstances, it is required to engage with B&NES and seek views of representative bodies in drafting site allocation policies for inclusion in Main Modifications. However it is not practical to hold a public consultation ahead of the Main Modifications. However, there is an implication for the timing of the MM consultation, if engagement is to provide sufficient – but not extensive - time for parties to respond.

**[Clarification 3]** The Council notes that para 18 that it is not your remit to recommend where additional dwellings should be allocated. However, I consider that your note does direct the Council to consider other settlements aside from those Midsomer Norton and Radstock within a particular 'area of search' in the north-east of the district. I have attached for information a draft of what will become a background technical note which explains the Council's approach to additional site allocations. It does set out my interpretation of the Interim Note, I would be grateful for any clarification on whether this aligns with your view or whether the Interim Note is not intended to identify an 'area of search'.

**[Clarification 4]** As the council will be identifying additional site allocations, it would be helpful to clarify how representations promoting objection sites to those not in Main Modifications will be considered.

### **4 – Morlands Site / Provision for Travellers**

The Council are continuing to assess the technical constraints of the site. An odour survey was carried out in early September and an additional study to model the risk of odour nuisance has been commissioned. This should be completed and discussed with Wessex Water by the end of October.

Policy options in LPP2 and the practical implications for existing trespassers on the site will be reported through the Council's living spaces panel. This group is also looking at acquiring other land which could be for permanent or transit use.



I have also been requested to make you aware of a clarification to a point raised in para 30 which states *that there is currently no employment use seeking to locate on the site*. There have in fact been proactive discussions with a local employer to acquire the whole of the Morlands site. As at April 2019, there was a provisional agreement on Heads of Terms. Due to confidentiality, this was not disclosed in the Council's hearing response IQ-16(i) although there is a reference in the employer concerned in the statement of Tony Thomson<sup>1</sup>. Given that these discussions were not disclosed in the council's statement, I did not consider it necessary to highlight it as a correction in response to your draft interim note

The commercial party is still interested in the site and does consider it offers opportunities for their business. They have been briefed on the Interim Note and technical work underway and recommended to submit representations on the Main Modifications. **[Clarification 5]** If you consider that it would be beneficial to have additional information before the Council submits draft modifications then I will arrange this through the programme officer

### **5 – Update on Norton St Phillip Neighbourhood Plan**

Examination document ED09 and ED10 (submitted before the Hearings on 19<sup>th</sup> July 2019) highlighted to you that the Council had received an examiners report into this Neighbourhood Plan and areas over policy overlap with LPP2.

Following consideration of the examiner's report, Cabinet approved on 2nd September that this plan should proceed to referendum and a date set of 17 October. Therefore, there is a potential for this plan to be made before consultation on Main Modifications. However, the Cabinet report also refers to a potential threat of Judicial Review to this recommendation, so the progress of this neighbourhood plan is subject to change. The council will provide a further update when it submits its draft main modifications.

### **6 - Progress/Responses on Requested Documents**

I have appended brief notes on the additional information requested (see appendix 1). I had anticipated that this additional information will form part of the council's Main Modifications Response, particularly the update to MF1. **[Clarification 6]** It would be helpful to clarify whether any of the Requested Documents should to be provided earlier than my provisional timetable.

I look forward to your response to the provisional timetable suggested and points of clarification at your earliest convenience.

Yours sincerely



Andre Sestini  
Principal Planning Officer. Mendip District Council

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<sup>1</sup> IQ-16(iii) Additional Statement – Tony Thompson.

## Appendix 1

**Housing Trajectory (Requested Document MF1)**

The Council intend to amend Table 1 and updated the housing trajectory. This will take account of :

- (a) finalised completion figures for 2018-19 rather than estimates
- (b) the revised delivery evidence submitted by parties to the hearings and
- (c) Additional site allocations proposed in Main Modifications in Para 20.

These revisions may result in an increased buffer figure above the minimum requirement in LPP1 and this will be confirmed in the Council's final response

**Glastonbury Highway Depot (Requested Document MF2)**

Mendip has contacted Somerset County Council who use this site for the highway contractors. Mendip will work with SCC to agree the timetable for their relocation/ alternative sites .

**Wells Rugby Club (Requested Document MF3)**

Detailed evidence has been submitted to the Council has part of a pre-application meeting with the promoters . This will be reviewed and discussed on 23<sup>rd</sup> September 2019.

**Bubwith Walk and Elm Close (Requested Document MF4)**

The promoters at Bubwith Walk are awaiting the correct wind conditions to finalise their updated odour report which will then be discussed with Wessex Water. The updated odour report for the Elm Close has been submitted to Wessex Water for comment as part of their planning application.

**Land West of Brooks Road Street (Requested Document MF5)**

Mendip will be meeting with the landowner in October to discuss progress and timescale of the Masterplan

## **Examination of Mendip District Local Plan 2006-2029: Part 2: Sites and Policies**

### **Suggested Matters, Issues and Questions (MIQ) Discussion Note for Additional Hearing Sessions**

#### **Matter 1 - Overall Housing Provision for Mendip**

- (i) In relation to the 'Additional requirement 2011-2029' for 505 dwellings, as identified in LPP1 policy CP2, to be addressed in site allocations, should these dwellings be added to the Part 1 of the Local Plan (LPP1) total of 9,635 dwellings (Core policy 2) or be subsumed within this total?
- (ii) Is there a 'strategic expectation', based on LPP1, for allocating 505 additional dwellings in the north-east part of the District, and if so, what is the evidence to support it?
- (iii) Assuming that the additional 505 dwellings are part of the LPP1 total of 9,635, is the 'strategic expectation' for allocating these dwellings in the north-east part of the District still justified and sustainable?
- (iv) Is the definition of the North/Northeast (which is generally paraphrased to the north-east) of the District, as set out in the map on page 10 of the Council's document entitled *Additional 505 Dwellings – Background Paper* (January 2020), justified?
- (v) Is there a justified and sustainable case for spreading the allocation for the additional 505 dwellings out across the entire District?

#### **Matter 2 – Sustainability Appraisal and Habitats Regulation Assessment**

- (i) Is the Sustainability Appraisal (SA) (Second Addendum) (January 2020) for the proposed Main Modifications, i.e. for the 505 additional dwellings in the north-east of the District, robust in its methodology and conclusions?
- (ii) In particular, do the 13 sustainability objectives in the SA represent a realistic summary of the principal sustainability criteria which the Plan should have regard to?
- (iii) Are these criteria analysed at an appropriate level of detail and rigour?
- (iv) Does the SA provide a sufficient level of detail in the treatment of realistic alternatives in the north-east of the District?
- (v) Is the Habitats Regulation Assessment (HRA) Addendum (January 2020), ie in relation to the 505 additional dwellings in the north-east of the District, robust?

### **Matter 3 – Selection of settlements to accommodate growth**

- (i) What is the justification for the selection of specific settlements to be the basis of the allocations of the 505 additional dwellings?
- (ii) How does this relate to the SA (Second Addendum) and HRA Addendum?
- (iii) Is the balance between edge of town and Primary Village sites and dwelling numbers appropriate? If not, what should the balance be?

### **Matter 4 – Consideration of the six sites suggested in the Main Modifications**

**4.1 Edge of Midsomer Norton:** Sites MN1 (Land at White Post, near Westfield for a minimum of 250 dwellings), MN2 (Land at Underhill Lane, Midsomer Norton for a minimum of 60 dwellings) and MN3 (Land east of the A367, near Westfield for a minimum of 145 dwellings).

- (i) Are these sites sustainable as sites for new homes, and are there ownership or other delivery constraints?
- (ii) If the housing/employment balance in Radstock/Norton is already skewed in relation to a serious issue of out-commuting (e.g. to employment opportunities in Bath and Bristol), how critical is this consideration in relation to the overall sustainability of these sites or any other potential housing sites on the edge of Midsomer Norton and Radstock?
- (iii) What other sustainability issues should the Plan have regard to in relation to these sites?

**4.2 Sites at Primary Villages:** Sites RD1 (Land off The Mead, Rode for a minimum of 26 dwellings), NSP1 (Land off Mackley Lane, Norton St Philip for a minimum of 27 dwellings) and BK1 (Land off Great Dunns Close, Beckington for a minimum of 28 dwellings).

- (i) Are these sites sustainable as sites for new homes, and are there ownership or other delivery constraints?
- (ii) How much weight should be given to the recent planning appeal decisions in relation to sites NSP1 and BK1, and in particular, have any material considerations changed since these appeals were dismissed?
- (iii) What other sustainability issues should the Plan have regard to in relation to these sites?

### **4.3 Other sites within the north-east of the District:**

In the light of the consideration of the sites identified in sections 4.1 and 4.2 above, are there any other sites, either on the edge of Midsomer Norton/Radstock, or within the three Primary Villages identified above, or in any other settlements in the north-east of the District, which are considered to be more sustainable for the allocation of new development to meet the additional 505 dwellings total? If so, what is the evidence?

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## REPRESENTATIONS

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### 1. Introduction

- 1.1 We act for the parish councils of Beckington, Norton St Philip and Rode (our "**Clients**"). This document sets out issues of common concern to our Clients regarding the methodology used to select draft allocations for new housing through proposed main modifications MM04, MM05, MM09, MM10, MM11, MM12, MM58, MM59, MM60, MM61, MM62, MM66, MM68, MM69, MM111, MM113, MM114, MM120, MM122 and MM123. Our Clients are of the view that this methodology was flawed for the reasons explained below and object to the main modifications.
- 1.2 We do not make submissions with respect to the merits of the draft allocations themselves. To the extent that our Clients have parish or allocation specific submissions these will be made separately on a parish-by-parish basis.
- 1.3 We have had the advantage of reading the comments of Bath & North East Somerset Council ("**BANES**") dated 31 January, 2020<sup>1</sup>. Our Clients agree, for the reasons set out therein, that the proposed main modifications are not legally compliant or sound including, in particular, the interaction with the duty to co-operate and the failure to carry out adequate sustainability appraisal.

### 2. Background

- 2.1 The current statutory development plan for Mendip District (the "**District**") is largely comprised within the Mendip District Local Plan Part I: Strategy and Policies DPD ("**LPP1**")<sup>2</sup> which was adopted by Mendip District Council (the "**Council**") on 15 December 2014 (together with a small number of 'saved policies'). LPP1 sets out a long term strategic vision for the future of the District and how it will develop over the plan period to 2029.
- 2.2 LPP1 provides the main basis for decision making in relation to planning applications made to the Council. It establishes an overarching development vision and key objectives for the District based on evidence and consultation which subsequent policies and proposals should aim to deliver.
- 2.3 LPP1 contains a number of core policies (hereafter referred to using the following convention: "**CP[number]**") about broadly what scale of new development is needed, where that growth should be located, which key initiatives or projects to pursue and other key principles. It contains an overall spatial strategy for the district, broad principles to direct how development will take place across the extensive rural part of the district as well as specific policies for each of the five principal towns.

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<sup>1</sup> MM Rep No 145

<sup>2</sup> Submission Document SD33

- 2.4 LPP1 also sets out development management policies which will be applicable, to a greater or lesser degree, to all proposals for development in the District. These policies (hereafter referred to using the following convention: "**DP[number]**"), together with the National Planning Policy Framework, enable the Council to manage impacts on areas where there are constraints on development or where the Council is seeking to manage particular effects. In most cases the policies are permissive – i.e. saying what can be achieved – but put in place relevant criteria which will need to be satisfied during the conception or design stages of preparing a development proposal.
- 2.5 LPP1 is supplemented (or will be supplemented) by a number of other documents forming part of the statutory development plan. These include:
- (a) Local Plan Part II: Sites and Policies DPD ("**LPP2**") – the subject of the present Examination which identifies or 'allocates' sites to deliver specific, but non-strategic, development needs as guided by the principles contained in LPP1. LPP2 may also include designations of other land to safeguard it from development where justified.
  - (b) Neighbourhood Plans – introduced by the Localism Act, 2011, these are parts of the statutory development plan relevant to a specific local area and represent policies and proposals made at a community level as guided by the principles contained in LPP1. A neighbourhood plan has already been adopted for the parish of Rode and a draft neighbourhood plan for the parish of Norton St Philip is at an advanced stage<sup>3</sup>.

### 3. LPP2 examination

- 3.1 As described above, the draft LPP2 is currently undergoing a process of examination prior to final adoption by the Council. The purpose of the examination is inter alia to determine whether it is 'sound'. Plans are sound if they are:
- (a) Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
  - (b) Justified – the plan should be an appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
  - (c) Effective – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
  - (d) Consistent with national policy – the plan should enable the delivery of sustainable development in accordance with the policies in national planning policy.
- 3.2 Current national planning policy is set out in the National Planning Policy Framework ("**NPPF**") published in February 2019 ("**NPPF19**"). This updated the NPPF published in July 2018 ("**NPPF18**") which itself updated the original NPPF published in 2012 ("**NPPF12**").

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<sup>3</sup> Following the grant of an interim injunction to prevent the planned referendum taking place, the adoption of this neighbourhood plan has been postponed pending the outcome of a legal challenge brought by Lochailort Investments Ltd.

- 3.3 The draft LPP2 was submitted to the Planning Inspectorate on 23 January 2019. This means that under NPPF18 and NPPF19 (in both instances, n. 214) it falls to be assessed for soundness against the policies set out in the revoked NPPF12.
- 3.4 LPP2 must also be considered in light of the strategic policies of LPP1 which are addressed in further detail below.
- 3.5 It should be noted that our Clients did not object to the draft LPP2 as submitted for examination by the Council and, as such, did not participate in the previous examination hearings as 'main parties'. Similar to BANES, our Clients' concerns have arisen as a result of the proposed main modifications to make additional housing allocations in the north-east part of the District.
- 3.6 Our Clients are particularly concerned that the addition of these modifications at such a late stage – on a flawed basis – means that the communities they represent have been presented with a fait accompli rather than these changes being considered on an holistic basis as part of the District-wide allocations process undertaken prior to submission of LPP2 for examination.

#### **4. Approach to additional housing allocations is incorrect**

*505 dwellings already allocated in submission version of LPP2*

- 4.1 Following examination hearings, the LPP2 Inspector has identified a need for the Council to consider additional housing sites with a capacity of 505 dwellings to make LPP2 capable of being considered sound. The need for additional allocations is set out in the Inspector's Interim Note dated 10 September 2019<sup>4</sup>.
- 4.2 Paragraph 17 of the Interim Note states that the draft LPP2 has not addressed a strategic expectation to consider allocations for housing development to provide 505 dwellings. This figure is derived from policy CP2 which made a provision for the delivery of an additional 505 dwellings as a result of the LPP1 plan period being 'rolled forward' for an additional year to end in 2029. This level of dwellings forms part of the overall LPP1 requirement of 9,635 dwellings across the District, but which were not allocated to any specific settlement when LPP1 was adopted. LPP1 paragraph 4.21 indicates that this will be addressed through LPP2.
- 4.3 As a result, the Inspector has requested a main modification ("**MM5**") in the following terms:

“Allocation of 505 additional dwellings (with reference to the table in core policy CP2 and para 4.21 of the supporting text) in the north-east of the District, at sites adjacent to Midsomer Norton and Radstock, and on sustainable sites at primary and secondary villages within this part of the District. All the sites considered for possible allocations, including those identified in Note IQ-3, will be subject to Sustainability Appraisal.”
- 4.4 The requirement for MM5 means that changes are being proposed to the draft LPP2 which were not supported by the Council in the pre-submission version of the plan. The overall housing allocations included in the submitted LPP2 were 11,253 dwellings which is 1,618 dwellings more than the LPP1 policy CP2 minimum requirement of 9,635. In preparing LPP2 the Council was able to identify and allocate sites to deliver these dwellings (including the additional '505

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<sup>4</sup> Examination Document ED20

dwelling's') in the most sustainable locations, in accordance with the LPP1 spatial strategy, to meet additional housing needs across the District as a whole.

- 4.5 Indeed, we understand that the new allocations proposed in these main modifications were not assessed or allocated in the submitted draft LPP2 because the Council had undertaken further assessment and was able to find more sustainable locations in accordance with the overall spatial strategy in LPP1 policies CP1 and CP2 to meet District's needs, including the 505 additional 'rolled forward' dwellings. Therefore, sites in the north-east of the District were not allocated in the submitted draft LPP2 because the Council could more sustainably meet its housing needs elsewhere<sup>5</sup>.

*505 dwellings required to meet District-wide need – not limited to north-east*

- 4.6 Paragraph 16 of the Interim Note provides further explanation for the approach taken by the Inspector:

"The table in policy CP2 of LPP1 makes specific reference to an additional figure of 505 dwellings; furthermore, paragraph 4.21 in LPP1 refers to the requirement to address the housing needs of the north-eastern part of the District, including land adjacent to the towns of Radstock and Midsomer Norton. These two towns are located just over the Mendip border in the local planning authority (LPA) of Bath and North-East Somerset (BANES)." [emphasis added]

- 4.7 The reasoning behind this conclusion is unclear, but appears to be based on the Inspector's reading of the LPP1 Inspector's Report and LPP1 itself, supplemented by discussion at the examination hearings to which our Clients were not party as they did not object to the allocation approach taken in the submission version of LPP2. Our Clients submit that the Inspector is clearly mistaken in this regard.
- 4.8 As set out above, the requirement to provide an additional 505 dwellings originally resulted from an updated housing review and consequent rolling forward of the LPP1 plan period for an extra year to 2029. Contrary to the assumption in paragraph 16 of the Interim Note, the requirement to provide an additional 505 dwellings is as a contribution towards District-wide needs arising from the roll-forward and is not required in order to meet the particular local needs of the north-eastern part of the District. Interpreting this district wide requirement to be specific to the north-east of the District and therefore to require sites to be allocated in this artificially restricted area goes beyond the requirements of LPP1 and is clearly a perverse interpretation.
- 4.9 That this requirement for additional dwellings relates to the District as a whole is also clear from paragraph 23 of the LPP1 examination Inspector's Report<sup>6</sup> which states in terms that "the Local Plan Part II Allocations document will need to find sites for an additional 500 or so sites across the District" [emphasis added].
- 4.10 LPP1 paragraph 4.21 was therefore added as a main modification during the examination of LPP1 and states in full:

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<sup>5</sup> Cf. Examination Document IQ7

<sup>6</sup> Submission Document SD34



"The Review of Housing Requirements (2013) and the rolling forward of the plan period to 2029 will result in an additional requirement for 505 dwellings in the District. This will be addressed in Local Plan Part II: Site Allocations which will include a review of the Future Growth Areas identified in this plan. The Site Allocations document will also be able to take account of issues in emerging Neighbourhood Plans, updated housing delivery, revised housing market areas and housing needs identified through cross boundary working. Allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton in accordance with paragraph 4.7 above." [emphasis added]

- 4.11 LPP1 paragraph 4.21 therefore makes clear that the additional 505 dwellings are to be allocated in accordance with the overall spatial strategy set out in policy CP1 and are not limited to allocations in the north-east of the District. Whilst it acknowledges that land in the north-north-east "may" be allocated, it does not require this or limit the geographic distribution of such allocations.

- 4.12 Moreover, the LLP1 examination report specifically concluded at paragraph 24 that:

"No substantial evidence has been put forward which would justify going further than this and including a reference in Core Policy 1 which would commit the Council to directing some development towards Radstock and Midsomer Norton....On the basis of the information available I consider that the Council is correct to take the approach that it does in the Plan and simply state in general terms that these houses will be located in accordance with the Plan's spatial strategy as set out in Core Policy 1 and that this could include land adjacent to Radstock and Midsomer Norton. "

- 4.13 This makes clear that the requirement to allocate an additional 505 dwellings as part of LPP2 did not commit the Council to allocations in the north-east: such allocations are an option, but not a requirement. The key guiding principle is consistency with the spatial strategy in policy CP1.

*Approach to draft allocations not in accordance with LPP1 spatial strategy*

- 4.14 The main requirements of the LPP1 spatial strategy may be summarised as follows:

- (a) The majority of development will be directed towards the five principal settlements of Frome, Glastonbury, Shepton Mallet, Street and Wells.
- (b) In the rural parts of the district, new development that is tailored to meet local needs will be provided for in primary villages – including Beckington, Rode and Norton St Philip – which are best placed to accommodate most new rural development.
- (c) Further development to meet more localised needs will be appropriate in secondary villages, as well as in other village and hamlets in limited circumstances.
- (d) Development in open countryside will be strictly controlled.
- (e) The scale of housing development within each settlement 'tier' is set out in policy CP2.

- (f) In identifying land for development the emphasis is on maximising the re-use of appropriate previously developed sites and other land within existing settlement limits, and then at the most sustainable locations on the edge of the identified settlements.
- 4.15 The approach taken in preparing draft allocations as part of the proposed main modifications to LPP2 is therefore incorrect and flawed as it does not allocate in accordance with the spatial strategy.
- 4.16 In particular, it is clear that:
- (a) the Council has not considered potential allocations in any of the five principal market towns in the District;
  - (b) the requirement for an additional 505 dwellings is to meet a District-wide need rather than local need; and
  - (c) a number of the draft allocations would expand the development limits of rural villages into open countryside.
- 4.17 Moreover, the artificial and incorrect limitation of the area of search to the north-eastern part of the District means that the proposed main modifications are also not conform to the scale of development set out in policy CP2. Policy CP2 sets out a clear strategy for the division of housing growth within the District, as between different grades of settlement.
- 4.18 This provides that the additional dwellings across the District are to be provided in the following proportions:
- (a) 25% in Frome;
  - (b) 11% in Glastonbury;
  - (c) 14% in each of Shepton Mallet and Street;
  - (d) 16% in Wells; and
  - (e) 20% in the primary, secondary and other villages.
- 4.19 It is clear that limiting the geographical distribution of the draft allocations means that 100% of the additional requirement would be allocated in either villages or in the open countryside, which is directly contrary to policies CP1 and CP2. None of this District-wide need would be allocated in the five principal market towns which are the most sustainable locations. Indeed, as set out above, it was by directing the allocations in the submission version of LPP2 to these more sustainable locations – in accordance with the spatial strategy – that the Council was able to avoid the need to consider allocations in the rural villages and open countryside in the north-east of the District in the first place.
- 4.20 Policy CP2 also states that LPP2 allocations outwith development limits will be made in line with:
- "i) the principle of the proportionate growth in rural settlements guided by the requirements identified within supporting text above

ii) informed views of the local community

iii) the contribution of development since 2006 towards identified requirements in each place, development with planning consent and capacity within existing Development Limits."

4.21 With respect to criterion i., LPP1 paragraph 4.32 provides that the primary villages:

"would be the first places to consider when distributing planned rural housing in the Local Plan [and] the Council proposes village housing requirements based on a proportionate growth equating to 15% of the existing housing stock. These have been adjusted taking account of identified local constraints to tailor development levels in each community to an appropriate scale." [emphasis added]

4.22 The approach adopted in respect of the draft main modifications clearly does not comply with this approach as it focusses new housing allocations in the open countryside adjacent to Midsomer Norton and Radstock.

4.23 Moreover, with respect to the 15% guideline figure for proportionate growth and criterion iii., the most recent published housing figures<sup>7</sup> covering the period from 2006 to 2019 (i.e. over half of the plan period) indicate that delivery for the primary villages has been as follows:

<i>Parish</i>	<i>LPP1 minimum requirement</i>	<i>Completions to 2019</i>	<i>Extant consents</i>	<i>Total</i>	<i>Excess/deficit versus LPP1 minimum</i>	<i>Delivery rate versus LPP1 minimum</i>
Baltonsborough	45	83	55	118	73	262%
Beckington	55	99	9	108	53	196%
Butleigh	45	12	1	13	-32	29%
Chewton Mendip	15	4	2	6	-9	40%
Chilcompton	70	146	17	163	93	233%
Coleford	70	64	7	71	1	101%
Croscombe	35	6	10	16	-19	46%
Ditchat	25	4	7	11	-14	44%
Draycott	65	31	4	35	-30	54%
Evercreech	70	158	8	166	96	237%

<sup>7</sup> cf. the Appendix to these representations

<i>Parish</i>	<i>LPP1 minimum requirement</i>	<i>Completions to 2019</i>	<i>Extant consents</i>	<i>Total</i>	<i>Excess/deficit versus LPP1 minimum</i>	<i>Delivery rate versus LPP1 minimum</i>
Mells	10	5	0	5	-5	50%
Norton St Philip	45	88	17	105	60	233%
Nunney	55	2	1	3	-52	4%
Rode	65	22	57	79	14	122%
Stoke St Michael	45	14	4	18	-27	40%
Westbury sub Mendip	50	12	0	12	-38	24%

- 4.24 It is clear from the above table that the three primary villages to which further draft allocations have been made – Beckington, Norton St Philip and Rode – have all already exceeded the applicable LPP1 minimum requirements in terms of combined completions and extant consents. It must be remembered that these requirements also apply across the whole plan period to 2029 such that delivery in these three villages is significantly higher than envisaged in the spatial strategy and housing trajectory.
- 4.25 By comparison, the limitation of the area of search to the north-eastern part of the District means that six primary villages outwith that area that have not yet met their LPP1 requirements – in many cases with a significant shortfall – have been incorrectly excluded from potential allocations to meet the District-wide requirement for an additional 505 dwellings. This does not accord with policies CP1 and CP2.
- 4.26 At a broader level, there is a further concern in this disproportionate growth of some settlements within the District. The LPP1 spatial strategy clearly directs new housing to the larger settlements in the District i.e. the five principal market towns. These are planned to provide fully 80% of the District-wide housing requirement across the plan period.
- 4.27 However, the latest housing completion figures to March 2019 indicate that the five market towns have provided only 4,470 of the total 6,133 completions i.e. less than 73%. This falls below the proportion envisaged in the spatial strategy. Our Clients are concerned that allocating further housing development significantly above the figures in policy CP2 outside of the larger settlements (particularly Frome) will lead to further ‘dilution’ of the local plan spatial strategy.
- 4.28 Our Clients submit that the level of growth represented by the proposed main modifications would lead to serious harm to the local plan by undermining its spatial strategy, and leading to an unsustainable level of growth at the three villages of Beckington, Norton St Philip and Rode in particular. This growth would be, to a large extent, at the expense of growth in the more important centres, particularly the principal market towns.

- 4.29 Aside from the inherent harm to the LPP1 spatial strategy, to allocate an excessive amount of development though LPP2 would also significantly harm the value and purpose of the detailed, lengthy and collaborative plan-making process which had taken account of the views of local people wishing to shape their surroundings and future living environment. These proposed main modifications would unquestionably undermine confidence in the plan-making process.

## **5. Allocations should be made through neighbourhood plan process**

- 5.1 Without prejudice to the foregoing, our Clients submit that any of the additional 505 dwellings that are not allocated on the settlement edges of Midsomer Norton and Radstock should not be allocated as part of LPP2. Our Clients consider that the most appropriate approach will be to leave such allocations to the neighbourhood planning process or, failing that, to leave these to the Council's pending comprehensive local plan review.
- 5.2 LPP1 paragraph 4.21 expressly states that regard will be had to emerging neighbourhood plans. As far as the three primary villages of Beckington, Norton St Philip and Rode are concerned one of them already has an adopted neighbourhood plan and another is in the process of adopting such a plan. Both of these allocate sites to meet identified local housing needs.
- 5.3 In these circumstances, it is inappropriate to bring forward further housing allocations over and above both the LPP1 requirements and identified neighbourhood allocations.
- 5.4 More generally, our Clients submit that any additional allocations to satisfy the requirement for an additional 505 dwellings are more appropriately made through the neighbourhood planning process. This option does not appear to have been considered when the main modifications were being prepared and is not mentioned in the Council's consultation documents on them as an alternative.
- 5.5 If allocation through the neighbourhood planning process is not considered appropriate, our Clients consider that the next best approach will be to allow the Council to consider potential allocations through its pending local plan review. This will enable housing need across the District to be considered on an holistic basis, rather than the current flawed and piecemeal approach.
- 5.6 This would also accord with the letters from the Secretary of State already submitted as part of the LPP2 examination<sup>8</sup>. These make clear that:
- "early review may be used as a way of ensuring that a Local Plan is not unnecessarily delayed by seeking to resolve matters which are not critical to the plan's soundness or legal compliance as a whole. In this context I would highlight a recent note published by the Planning Advisory service which highlights where a commitment to early review has featured in recently adopted Local Plans."
- 5.7 Our Clients submit that the Council's existing commitment to an early local plan review means that this approach – adoption of LPP2 followed by an early comprehensive review – is appropriate in the present case. This is especially so given the unsound approach adopted in the preparation of these main modifications.

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<sup>8</sup> cf. Examination Document ED21, Appendix 1

- 5.8 In light of the foregoing, our Clients request further hearings to discuss these matters raised if the Inspector is minded to agree that the proposed main modifications relating to these draft allocations in the north east of the District should be incorporated into LPP2 prior to its adoption. Our Clients intend to participate in any such hearings.

## **6. Conclusion**

- 6.1 In conclusion, our Clients' position is that the additional 505 dwellings:
- (a) are to meet the needs for the wider District taken as a whole;
  - (b) are not specific to the north/north-east of the District;
  - (c) would be better met at more sustainable locations in accordance with LPP1 spatial strategy set out in policies CP1 and CP2; and
  - (d) were in any event already allocated on more sustainable sites in the submission version of LPP2.
- 6.2 There is no underlying policy justification for the assertion in the Interim Note that LPP1 requires allocations in the north-eastern part of the District (to meet local need or otherwise) and, in any event, the approach taken to site selection as part of the main modifications does not comply with the spatial strategy. In particular, the limitation of the area of search has no basis in adopted policy and is based upon a fundamental misinterpretation of LPP1.
- 6.3 Without prejudice to the above, should additional allocations nevertheless be required, our Clients submit that it would be more appropriate for these to be made through the neighbourhood planning process. This would enable local communities to identify appropriate allocations to meet established local needs in a sustainable manner throughout the north-east of the District.
- 6.4 In conjunction with the early local plan review contemplated by the Council, this approach would also ensure that any additional District-wide housing need is planned for in a robust, coherent fashion as opposed to the ad hoc manner in which the main modification have been prepared.
- 6.5 In summary, our Clients submit that introducing such major changes at a late stage through main modifications – with allocations at odds with the sustainable LPP1 spatial strategy and, as a result, inconsistent with the requirements of NPPF12 – is not acceptable and is fundamentally unsound. Main modifications MM04, MM05, MM09, MM10, MM11, MM12, MM58, MM59, MM60, MM61, MM62, MM66, MM68, MM69, MM111, MM113, MM114, MM120, MM122 and MM123 should be rejected on that basis.

**DLA Piper UK LLP**

**12 March 2020**

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**APPENDIX**

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**Housing completion figures to 31 March 2019**

Mendip District

Net additional dwellings completed 2006-2019

(NB figures relate to year end as at 31st March) (Private and affordable housing)

Year	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Total for Period	Dwellings with Planning Permission that were either Not Started or Under Construction at 1st April 2019
TOWNS															
Frome	121	106	101	146	128	159	61	99	47	58	35	287	154	1502	567
Glastonbury	108	86	45	68	74	17	26	42	92	18	41	18	1	636	227
Shepton Mallet	116	136	141	34	34	39	51	-25	93	50	31	13	14	727	196
Street	65	19	133	36	103	109	55	27	108	44	43	51	10	803	65
Wells	17	93	22	23	4	17	29	31	152	70	51	123	170	802	591
Subtotal	427	440	442	307	343	341	222	174	492	240	201	492	349	4470	1646
Villages															
Baltonsborough	0	1	0	1	8	2	1	9	12	0	42	1	6	83	55
Batcombe	1	0	0	1	0	0	0	1	0	-1	0	0	0	2	1
Beckington	2	0	2	2	4	1	1	0	0	32	12	15	28	99	9
Binegar	0	0	0	0	0	0	1	0	1	0	0	0	0	2	1
Gurney Slade	1	1	0	0	2	0	0	0	0	1	0	3	0	8	2
Bleadney	0	1	0	0	1	0	0	0	0	0	0	0	0	2	0
Buckland Dinham	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0
Butleigh	0	0	2	0	0	0	0	9	0	0	0	1	0	12	1
Chantry	0	0	1	0	0	0	0	0	1	0	0	1	0	3	3
Chewton Mendip	1	0	3	0	0	0	0	0	0	0	0	0	0	4	2
Chilcompton	13	10	13	1	8	1	1	7	2	31	27	13	19	146	17
Coleford	2	10	7	8	0	1	2	0	2	29	1	2	0	64	7
Coxley	1	2	0	2	3	0	0	0	5	41	10	0	0	64	12
Coxley Wick	0	0	1	0	0	1	0	0	0	0	0	0	0	2	10
Upper Coxley	0	0	0	1	5	0	0	0	0	1	1	0	0	8	4
Cranmore	1	0	8	1	0	0	0	0	0	0	0	0	0	10	0
Croscombe	0	1	0	0	1	0	0	0	2	0	0	1	1	6	10
Ditcheat	0	0	0	0	0	1	0	1	1	1	0	0	0	4	7
Doultling	0	0	0	0	0	0	1	2	1	0	0	0	1	5	0
Draycott	3	2	5	3	7	2	4	3	0	1	1	0	0	31	4
Dulcote	0	0	0	1	2	0	0	2	0	0	0	0	0	5	0
Easton	0	0	1	4	1	3	5	8	1	4	0	0	0	27	5
East Lydford	1	1	0	0	0	0	0	0	1	0	0	0	1	4	16
Evercreech	6	3	5	5	4	2	5	2	4	23	39	42	18	158	8
Faulkland	0	3	0	0	0	0	1	0	0	0	1	18	3	26	10
Great Elm	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0
Henton	0	0	0	1	0	0	0	0	0	0	0	0	0	1	2
Holcombe	1	8	1	2	11	1	3	10	1	1	0	0	0	39	6
Kilmersdon	0	0	1	1	1	0	2	9	0	0	0	0	0	14	2
Lamyatt	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
Leigh On Mendip	7	0	2	0	0	0	0	0	1	0	0	14	0	24	5
Litton	0	0	0	0	1	0	0	0	0	0	0	0	0	1	3
Meare	3	4	4	1	2	0	19	14	9	6	10	1	10	83	10
Westhay	1	3	0	0	0	0	0	0	0	1	0	0	0	5	2
Mells	1	0	0	1	0	1	0	0	2	0	0	0	0	5	0
North Wootton	0	2	0	2	0	2	0	0	2	0	0	0	1	9	22
Norton St Philip	0	2	0	2	0	5	13	14	30	7	5	3	7	88	17
Nunney	0	0	0	0	0	0	0	1	0	0	0	1	0	2	1
Oakhill	3	2	9	2	0	0	2	0	25	1	2	1	0	47	4
Pilton	10	1	3	4	2	3	1	1	3	1	1	13	1	44	1
Priddy	3	1	0	0	6	0	0	0	1	1	1	0	0	13	4
Rode	1	0	9	3	1	1	0	5	0	0	2	0	0	22	57
Rodney Stoke	1	1	0	0	0	0	0	1	0	1	0	0	0	4	1
Stoke St Michael	4	1	1	2	0	0	0	0	2	2	0	0	2	14	4
Ston Easton	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0
Stratton On the Fosse	0	3	0	0	0	0	0	0	1	4	0	0	0	8	7
Trudoxhill	0	0	2	0	1	0	1	1	0	2	1	0	0	8	0
Upton Noble	0	0	0	2	1	0	1	0	0	1	0	0	0	5	0
Walton	2	3	2	0	0	1	0	1	0	0	0	1	1	11	42
Wanstrow	2	1	0	0	0	0	2	0	0	0	0	3	2	10	0
Westfield	0	0	0	0	6	0	0	0	0	0	1	0	0	7	0
West Horrington	0	2	0	2	0	0	4	0	2	2	0	0	0	12	0
West Lydford	0	0	0	0	0	0	0	0	0	0	0	1	1	2	0
West Pennard	2	0	2	0	0	1	0	1	1	1	0	1	6	15	2
Westbury sub Mendip	1	3	0	2	0	0	1	0	1	0	0	2	2	12	0
Witham Friary	0	0	0	0	0	0	0	0	0	0	0	1	0	1	0
Wookey	1	0	18	1	0	0	2	2	4	0	0	1	7	36	30
Wookey Hole	0	0	0	2	12	0	0	1	0	0	0	0	0	15	1
	75	72	102	60	90	29	73	108	118	194	157	140	117	1335	410
Open Countryside	19	44	13	14	23	12	15	20	19	43	30	39	37	328	175
Total	521	556	557	381	456	382	310	302	629	477	388	671	503	6133	2231

Primary Villages

Secondary Villages

Notes

Source Data - Mendip Housing Land Availability Monitoring (developer and site survey)

Data relates to permanent self-contained affordable dwellings (as set out in the NPPF)

Data may include minor corrections to previous years



## Mendip District Local Plan 2006 – 2029 Part 2 Sites and Policies – Proposed Main Modifications to the Pre-Submission Plan Consultation comments

### 1. Introduction

- 1.1. This paper sets out Bath and North East Somerset Council's response to the Mendip Local Plan Part 2 Proposed Main Modifications Consultation.
- 1.2. Following the Inspector's interim report (ED20), Bath and North East Somerset Council (B&NES Council) wrote to Mendip District Council (Mendip DC) setting out B&NES Council's position and seeking clarification from the Inspector regarding the 505 dwellings. This letter (28<sup>th</sup> November 2019) is now appended to the '505 Dwellings Background Paper' (January 2020) published by Mendip DC as part of the supporting documents for the Proposed Main Modifications. B&NES Council also sent some initial comments on the draft Sustainability Appraisals which is published alongside the Proposed Main Modifications (Consultation document 2b Second Addendum to SA Appendix 6).

### 2. Key Proposed Main Modifications to which B&NES Council object

MM Ref	Paragraph or Policy	MM Ref	Paragraph or Policy
MM04	Para 3.24	MM06	Para 3.45
MM08	Table 1 reference to three sites -Land at White Post -Land at Underhill Lane -Land west of the A367	MM09	Table 2 (NE Mendip sites)
MM10	Table 3 and accompanying text Paras 3.56 and 3.57	MM11	Table 4 reference to NE Mendip District
MM12	Table 4b reference to 'Sites adj Midsomer Norton	MM58	New section 10 P.69
MM59	New settlement map		MM60 New policy MN1: Land at White Post
MM61	New Policy MN2: Land at Underhill Lane	MM62	New Policy MN3: Land west of the A367

MM66	Section 11 reference to site allocations at N/NE of the District.	MM69	New Policy BK1 Land off Great Dunns Close, Beckington
MM114	New Policy NSP1: Land off Mackley Lane, Norton St Philip	MM123	New Policy RD1 Land off the Mead, Rode

### 3. Summary of key objections

- 3.1.** B&NES Council supported the submitted Local Plan Part 2 (LPP2) which allocated sufficient housing sites to meet more than the Part 1 strategic housing requirement and did not allocate any sites adjacent to the B&NES boundary. Introducing such a major change by allocating an additional 450 dwellings adjacent to the B&NES boundary on the edge of Midsomer Norton fails to allow sufficient time to assess the impact on the local communities and the services & facilities and infrastructure of the town. The sites are proposed to be added at this late stage in the plan process which means there is only one opportunity for the communities and other interested parties to consider the issues and respond to consultation.
- 3.2.** It is B&NES Council's view that the main modifications listed in section 2 above are not prepared in accordance with legal and procedural requirements and would fail the tests of soundness in preparing the Plan as set out in the comments in sections 4 - 6 below.
- 3.3.** B&NES council has been engaged in the preparation of the Mendip LPP2 prior to this Proposed Main Modifications stage. Introducing such major changes to the Plan affecting the B&NES communities at this stage of the Plan making process would be contrary to the Duty to cooperate as there has not been effective engagement and no Statement of Common Ground is prepared and agreed.

### 4. The 505 dwellings requirement

- 4.1.** In summary, the B&NES position is that the additional 505 dwellings:
- has already been addressed through the proposed allocations in the submitted draft LPP2 and the overall quantum that is therefore planned for in LPP2;
  - is to meet the needs of the wider Mendip District as set out in the LPP1;
  - is not specific to the north/north-east of the District as the published Proposed Modifications indicate; and
  - would be better met at more sustainable locations in accordance with the LPP1 Policy 1.
- 4.2.** The Inspector's Interim Note ED 20 sets out the need for additional allocations in the north and north east of the District. Para 17 of ED20 advises that the Part 2 Plan has not addressed a strategic expectation to consider allocations for housing development to provide '505 dwellings' as specified in Local Plan Part 1 (LPP1) Core Policy 2. The Inspector considers it is appropriate for this additional element of 505 dwellings to be apportioned to sustainable settlements in the north-east part of the District and added to the total housing provision of the Plan. ED20 also recommends to up-date Table 4 (Housing Requirements) to include additional rows to cover the new allocations in the north-east of the District (MM11).

#### **Point 1: B&NES Council disagree with the interpretation of the 505 dwellings requirement.**

- 4.3.** The Main Modifications relating to the additional '505 dwellings' and directing provision to the north/north east of Mendip are considered unsound because they are not justified. B&NES Council considers that they are founded on a misinterpretation of LPP1 and the subsequent

preparation of LPP2. Firstly, making provision for an additional '505 dwellings over and above the allocations already contained within the summited draft LPP2 is not necessary and secondly, the requirement for these dwellings does not specifically relate to the north/north east of the District.

- 4.4. Our understanding is that the '505 dwellings' requirement originally resulted from rolling forward the LPP1 plan period to 2029. The '505 dwellings' was therefore derived from a numerical district-wide shortfall and not through a shortfall in provision in the north-east part of the district. In seeking to plan for the '505 dwellings para 4.21 of the LPP1 states that *'allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may (emphasis added) include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton.'*
- 4.5. The overall housing allocations included in the submitted LPP2 was 11,253 dwellings which is 1,618 dwellings more than the LPP1 Policy CP2 minimum requirement of 9,635. It is our understanding that this includes the LPP1 Policy 2 requirement of the additional '505 dwellings' for the District. Therefore, an additional 505 dwellings over & above the 11,253 dwellings do not need to be planned for in LPP2.
- 4.6. In preparing the LPP2 Mendip DC was able to identify and allocate sites to deliver 11,253 dwellings (including the additional '505 dwellings') in more sustainable locations, within the context of the spatial strategy, to meet additional housing needs within Mendip. Therefore, sites in the north/north-east of Mendip were not allocated in the submitted draft LPP2 because Mendip DC could more sustainably meet its housing needs. **Mendip DC statement IQ3** sets out clearly that why it was not necessary to allocate the 505 dwellings to the north-north east of the District. In responding to the consultation on the pre-submission Draft LLP2 B&NES Council supported the approach taken by Mendip District Council.
- 4.7. **MG1-Clarification on Housing Trajectory** prepared and submitted in response to Further Information Requested in Note ED20 shows the Projected Housing Delivery 2019/20 - 2033/34. Total of 522 dwellings are expected to be delivered beyond the Plan period. Therefore, it indicates that the Planned Growth within the Plan period up to 2028/29 is 11,359 dwellings. This figure includes new site allocations of 536 dwellings in the north/north east of the District (455 dwellings adjacent to Midsomer Norton and 81 dwellings at Rode, Norton St Philip and Beckington). Without these new sites, the new Planned Growth within the Plan period is 10,823 dwellings. This is 1,188 dwellings more than the LPP1 CP2 requirement of 9,635 dwellings which indicates 11% uplift. Therefore, even taking into account the latest trajectory, additional sites in the north/north east of the District do not need to be allocated in LPP2. Furthermore, the policy framework is expected to facilitate delivery of more dwellings if windfall sites are taken into account which NPPF para 70 allows subject to evidence.
- 4.8. In ED20 the Inspector refers to 'the 505 dwellings' being required to specifically address the housing needs of the north-eastern part of the District' and concludes that it is appropriate for this to be apportioned to sustainable settlements in the north-east part of the District. The reasoning behind this conclusion is unclear, but appears to be based on the Inspector's reading of the LPP1 Inspector's Report and LPP1 itself, and from the discussion at the Hearing sessions (which B&NES Council were not party to as we did not object to the submitted Plan). B&NES Council considers this to be a misinterpretation of LPP1. As set out above our understanding of the LPP1 Inspector's Report and LPP1 itself is that this 505 dwellings contributed to the needs for the wider District as a shortfall at the time of the LPP1 housing numbers review and rolling forward of the plan period, which was not specific to the north-eastern part of the District. Interpreting this district wide requirement to be specific to the north / north east of the District and therefore to require sites to be allocated adjoining Midsomer Norton goes beyond the remit set out in LPP1.

## **Point 2: B&NES objects to the proposed allocation of land adjacent to Midsomer Norton**

- 4.9.** B&NES Council understand that Mendip DC did not include sites adjacent to Midsomer Norton in preparing the submission draft LPP2 as they could identify more sustainable places to fulfil the District's housing needs in accordance with Policy 1 of the spatial strategy. B&NES Council agree with this approach. The sites/land adjacent to Midsomer Norton, Westfield and Radstock are clearly linked to and serve the communities in these places and not communities within Mendip District. The integration of new housing with existing local communities and associated opportunities and constraints or impacts on the environment and infrastructure, such as education, transport and community facilities, needs to be comprehensively assessed and addressed as para 4.7 of the LPP1 requires. Through the proposed allocation of sites via Main Modifications it is clear this has not been adequately undertaken.
- 4.10.** One of the key strategic issues being addressed by the B&NES Core Strategy and Placemaking Plan is an imbalance between jobs and homes in this area caused by recent incremental housing development and a decline in the manufacturing sector resulting in a high degree of out-commuting. Therefore, the Core Strategy/Placemaking Plan facilitates more employment including allocating the Somer Valley Enterprise Zone and only facilitates some additional housing primarily reflecting already committed sites (either permitted or allocated in the previous Local Plan).
- 4.11.** Allocating sites adjoining Midsomer Norton, Westfield or Radstock through the Mendip LPP2 is contrary to the adopted B&NES Development Plan (B&NES Core Strategy and Placemaking Plan and Westfield Neighbourhood Plan) and would worsen the imbalance between jobs and homes and would add cumulative impacts on key infrastructure. The additional 450 homes proposed will add to out-commuting flows, primarily to Bristol and Bath, resulting in unsustainable travel patterns contrary to the Council's climate emergency declaration.
- 4.12.** The Main Modifications in relation to new sites allocations adjacent to Midsomer Norton are considered unsound because they are not positively prepared or justified by the necessary assessments referenced in para 4.10 above.

## **Point 3: Proposed Modifications are not informed by a Sustainability Appraisal that meets the relevant legal requirements.**

- 4.13.** B&NES Council's initial comments on the Sustainability Appraisal (SA) are published as part of the SA report (Appendix 6). As these comments state it is not possible to assess properly and provide comprehensive feedback on the SA conclusions at this stage, because the effects on social and transport infrastructure from the potential development of these sites, particularly criteria SAO09 (encourage more sustainable travel patterns) and SAO13 (improve access to facilities and services,) are not certain until they have been assessed comprehensively as para 4.7 of the LPP1 requires and would be necessary to meet the soundness tests.
- 4.14.** For example, there is no evidence of detailed traffic modelling to test the impact of these sites on the existing roads which are already heavily trafficked and affected by frequent traffic congestion. The comprehensive assessment required by LPP1 needs to be undertaken. The cumulative effects need to be identified (including in combination with other plans) and addressed prior to allocating any of these sites. For your information, also attached are B&NES's responses to the planning applications submitted for NRAD005 and NRAD001M as they are still relevant.

- 4.15.** In Appendix 6 of the SA, Mendip DC's response states that *'the need for traffic modelling should be addressed in proposed policies'* i.e. through the Proposed Modifications with new site allocation policies including such requirements. However, this key evidence should be prepared and tested before the allocations are made. Significant concerns are identified through the site assessments particularly assessing the in-combination effects. As an example Question 50 of the site assessment for Land at White Post (NRAD001M) states that *'There have been significant concerns highlighted in planning applications relating to this site and NRAD005 from B&NES Highways regarding the impact upon development in this area on the road network. Cumulative impact from this site, NRAD005 and the newly developed Barratt site to the north would need to be assessed'* However, no such assessments have been undertaken. It would be too late to address any issues identified once the principle of development is established through site allocations.
- 4.16.** Whilst theoretically some sites could contribute towards meeting the Mendip Local Plan housing targets (as assessed against criterion SAO11), it remains B&NES Council's view that the additional '505 dwellings' included in the LPP1 is to meet the needs of the wider Mendip District and is not specific to the north/north-east of the district. Therefore, it is not considered these sites are in the most sustainable location to meet the needs of the wider district, especially as other alternative sites are already identified and allocated through the draft LPP2. This needs to be reflected in the Sustainability Appraisal.

#### **Cumulative effects with B&NES Development Plans**

- 4.17.** The SEA Regulations require an assessment of cumulative effects with other plans. One of the key strategic issues the adopted B&NES Development Plan is addressing is an imbalance between jobs and homes caused by recent incremental housing development and a decline in the manufacturing sector and resulting in a high degree of out-commuting. The development of the sites considered here would exacerbate the recent trend of incremental housing development which the B&NES Development Plan, incorporating not only B&NES Core Strategy and Placemaking Plan, but also Westfield Neighbourhood Plan, seeks to prevent. Allocating sites adjoining Midsomer Norton, Westfield or Radstock through the Mendip LPP2 would worsen the imbalance between jobs and homes, resulting in additional unsustainable commuting patterns, and would add cumulative impacts on key infrastructure within Midsomer Norton, Radstock and Westfield. Therefore, development of these would result in significant negative cumulative impacts when considered with the adopted B&NES Development Plan. The Mendip Sustainability Appraisal addendum failed to properly assess these cumulative effects with B&NES Development Plans.

#### **5. Process issues**

##### **Point 4: B&NES Council request further hearings to discuss the matters raised above prior to the Proposed Modifications being agreed and the Plan adopted**

- 5.1.** It is clear from the LPP1 Inspectors report that the Council should consider land in the vicinity of these towns. However, neither the Local Plan Part 1 Inspector nor the advice contained in the adopted LPP1 at Para 4.7 and 4.21 refer to development to meet specific needs in the north/north east of the District. It should be noted that the modifications in LPP1 were simply made to address the lack of consideration of sites around Midsomer Norton/Radstock and not based on specific evidence of housing need in this particular location at the time.
- 5.2.** The reasons are not clear as to why the LPP1 is now being interpreted as warranting or requiring allocations on the edge of the B&NES Somer Valley towns. As the sites adjoining

these places were not proposed for allocation in the submitted LPP2, B&NES Council and the communities within B&NES have not had sufficient opportunity to properly participate in or respond to the consideration of these sites.

- 5.3.** B&NES Council request further hearings to discuss these matters raised if the Inspector is minded to agree that the Proposed Main Modifications relating to the allocations in the north/north east of the District should be incorporated into LPP2 prior to its adoption. B&NES Council wishes to participate in such hearings.

## **6. Conclusion**

- 6.1.** It is B&NES Council's view that the main modifications listed in section 2 above are not prepared in accordance with legal and procedural requirements and would fail the tests of soundness in preparing the Plan.

- 6.2.** In summary three key points:

- (1) the reasons for the change in the figure and its allocation in this location are not justified and it's not clear how this options has been assessed and informed by the SA in light of the reasonable alternatives. The LPP1 refers to the 505 dwellings requirement for the District, not specific to the north/north east of the District. Therefore, reasonable alternatives sites should be a district wide.
- (2) the allocation of this quantum of development in the Somer Valley is contrary to the spatial strategy of the B&NES Core Strategy which was endorsed by the Core Strategy examination inspector. The impacts on the towns in terms of the transport network, services/facilities, employment opportunities and environmentally are considered and assessed through the B&NES Core Strategy and Placemaking Plan, informed by the SA. Introducing such allocations in the Mendip LPP2 without properly assessing the impact of the allocations is neither justified nor effective.
- (3) very limited opportunities for those who previously supported the plan, but now have significant concerns as a result of the modifications, to engage in the process.

- 6.3.** B&NES council has been engaged in the preparation of the Mendip LPP2 prior to this Proposed Main Modifications stage. Introducing such major changes to the Plan affecting the B&NES communities at this stage of the Plan making process would be contrary to the Duty to Cooperate as there has not been effective engagement and no Statement of Common Ground is prepared and agreed.

**Mendip District Council  
Local Plan Part 2  
Additional Hearing Statement**

**Matter 1 - Overall Housing Provision**

**Mendip District Council  
Local Plan Part 2 Examination  
Additional Hearing Statement**

**Matter 1 - Overall Housing Provision for Mendip**

**Question (i) In relation to the 'Additional requirement 2011-2029' for 505 dwellings, as identified in LPP1 policy CP2, to be addressed in site allocations, should these dwellings be added to the Part 1 of the Local Plan (LPP1) total of 9,635 dwellings (Core policy 2) or be subsumed within this total?**

- 1 Policy CP2 clearly includes the 505 dwellings as part of the minimum adopted LPP1 housing requirement of 9,645 dwellings. This is explained in LPP1 para 4.20 and 4.21 and Table 6 (LPP1 p33) which notes that the additional 505 units are the result of extending the LPP1 plan period from 2028 to 2029. This allows for the plan to cover the period of 15 years from adoption.
- 2 This is confirmed in the LPP1 Inspectors report on LPP1 Para 60 and the accompanying main modifications MM27
- 3 In addition, there is no reference to a figure of 10,140 dwellings in LPP1 and Para 4.22 explains

*The residual level of housing to provide 9,635 dwellings will be met through the strategic sites identified in this Plan and allocations made through the Local Plan Part II*

- 4 LPP1 does indicate 9,635 dwellings is a minimum housing figure over the plan period. LPP1 para 4.22 sets out the Council's approach to achieving a higher level of delivery:

*The Council will explore opportunities to deliver above the policy minimum through the site allocations process in the Local Plan Part II, including in primary and secondary villages, informed by the testing of site options through local consultation and Sustainability Appraisal. Opportunities for such additional provision may arise where the most effective planning of sites needed to meet the requirements of individual settlements would naturally enable somewhat higher levels of development.*



**Question (ii) Is there a 'strategic expectation', based on LPP1, for allocating 505 additional dwellings in the north-east part of the District, and if so, what is the evidence to support it?**

- 5 In preparing LPP2, have interpreted the text in para 4.22 as setting out an option for site allocations to be considered in the northeast of the district rather than 'strategic commitment' - as defined as being part of the spatial strategy of the plan

*Allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton in accordance with paragraph 4.7 above.*

- 6 Para 4.7 refers to consideration of allocations in response to addressing the development needs of Mendip.

*The towns of Radstock and Midsomer Norton lie on the northern fringe of Mendip district. The main built extent of these towns lie in Bath and North East Somerset; but some built development exists within Mendip and other built and permitted development immediately abuts the administrative boundary. This Local Plan, whilst taking into account development opportunities on land abutting the towns, does not make any specific allocations for development, particularly for housing. The Council will consider making specific allocations as part of the Local Plan Part II Site Allocations to meet the development needs of Mendip which have not been specifically allocated to any particular location in this Part I Local Plan. In the event that such allocations are considered, this will be undertaken in consultation with B&NES and local communities. Any impact on infrastructure in B&NES such as education, transport or community facilities, will be addressed either through s.106 contributions or through CIL arising from new development in Mendip*

- 7 At the time of modifications and adoption of the LPP1, para 4.7 was included to recognise the availability of land promoted for development in LPP1 around Midsomer Norton and Radstock. It was not based on specific housing need or other evidence.
- 8 The adopted text reflected an anticipation that there could be pressure over the plan period for housing growth in the north / northeast of the district. The Council were also aware of the potential of a future update to the BaNES SHMA (as part of early evidence work on the West of England Strategy) which might include Mendip.

**Question (iii) Assuming that the additional 505 dwellings are part of the LPP1 total of 9,635, is the 'strategic expectation' for allocating these dwellings in the northeast part of the District still justified and sustainable?**

- 9 The Council has drafted and consulted on main modifications in response to the interim note ED20.
- 10 Notwithstanding its response to the Interim Note ED20, if a different assumption were to be explored, the Council would highlight its position at the 2019 examination hearings. This considered that the uplift proposed in the Plan from the 9,635 dwellings took into account 505 dwellings. In practice, LPP2 was based on a district-wide assessment of sustainable allocations. This is set out in further detail in the Council's post hearing response (IQ7)

**Question (iv) Is the definition of the North/Northeast (which is generally paraphrased to the north-east) of the District, as set out in the map on page 10 of the Council's document entitled Additional 505 Dwellings – Background Paper (January 2020), justified?**

- 11 The 505 Dwellings Background paper (SDM44) sets out in detail the Council's interpretation of the area of search for additional allocations drawing from LPP1 and the Inspectors post-hearing interim note ED20. This covers the sites around Midsomer Norton and Radstock (paras 27 – 30) and settlements in a wider area (para 34 and table 1). The Council's approach is considered justified.

**Question (v) Is there a justified and sustainable case for spreading the allocation for the additional 505 dwellings out across the entire District?**

- 12 A district wide approach was taken to identifying allocations in the submission plan
- 13 The Council do not consider a fresh district-wide site allocations exercise addresses the concerns over soundness raised in the Interim note. This is reflected in the approach taken by the Council set out in the 505 background paper.
- 14 The Council also considers that a wide area of search is neither appropriate nor proportional given the pressing commitment to update LPP1.

**Mendip District Council  
Local Plan Part 2  
Additional Hearing Statement**

**Matter 2 - Sustainability Appraisal (SA) and  
Habitats Regulation Assessment (HRA)**

## **Matter 2 - Sustainability Appraisal and Habitats Regulation Assessment**

2.i Is the Sustainability Appraisal (SA) (Second Addendum) (January 2020) for the proposed Main Modifications, i.e. for the 505 additional dwellings in the north-east of the District, robust in its methodology and conclusions?

1. The SA was carried out by Planning Policy Officers in accordance with the requirements set out within The European Directive 2001/42/EC and The Planning and Compulsory Purchase Act (2004) as well as those found within the National Planning Policy Framework and National Planning Practice Guidance.
2. The SA for the allocation of sites for the additional 505 dwellings is complementary to the Submission SA completed for LPP2 (SD11, SD12 and SD13). A comprehensive site assessment process was undertaken. This assessed all promoted sites at the settlements identified as appropriate locations. The reporting of the process has been divided. The assessment of all preferred options is presented in the SA Second Addendum (SDM41), while the assessment of all other sites at the preferred settlements is presented in the 505 Background Paper at Appendix 4 (SDM46).

2.ii In particular, do the 13 sustainability objectives in the SA represent a realistic summary of the principal sustainability criteria which the Plan should have regard to?

3. The Council considers that the sustainability objectives used in the assessment are suitable as principal criteria. The sustainability objectives used within the SA Second Addendum are identical to those in the Submission SA. To ensure parity in the consideration of the new sites it was necessary to retain the objectives for the assessment.

2.iii Are these criteria analysed at an appropriate level of detail and rigour?

4. The Council considers that the sustainability criteria for the additional allocations have been appropriately assessed. The level of detail and rigour is commensurate with the assessments of other site allocations proposed within the Submission LPP2 and is considered to be appropriate for a comparative assessment of deliverable alternatives to satisfy the additional need for residential land.
5. An outstanding concern has been raised by B&NES Council regarding the level of detail used to assess transport impacts of the proposed sites. Mendip District Council considers that any detailed transport modelling of the cumulative impacts of the proposed allocations, together with development within B&NES to the north of Midsomer Norton, would most appropriately be

taken at the application stage. The parameters of the locational requirement for the allocations mean that any site in the area of search would have cross boundary highways implications. It is the Council's view that the most effective way to ensure that changes to highways infrastructure are effective, is through a full assessment of the situation at application stage.

2.iv Does the SA provide a sufficient level of detail in the treatment of realistic alternatives in the north-east of the District?

6. The SA for the allocation of sites for 505 dwellings in the north-east of Mendip District is complementary to the original SA undertaken for LPP2 (SD11, SD12 and SD13). Since the spatial strategy has already been established in the adopted LPP1, it is the Council's view that there is no further requirement for the LPP2 SA to establish alternative distribution scenarios in the north east of the district. The Council has sought to meet the need in accordance with the adopted spatial strategy as directed by the examining Inspector with reference to ED20. In accordance with the locational directions set out within LPP2 Core Policy CP2 and the supporting text, land to accommodate 505 dwellings was sought in the north east of the district including sites adjacent to Midsomer Norton and Radstock.
7. To ensure that all opportunities for development in the north east of the district were explored, a supplementary assessment of promoted sites at all defined primary and secondary villages that meet the locational specification was carried out. The SA undertaken is consequently a site assessment process. The alternatives are the individual sites promoted at the settlements that support delivery of the spatial strategy.
8. The comparative assessment of settlements that preceded the sustainability appraisal identified that only three Mendip villages offered suitable, deliverable sites in the north eastern location required. The sustainability appraisal process has made a detailed assessment of all promoted sites at those villages. The assessments of preferred options at the additional villages are shown in Appendix 2 of the SA Second Addendum (SDM41) (which updates SD12e Appendix 5 of the Submission SA). Assessment of all alternative sites at the villages was carried out. The results of those assessment are shown in Appendix 4 of the 505 Background Paper (SDM46).
9. A further SA of sites adjacent to Midsomer Norton/Radstock was undertaken in consultation with site promoters and B&NES Council. The SA was carried out using the same approach as for the other sites in the plan. It is the Council's view that the assessment has reached a level of detail equal to the assessment of other proposed allocations. The assessments of sites at Midsomer Norton are shown in Appendix 6 of the SA Second Addendum (SDM42).

2.v Is the Habitats Regulation Assessment (HRA) Addendum (January 2020), ie in relation to the 505 additional dwellings in the north-east of the District, robust?

10. The HRA supporting LPP2 was carried out by Somerset Ecology Services and meets the requirements set out in the Habitats Directive (92/43/EEC) and the Conservation of Species and Habitats Regulations 2017. An update to the HRA (HRA Addendum – Jan 2020 SDM43) was carried out to support the additional site allocation process with additional screening carried out on the proposed individual and combined allocations. The Council considers that the HRA process undertaken was robust and commensurate with the quantum of development to be allocated.

**Mendip District Council  
Local Plan Part 2 Examination  
Additional Hearing Statement**

**Matter 3 - Selection of Settlements to  
Accommodate Growth**

**Errata Note**

**30 October 2020**

Please note that the entry for Stoke St Michael in Column 6 of Table 1, entitled "Residential Development at LPP2 Proposed Modifications" incorrectly identifies the allocation. The allocation that was proposed at the modification stage is Land to the **East** of Frog Lane (SSM009). The error has been corrected in this document.

### Matter 3 - Selection of Settlements to Accommodate Growth

#### 3.i What is the justification for the selection of specific settlements to be the basis of the allocations of the 505 additional dwellings?

1. The approach to the selection of specific settlements to be the basis of the allocations of the 505 additional dwellings is set out in detail in the 505 Dwellings Background Paper (January 2020) (SDM44). The background paper was published with the Main Modifications consultation document and aims to document the process through which settlements were identified. The main points are summarised within this response. The Council have sought to identify land to satisfy the 505 dwelling requirement through reviewing the capacity and deliverability of sites adjacent to Midsomer Norton and Radstock, but have also assessed settlements in the north east part of the district to ascertain whether development at any of the villages could contribute to meeting the requirement.
2. The allocation process undertaken aligns with the site selection process carried out for other sites proposed by the LPP2 Submission plan as described in Para 3.43 to 3.54 of the Submission Plan (SD1a). The choice of sites has been informed by Sustainability Appraisal (SA) and key environmental considerations which have all been assessed as part of the site selection process.
3. The justification for the selection of specific settlements to meet the additional need is derived from the following key documents:
  - Advice of the examining Inspector as set out in Examination Documents ED20 at Paragraph 17, ED20 Paragraph 18, ED26 Point 3;
  - Inspector's Main Modification MM5;
  - Core Policy 2 of Local Plan Part 1 (CP2 of LPP1);
  - Paragraph 4.21 of LPP1;
  - Paragraph 4.7 of LPP1.
4. The Inspector has advised the Council that, in order for LPP2 to be considered sound, it is necessary for an additional 505 dwellings to be allocated. It is clear from the Inspector's advice as set out in ED20 and ED26, that the location of these allocations is expected to be within the north-eastern area of the district and specifically adjacent to Midsomer Norton or Radstock and the villages to the north of Frome. However, there is no specific locational direction set out within Policy CP2 of LPP1. Paragraph 4.21 of LPP1 notes that, *"Allocations...are likely to focus on sustainable locations in accordance with the Plan's overall spatial*



*strategy...and may include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton..."*

5. The Council's position is that all sustainable locations within the north-eastern area of the district should be considered to accommodate the 505 additional dwellings required. It is clear from ED20, ED26 and the pertinent sections of LPP1 that distribution of these dwellings across other sustainable locations in the district would not satisfy the Inspector's interpretation of Policy CP2. Housing delivery and allocations across the District are already expected to exceed LPP1 plan period requirements. The additional dwellings are sought to address the specific north-eastern requirement and the exercise undertaken has sought to achieve that specific aim in a timely manner. The commitment to early review of the plan as evidenced through MM01 is intended to satisfy any general changes to the district housing requirement; this is considered to be outside the remit of LPP2.
6. In accordance with the overall spatial strategy, the locations considered to be potentially suitable to accommodate the additional development were all sites adjacent to Radstock and Midsomer Norton within Mendip District, and all primary and secondary settlements situated within the north eastern wards of the district. The wards identified, and the primary and secondary settlements within them, are set out in Figure 1. Figure 1 also highlights the residential development expectations from these locations at the different stages of the plan preparation process.
7. A tripartite assessment was undertaken to select appropriate settlements from those identified as being within the area of search. The first step was to identify settlements in the geographic north east of the district and those with a functional relationship with Midsomer Norton or Radstock. The second step was based on a settlement level assessment of critical constraints including physical, utilities, landscape and heritage constraints and education capacity. The third established whether "suitable", "deliverable" sites were available at the settlement. Only sites at settlements able to favourably satisfy all three steps of the assessment were further assessed as preferred options. The preferred settlements identified were the defined primary villages of Beckington, Norton St Philip and Rode.
8. The Council have adopted a pragmatic approach to the identification of sites at the settlements. It was considered inappropriate to introduce further delay to the process through a further call for sites at this stage of the plan examination. Instead, all sites that had been previously identified through the 2014 'call for sites' and land promoted through

the informal and formal consultation stages up to October 2018 (following the Pre-submission consultation) were considered. This ensures parity with other sites considered through the LLP2 preparation.

9. All development opportunities at the three primary villages and adjacent to Midsomer Norton/Radstock were further assessed through a detailed sustainability appraisal.
10. The Council proposes to allocate all the sites that meet the locational criteria for assessment, perform favourably in the SA, and accord with the adopted spatial strategy. The resulting proposed allocations have potential to deliver 536 homes. It is clear from the distribution of the additional requirement as illustrated in Figure 1 that the Council have sought to maintain the spatial distribution adopted in LPP1 CP2 to ensure that the 505 dwellings are delivered in the most appropriate locations in the north east of the district.

Figure 1: Settlements Considered to be Potentially Suitable to Accommodate the Additional 505 dwellings.

<b>Mendip Ward</b>	<b>Settlement &amp; status</b>	<b>LPP1 Residential Requirement*</b>	<b>Residential approach at LPP2 Issues and Options*</b>	<b>Residential Development Proposed at LPP2 Submission*</b>	<b>Residential Development at LPP2 Proposed Modifications</b>	<b>Total Plan Period Residential Development and Percentage Over LPP1 Minimum</b>
Chewton Mendip & Ston Easton (excluding the AONB)	Chewton Mendip (Primary)	15 dwellings	Sites with development potential to deliver the 11 dwellings required.	No allocation proposed.	No allocation proposed	6 Dwellings 40% of minimum requirement
Ashwick, Chilcompton & Stratton	Chilcompton (Primary)	70 dwellings	Plan period requirement delivered. Sites with development potential exist if required to meet any further identified village needs.	No allocation proposed.	No allocation proposed.	163 dwellings 233% of minimum requirement
Ashwick, Chilcompton & Stratton	Binegar & Gurney Slade (Secondary)	40 dwellings	Sites with development potential to deliver the 30 dwellings required.	Allocation BG1 - Land off Station Road (GS001) 11 dwellings	Allocation BG1 - Land off Station Road (GS001) 11 dwellings	24 dwellings 60% of minimum requirement
Ashwick, Chilcompton & Stratton	Oakhill (Secondary)	40 dwellings	Plan period requirement delivered. Sites with	No allocation proposed.	No allocation proposed.	51 dwellings 128% of minimum requirement

<b>Mendip Ward</b>	<b>Settlement &amp; status</b>	<b>LPP1 Residential Requirement*</b>	<b>Residential approach at LPP2 Issues and Options*</b>	<b>Residential Development Proposed at LPP2 Submission*</b>	<b>Residential Development at LPP2 Proposed Modifications</b>	<b>Total Plan Period Residential Development and Percentage Over LPP1 Minimum</b>
			development potential exist if required to meet any further identified village needs.			
Coleford and Holcombe	Stoke St Michael (Primary)	45 dwellings	Sites with development potential to deliver the 35 dwellings required.	Allocation SS1 - Land West of Frog Lane (SSM008) 17 dwellings	Allocation SS1 - Land East of Frog Lane (SSM009) 30 dwellings	48 dwellings 107% of minimum requirement
Coleford and Holcombe	Coleford (Primary)	70 dwellings	Sites with development potential to deliver the 6 remaining dwellings required exist. May be accommodated within settlement limits.	Allocation CL1 - Land s.o Recycling Centre CL1 (COLE0024) 21 dwellings	Allocation CL1 - Land s.o Recycling Centre CL1 (COLE0024) 21 dwellings	92 dwellings 131% of minimum requirement
Coleford and Holcombe	Holcombe (secondary)	40 dwellings	Plan period requirement delivered. Sites	No allocation proposed.	No allocation proposed	45 dwellings 113% of minimum requirement

<b>Mendip Ward</b>	<b>Settlement &amp; status</b>	<b>LPP1 Residential Requirement*</b>	<b>Residential approach at LPP2 Issues and Options*</b>	<b>Residential Development Proposed at LPP2 Submission*</b>	<b>Residential Development at LPP2 Proposed Modifications</b>	<b>Total Plan Period Residential Development and Percentage Over LPP1 Minimum</b>
			with development potential exist if required to meet any further identified village needs.			
Ammerdown	Kilmersdon (Secondary)	15 dwellings	Plan period requirement delivered. Sites with development potential exist if required to meet any further identified village needs.	No allocation proposed.	No allocation proposed	16 dwellings 107% of minimum requirement
Ammerdown	Mells (Primary)	10 dwellings	5 additional dwellings expected to be accommodated within settlement limits.	Allocation ML1 - Park Hill House, Woodlands End (MELLS002) 4 dwellings	Allocation ML1 - Park Hill House, Woodlands End (MELLS002) 4 dwellings	5 dwellings 50% of minimum requirement
Ammerdown	Faulkland (Secondary)	20 dwellings	Plan period requirement	No allocation proposed.	No allocation proposed.	36 dwellings

<b>Mendip Ward</b>	<b>Settlement &amp; status</b>	<b>LPP1 Residential Requirement*</b>	<b>Residential approach at LPP2 Issues and Options*</b>	<b>Residential Development Proposed at LPP2 Submission*</b>	<b>Residential Development at LPP2 Proposed Modifications</b>	<b>Total Plan Period Residential Development and Percentage Over LPP1 Minimum</b>
			delivered. Sites with development potential exist if required to meet any further identified village needs.			180% of minimum requirement
Rode & Norton St Phillip	Rode (Primary)	65 dwellings	Plan period requirement delivered. Sites with development potential exist if required to meet any further identified village needs.	No allocation proposed.	Allocation RD1 – Land off The Mead (Rode017a) 26 dwellings	105 dwellings 162% of minimum requirement
Rode & Norton St Phillip	Norton St Phillip (Primary)	45 dwellings	Plan period requirement delivered. Sites with development potential exist if required to meet any	No allocation proposed.	Allocation NSP1 – Land off Mackley Lane (NSP13/16) 27 dwellings	132 dwellings 293% of minimum requirement

<b>Mendip Ward</b>	<b>Settlement &amp; status</b>	<b>LPP1 Residential Requirement*</b>	<b>Residential approach at LPP2 Issues and Options*</b>	<b>Residential Development Proposed at LPP2 Submission*</b>	<b>Residential Development at LPP2 Proposed Modifications</b>	<b>Total Plan Period Residential Development and Percentage Over LPP1 Minimum</b>
			further identified village needs.			
Beckington & Selwood	Beckington (Primary)	55 dwellings	Plan period requirement delivered. Sites with development potential exist if required to meet any further identified village needs.	No allocation proposed.	Allocation BK1 – Land off Great Dunns Close (BECK023) 28 dwellings	136 dwellings 247% of minimum requirement
Not applicable	Midsomer Norton – B&NES Town	Nil	No allocations but sites with development potential exist.	No allocation proposed.	Allocation MN1 – Land at White Post (NRAD001M) 250 dwellings  Allocation MN2 – Land at Underhill Lane (NRAD002) 60 dwellings  Allocation MN3 – Land east of the	455 dwellings

<b>Mendip Ward</b>	<b>Settlement &amp; status</b>	<b>LPP1 Residential Requirement*</b>	<b>Residential approach at LPP2 Issues and Options*</b>	<b>Residential Development Proposed at LPP2 Submission*</b>	<b>Residential Development at LPP2 Proposed Modifications</b>	<b>Total Plan Period Residential Development and Percentage Over LPP1 Minimum</b>
					A367 (NRAD005) 145 dwellings	
Not applicable	Radstock – B&NES Town	Nil	No sites assessed.	No allocation proposed.	No allocation proposed.	0

\*Not inclusive of 505 additional dwellings.





3.ii How does this relate to the SA (Second Addendum) and HRA Addendum?

11. It is the Council's position that the justification for the allocation of the 505 additional dwellings to the north east of Mendip District is based on the Inspectors' interpretation of LPP1 CP2 as set out in ED20 and ED26. The Council have therefore undertaken additional sustainability appraisal to support the achievement of this aim; not to assess alternative levels of provision across the rest of Mendip District.
12. The sustainability appraisal was used to assess the alternative site allocations at the preferred settlements. The reporting of the process has been divided. The assessment of all preferred options is presented in the SA Second Addendum, while the assessment of all other sites at the preferred settlements is presented in the 505 Background Paper at Appendix 4 (SDM46).
13. The SA of the additional sites at Midsomer Norton/Radstock was undertaken in consultation with B&NES Council and the site promoters as directed by the Inspector and agreed within the Statement of Common Ground submitted to the examination under reference IQ3.
14. The update to the HRA (HRA Addendum – Jan 2020) (SDM43) was carried out to support the additional site allocation process with additional screening carried out on the proposed individual and combined allocations. The Council considers that the HRA process undertaken was robust and commensurate with the quantum of development to be allocated.
15. The HRA Addendum screening found that the individual allocations of NRAD005, BK1, NSP1 and RD1 had potential to impact on the on the integrity of the conservation objectives of the Greater Horseshoe bat feature of the Mells Valley and Bath and Bradford on Avon SACs due to the loss of foraging habitat. Appropriate assessment was therefore deemed necessary.
16. The proposed allocations were considered in the context of proposals within neighbouring authority areas and the overall level of development proposed by LPP1. The Stage 2 appropriate assessment noted that the operation of the LPP1 policies would require that replacement habitat be secured as part of the development of the proposed allocations and that the combined effect of allocating all four sites was unlikely to impact on the integrity of the SACs due to the distance from the zone of primary foraging activity. The Council have ensured that the individual allocation policies have regard to the findings of the HRA Addendum and require replacement habitat to be secured as an explicit, quantified development requirement.

3.iii Is the balance between edge of town and Primary Village sites and dwelling numbers appropriate? If not, what should the balance be?

17. The Council considers that the balance between edge of town and Primary Village sites is entirely appropriate. While the allocation of the additional 505 dwellings has been undertaken as a standalone exercise mirroring the LPP2 site selection process as far as practicable, it is appropriate for the overall balance of plan period development and allocations at each settlement tier to be considered. For context, Figure 3 sets out the level of development ascribed to each type of location by the plan at submission stage and at MM stage. It is clear that the balance between development at primary villages and edge of town sites has been maintained in accordance with the adopted spatial strategy. When measured against the LPP1 housing requirement of 9635 dwellings, the change to the percentage of development at edge of town sites is negligible. The figure changes from 80.5% development at the towns to 81% as a resulting of the additional allocations. The plan period development distribution locates 78% of the residential development to the towns. This approach is wholly in accordance with adopted LPP1 Core Policy 2.

Figure 3: Level of development within the settlement hierarchy

Location	Dwellings			
	Plan Period Development Expected at Submission Stage	Percentage of District Plan Period Development	Plan Period Development Expected at Main Modification Stage	Percentage of District Plan Period Development (rounded to 2 significant figures)
Within or adjacent to the towns of Glastonbury, Frome, Shepton Mallett, Street, Wells, Midsomer Norton	8558 dwellings	78%	9262 dwellings	78%
Within or adjacent to Primary Villages identified by LPP1	2429 dwellings	22%	1292 dwellings	11%
Within or adjacent to Secondary Villages identified by LPP1			544 dwellings	4.6%
"Other" locations within Mendip District			783 dwellings	6.6%
Total	10,987 dwellings		11,881 dwellings	

# **Mendip District Council Local Plan Part 2 Examination Additional Hearing Statement**

## **Matter 4.1 Sites on the edge of Midsomer Norton**

**Sites MN1 (Land at White Post, near Westfield for a minimum of 250 dwellings)**

**MN2 (Land at Underhill Lane, Midsomer Norton for a minimum of 60 dwellings)**

**MN3 (Land east of the A367, near Westfield for a minimum of 145 dwellings).**

**Matter 4.1**

**Land on edge of Midsomer Norton:  
Consideration of site allocations and other matters**

**Question (i)**

<b>MN1 (Land at White Post) dwellings)</b>	<b>page 2</b>
<b>MN3 (Land east of the A367)</b>	<b>page 8</b>
<b>MN2 (Land at Underhill Lane )</b>	<b>page 10</b>

**Question (ii)**

<b>Housing/Employment Balance</b>	<b>page 12</b>
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**Question (iii)**

<b>Other sustainability issues</b>	<b>page 14</b>
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**Question 4.1 (i) Are these sites sustainable as sites for new homes, and are there ownership or other delivery constraints?**

1. The proposed allocations are considered to be sustainable sites for the delivery of new homes. The sites were subject to a sustainability appraisal process that aided the site selection process. The full SA of the sites is set out in Appendix 6 of the Second Addendum to Sustainability Appraisal – January 2020 (SDM41). Where neutral or negative assessments against the SA objectives were noted, the Council have ensured that the proposed policy wording and/or context to the proposed policy addresses this.
2. **Site MN1: Land at White Post**  
The site is considered to be sustainable for the delivery of new homes. The assessment against the SA objectives noted slight positives against SA01: Promoting a strong, thriving and diverse local economy, SA012: Promoting healthy and safe communities and a positive contribution to SA011: Meet housing needs whilst providing suitable housing for all in appropriate, sustainable locations. The site's contribution to the majority of the SA objectives was found to be neutral. A slight negative contribution was noted in the assessment against two objectives relating to biodiversity and access to services. The proposed policy wording addresses these negative assessments.
3. The proposed allocation achieved a slight negative against SA05: Protect, maintain and where possible enhance, the district's native biodiversity. Somerset County Council's Ecologist has noted that there are potentially lesser horseshoe, brown long-eared, serotine, and common and soprano pipistrelle bats making use of the hedgerows on the site. In response, the Council have noted the existence of the hedgerow and a preference for its retention in development schemes as a wildlife habitat in the context to Policy MN1 which also highlights the need for bat surveys to establish whether any mitigation might be necessary. Positive action to address the impacts on bats is included at Proposed Policy MN1 Criterion 7 which requires that "Opportunities should be taken to maintain and enhance biodiversity."
4. The proposed allocation attained a slight negative against SA013: Improve access to facilities and services. The site is accessible to a wide range of services and facilities in Westfield. However, a slight negative assessment was made with regard to education capacity. The school is situated within the Chilcompton Primary catchment in Mendip District, which has reached capacity with no scope to extend. There is some capacity at the nearest existing primary school to the proposed allocation. St Benedict's Catholic Primary School is within Mendip District but operates a faith based place allocation policy which offers places to Catholic families within the designated parishes ahead of non-practicing families. There is currently some capacity at the school, with circa 80% of pupils residing in B&NES. It is noted both within the context to the policy, and within the SA that primary education capacity is expected to increase on the opening of the Norton Hill Primary school, adjacent to the proposed allocation site in B&NES. The opening of the three form entry primary school was scheduled for September 2020, but has been delayed. It is now expected to open in 2021.

5. The site promoter's response to the Main Modification Consultation confirms that the site is deliverable under the proposed policy (IMOD-290-1726). The Council understands that the site is in single ownership, and that satisfactory vehicular access to the site from Fosseyway is achievable. It is anticipated that additional pedestrian and cycle access will be secured to integrate the allocation site with adjacent residential development in B&NES and the proposed allocation at MN3.
6. A refresh of the Infrastructure Delivery Plan (IDP) was prepared (SDM50), the schedule of required infrastructure is shown in Appendix 2. SDM50 notes that there is no critical strategic infrastructure necessary to deliver the proposed allocation. However, a travel plan, highways studies, footways and cycle paths, biodiversity measures and an archaeological assessment were all considered to be necessary supporting infrastructure to the development. These requirements have been expressed in the proposed allocation policy.
7. The consultation statement (SDM49) notes that 91 representations were received objecting to the proposed allocation. The principle issues of concern were highways capacity on the A367 and B3139, the capacity of local schools and GPs and the availability of local employment. Secondary to these issues were the loss of agricultural land and impacts on landscape character, wildlife and increased light and air pollution. Concerns were also raised about the future relationship of the sites to the villages at the centre of their parishes. In addition, Historic England have requested a modification to Criterion 4 of the Policy MN1 (IMOD-12-1798) which the Council agrees is appropriate.
8. Highways Capacity  
The Council have noted the concerns raised with regard to highways capacity arising from the combined proposed allocations MN1 and MN3. In order to strengthen the position of adopted LPP1 Policy DP9: Transport Impact of New Development, the context to Policy MN1 notes that any travel plan required should consider measures to strengthen public transport connectivity to the Mendip towns. In addition a requirement for a cross-boundary Traffic Impact Assessment to assess the cumulative impacts of MN1 and MN3 is required by Policy MN1 Criterion 2. The Council considers that these measures are sufficient to ensure that any highways impacts arising from the development can be appropriately managed. B&NES Council has raised concerns with the approach and would prefer that detailed transport modelling of the cumulative impacts of the proposed allocations together with development within B&NES to the north of Midsomer Norton be undertaken ahead of the allocation, rather than application stage. It is the Council's view that the most effective way to ensure that changes to highways infrastructure are effective, is through a full assessment of the situation at application stage.
9. A previous speculative planning application pertaining to the proposed allocation site was submitted to Mendip District Council during April 2016. The application, reference 2016/0980/OTS, was refused during October 2016. The application received detailed scrutiny by both Somerset County Council and B&NES Highways officers. The application included 60 fewer homes than proposed by the MN1 allocation policy, and also included a three form entry primary school. It is not possible to conflate the highways



position for the refused application and the proposed allocation, not least due level of development that has occurred at Midsomer Norton since 2016. However, some information is pertinent. It is noteworthy that neither B&NES nor Somerset County Highways Officers objected to the application and that highways concerns were not among the reasons for refusal of the application. The traffic models employed by the respective authorities at the time of the application were unable to assess impacts on Radstock and the surrounding area. However, modelling of peak hour congestion by the applicants found that the critical junction at Fosseway/Charlton Road/Charlton Lane, which was already operating near capacity at peak hours, experienced increased queue length following development of the order of 4 vehicles. This could not be considered to be severe. The modelled junctions within the SCC network were not forecast to suffer from capacity issues as a result of the proposed development.

10. The development envisaged by the proposed allocation is not considered to be of a size that would prevent its delivery due to highways impacts, as evidenced by the previous transport modelling undertaken. Cumulative impacts of development on the highway network may require highways improvements, but given the pace of development at Midsomer Norton/Radstock within B&NES it would certainly be appropriate for an allocation such as proposed at MN1 to be agreed in principle, with detailed traffic modelling undertaken at application stage.
11. Air Pollution  
There are no Air Quality Management Areas in Midsomer Norton or Radstock. B&NES routinely monitors the air quality at three locations in the vicinity of the proposed allocation within Midsomer Norton, Radstock and Westfield. The 2019 Air Quality Annual Status Report published by B&NES during June 2019 notes that diffusion tube monitoring remains below 40 µg/m<sup>3</sup> at all three monitoring points. It is considered that the operation of LPP2 Policy DP8: Environmental Protection which requires that all development proposals should minimise, and where possible reduce, all emissions and other forms of pollution, together with LPP2 Policy DP9: Transport Impact of New Development will ensure that the impacts on air quality due to increased vehicle movements are minimised.
12. Local Employment Opportunities  
A response is set out in answer to Question (ii).
13. Education Capacity  
The Council have noted the current constraints on education capacity in the context to the policy. Primary education capacity will increase with the opening of the Norton Hill Primary school, located adjacent to proposed allocation MN1 within B&NES. The opening is scheduled for September 2020 which will augment capacity at the faith based school in Mendip District sufficiently to provide for pupils arising from the development. The context to the policy notes that educational contributions may be required from the development in accordance with LPP1 Policy DP19: Development Contributions.
14. Healthcare Capacity

The Council considers that LPP1 Policy DP19: Development Contributions can operate to ensure that the healthcare infrastructure requirements arising from the development will be met. The geography of the district means that Mendip residents in the north of the district are regularly registered to practices operated by the Bath and North East Somerset, Wiltshire and Swindon CCG rather than the Somerset CCG.

15. Loss of Agricultural Land

The site avoids development of the Best and Most Versatile Agricultural Land. The area of land to the north of the proposed allocation has been developed for residential use. This area is classified as Grade 3b under the Post 1988 Agricultural Land Classification. The Second Addendum to the Sustainability Appraisal Appendix 6 notes at Question 54 on Page 8 that the classification is unclear. The proposed allocation has not been classified as Best and Most Versatile Agricultural land, but there is potential for land outside of the classification to make a contribution.

16. Landscape Character Impacts and Heritage

Adopted LPP1 Policy DP4: Mendip's Landscapes, Criterion 3 requires proposals to demonstrate that their siting and design are compatible with the pattern of natural and man-made features as identified in the "Landscape Assessment of Mendip District". A minor change to policy text agreed with Historic England would add a reference to local listed buildings (See ED33)

17. Wildlife Impacts

The proposed allocation policy requires at Policy MN1, Criterion 7 that "Opportunities should be taken to maintain and enhance biodiversity." The Council notes that the development has the potential to lead to loss of habitats, particularly within the mature trees and hedgerows on the northern and eastern boundaries of the site. The supporting text to the policy notes the existence of these habitats. It is considered that the policy, in combination with LPP1 Policy DP5: Biodiversity and Ecological Networks and Policy DP8: Environmental Protection make sufficient protection for the potential loss of habitats.

18. Light Pollution

The Council considers that the development has the potential to increase the intensity of light pollution experienced due to the cumulative impact with existing development at Midsomer Norton. While this may have additional impacts on wildlife, it is considered that LPP1 Policy DP8 which requires development to demonstrate that it does not give rise to unacceptable adverse environmental impacts on both biodiversity and light pollution, will operate to ensure that any additional impacts are minimised.

19. Community Cohesion

While acknowledging the concern, it is outside of the remit of the local plan to prescribe in policy how individual parish councils should seek to include new residents in peripheral locations to the main parish settlement.

**Site MN3: Land East of the A367**

20. The site is considered to be sustainable for the delivery of new homes. The assessment against the SA objectives noted slight positives against objective SA09: Encourage more sustainable travel patterns and SA011: Meet housing needs whilst providing suitable housing for all in appropriate, sustainable locations. The site's contribution to the majority of the SA objectives was found to be neutral. A slight negative contribution was noted in the assessment against two objectives relating to landscape and access to services. The proposed policy wording addresses these negative assessments.
21. The assessment of the SA against objective SA03: Protect and enhance the district's landscape, notes that this greenfield site on the edge of the town will have some degree of impact upon the landscape character and long distance views. Furthermore, the site forms part of the urban to rural transition for Westfield, the contiguous urban area to Midsomer Norton. The main sensitivity is the extent of peripheral development southwards along Fosseway. There is potential for long distance views to be impacted through development of the site. The inclusion of Criterion 4 to Policy MN3 is considered to offer a sufficient additional requirement over and above adopted LPP1 Policy DP4: Mendip's Landscapes, to ensure that visual impacts on long range views are minimised. It is not considered that further protection of the landscape is required at this location.
22. The assessment of the SA objective SA013: Improve access to facilities and services was also a slight negative. The site is accessible to a wide range of services and facilities in Westfield, however the assessment notes that existing education provision is at capacity. The school falls within the Kilmersdon Primary catchment in Mendip District, which has reached capacity. As noted in the response to proposed allocation MN1 at Paragraph 4, there is some capacity within the nearest existing primary school, and a new three form entry primary school is expected to open during September 2020.
23. With regards to highways capacity, a previous planning application on the proposed allocation site received detailed comments from B&NES Council. It was advised that highways impacts arising from development of the site would need to be cumulatively assessed with other development commitments, but that the impact of the individual proposal was likely to be modest. In order to strengthen the position of adopted LPP1 Policy DP9: Transport Impact of New Development, the context to Policy MN3 notes that any travel plan required should consider measures to strengthen public transport connectivity to the Mendip towns. In addition, a requirement for a cross-boundary Traffic Impact Assessment to assess the cumulative impacts of MN1 and MN3 is required by Policy MN3 Criterion 2. The Council considers that these measures are sufficient to ensure that any highways impacts arising from the development can be appropriately managed.
24. The site promoter's response to the Main Modification Consultation confirms that the site is deliverable under the proposed policy (IMOD-343-6530). The

response to the consultation includes some preliminary transport analysis and a commitment to work with the promoters of allocation MN1 to ensure that cumulative highways impacts are assessed appropriately. The site promoters do not envisage any impediments to the delivery of the allocation and expect that construction could commence within three years of application submission achieving a build rate in the region of 60 dwellings per annum.

25. SDM50, Appendix 2 notes that there is no critical strategic infrastructure necessary to deliver the proposed allocation. However, education contributions, a travel plan, highways studies, footways and cycle paths, biodiversity measures and a landscape assessment were all considered to be necessary supporting infrastructure to the development. These requirements have all been expressed in the proposed allocation policy.
26. The Consultation Statement (SDM49) notes that 70 representations were received objecting to the proposed allocation MN3. The issues of concern are similar to those raised for MN1. Respondents were also concerned about the impact on landscape character at MN3. In addition, Historic England have requested a modification to Criterion 4 of the Policy MN1 (IMOD-12-1798) which the Council agrees is appropriate.
27. Highways Capacity  
As noted above in the response to MN1, the Council have noted the concerns raised with regard to highways capacity arising from the combined proposed allocations MN1 and MN3. A previous speculative planning application pertaining to the proposed allocation site was submitted to Mendip District Council during March 2016. The application, Mendip DC reference 2016/0736/OTA, was finally disposed of during October 2019. The application received detailed scrutiny by both Somerset County Council and B&NES Highways officers. The application envisaged 151 homes which is slightly more than proposed by the MN3 allocation policy. The transport modelling undertaken by the applicants was found to be inappropriately defined for the development proposed and no updates were submitted before the application was finally disposed of.
28. The development envisaged by the proposed allocation is not considered to be of a quantum that would prevent its delivery due to highways impacts. Cumulative impacts of development on the highway network may require highways improvements, but given the pace of development at Midsomer Norton/Radstock within B&NES it would certainly be appropriate for an allocation such as proposed at MN3 to be agreed in principle, with detailed traffic modelling undertaken at application stage.
29. Air Pollution  
Paragraph 11 responds to this matter.
30. Local Employment Opportunities  
A response is set out in answer to Question (ii).
31. Education Capacity

Paragraphs 13 responds to this matter.

32. Healthcare Capacity

Paragraph 14 responds to this matter.

33. Loss of Agricultural Land

The proposed allocation not has not been classified as Best and Most Versatile Agricultural land under the Post 1988 Agricultural Land Classification.

34. Landscape Character Impacts

Adopted LPP1 Policy DP4: Mendip's Landscapes, Criterion 3 requires proposals to demonstrate that their siting and design are compatible with the pattern of natural and man-made features as identified in the "Landscape Assessment of Mendip District". The landscape surrounding the proposed allocation is not protected but forms part of the urban to rural edge in a more prominent position due to the topography of land adjacent to the site. There is potential for long distance views to be impacted.

For this reason, the Council have included criteria at Policy MN3 Criterion 4 to ensure that proposals should be designed to minimise visual impact of the development on long range views. It is not considered that further protection of the landscape is required at this location.

35. Wildlife Impacts

The proposed allocation policy requires at Policy MN3, Criterion 7 that an area of replacement habitat should be included within the development site and at Criterion 8 that, "Opportunities should be taken to maintain and enhance biodiversity." The Council notes that the development has the potential to lead to loss of habitats due to the removal of boundary hedging to gain access to the site. It is considered that the policy, in operation with LPP1 Policy DP5: Biodiversity and Ecological Networks and Policy DP8: Environmental Protection makes sufficient protection for the potential loss of habitats.

36. Light Pollution

Paragraph 18 responds to this matter.

37. Community Cohesion

Paragraph 19 responds to this matter.

38. Heritage

A minor change to policy text agreed with Historic England would include a reference to local listed buildings (See ED33)

**40. Site MN2: Land at Underhill Lane**

The site is considered to be sustainable for the delivery of new homes. The assessment against the SA objectives noted slight positives against five of the thirteen sustainability objectives:

- SA08 Protect and enhance the district's built environment;
- SA09 Encourage more sustainable travel patterns;
- SA011 Meet housing needs whilst providing suitable housing for all in appropriate, sustainable locations;
- SA012 Promoting healthy and safe communities; and
- SA013 Improve access to facilities and services.

41. A slight negative contribution was noted in the assessment against three objectives relating to settlement character, landscape and biodiversity. The proposed policy wording addresses these negative assessments.

42. The primary negative impact of the proposed allocation was found against the assessment for SA05: Protect, maintain and where possible enhance, the district's native biodiversity. The proposed allocation is adjacent to an area of mature woodland. Underhill Farm is situated in the Wellow Brook Valley which includes areas designated as a Local Wildlife Site (LWS) under LPP1. It is considered that development of the site would have potential for adverse impacts on the woodland surrounding the site. The woods have value both as a local habitat and are part of a wider area of ecological value along the valley. Ecological studies would be required to investigate the impact of development and mitigation measures. It is expected that development of the site would need to encompass a 5-15m wide buffer between development (including residential gardens) and woodland on the western and southern boundaries in accordance with Natural England guidelines on Ancient Woodland. The requirement for a buffer and the need to secure net biodiversity gains is expressed in the proposed allocation policy at Policy MN2, Criterion 4. The Council considers that this requirement, in combination with the LWS designation, is sufficient to achieve appropriate protection for the woodland and biodiversity at this location.

43. Slight negative assessments were also made against SA03: Protect and enhance the district's landscape and SA02: Maintain and enhance the distinctive character of settlements. The negative assessment against both these objectives is linked. The SA notes that the site forms part of the established countryside 'edge' of Midsomer Norton with a locally distinctive woodland adjacent. It is expected that appropriate planting, screening, choice of materials and design and layout of the development can help to ensure that wider landscape impacts are mitigated. The policy includes requirements at Policy MN2, Criterion 3 and Criterion 8 to ensure these matters are considered in the context of the application site to achieve an appropriate scheme.

44. The landowner's response to the Main Modification Consultation confirms that the site is deliverable under the proposed policy (IMOD-329-6554). A preliminary ecological study has been undertaken by and the response to the consultation confirms that the mitigation measures specified in the policy are appropriate and that other measures are capable of implementation to achieve a biodiversity net gain.

45. SDM50, Appendix 2 notes that there is no critical strategic infrastructure necessary to deliver the proposed allocation. However, education contributions, highways studies, footways and cycle paths, biodiversity measures, inclusion of a green buffer were all considered to be necessary supporting infrastructure to the development. These requirements have all been expressed in the proposed allocation policy.
46. The Consultation Statement (SDM49) notes that 38 representations were received objecting to the proposed allocation MN2. The primary issue of concern was the scale of development proposed at Midsomer Norton. The other main concerns were access to the site, highways capacity and impacts on the adjacent woodland. Secondary to these issues were the capacity of local schools and GP services.
47. Highways Impact  
The proposed policy includes a requirement at Policy MN2, Criterion 2 to ensure that access arrangements from Orchard Vale are secured. The Council considers that the access from Underhill Lane is unlikely to be sufficient to support the development and have included the need for alternative access arrangements as part of the policy requirements.
48. It is anticipated that a detailed transport assessment will be submitted in support of any planning application, the parameters of which will be jointly agreed by Mendip District and B&NES Councils in accordance with Policy MN2, Criterion 6. It is unlikely that a development of the size envisaged by the allocation would give rise to severe highway capacity impacts.
49. Biodiversity Impacts  
The potential for negative impacts on the adjoining woodland has been noted. The area is designated as a LWS under LPP1 and as such is afforded a high level of protection in the planning process. The proposed allocation policy requires at Policy MN2, Criterion 4 that "A buffer area and mitigation measures will be needed to protect the wildlife value of surrounding broad-leaved woodland. Opportunities should be taken to maintain or enhance biodiversity." In accordance with Natural England advice for the protection of ancient woodland it is expected that a buffer of between 5 and 15m would separate any development from the woodland. It is considered that the policy, in operation with LPP1 Policy DP5: Biodiversity and Ecological Networks and Policy DP8: Environmental Protection make sufficient protection for the potential impacts on the LWS.
50. Education Capacity  
There is some primary education capacity within the Chewton Mendip primary catchment and it is anticipated that education contributions will be sought from the applicants in agreement with both Mendip District and B&NES Councils.
51. Healthcare Capacity  
Information provided at Paragraph 14 responds to this matter.

**Question 4.1 (ii) If the housing/employment balance in Radstock/Norton is already skewed in relation to a serious issue of out-commuting (e.g. to employment opportunities in Bath and Bristol), how critical is this consideration in relation to the overall sustainability of these sites or any other potential housing sites on the edge of Midsomer Norton and Radstock?**

## 52. Background

Midsomer Norton, Westfield and Radstock form part of the *Somer Valley policy area* in the adopted B&NES core strategy/place making plan (see figure 1). The policy area includes other settlements (Paulton and Peasedown St John and rural villages). The B&NES Core Strategy was adopted in July 2014 and the Placemaking plan in July 2017. B&NES have published these plans as a combined document.

53. The Somer Valley section of the B&NES Core Strategy and Placemaking Plan<sup>1</sup> identifies the imbalance of homes and jobs as a local strategic issue resulting from closure of manufacturing employers in the area. It also recognises access and other issues which will constrain job growth in the plan period. This has resulted in increased out-commuting<sup>2</sup>. This context is set out in paras 16-21. Para 18 states *'new housing will be restrained in the interests of sustainability but some additional housing is likely to come forward on brownfield sites'* and continues ... *'It is important that additional housing does not significantly worsen the balance between homes and jobs and out-commuting problems....'*

54. Policy SV1 seeks to enable the delivery of 900 jobs and 2,470 homes over the plan period from 2011-2029. It make provision for growth in office floorspace (31,000 – 33,700 sq m) and a target stock of 112,000 sq m in 2029<sup>3</sup>. The main employment sites identified for growth which are close to the Mendip boundary are the Westfield Industrial Estate, Old Mills Estate and Midsomer Norton Town Centre. Policy SSV09 identifies two Greenfield sites at Old Mills as extensions to existing estates. This includes a 13.5 ha strategic employment site which has Enterprise Zone status<sup>4</sup>.

55. The BaNES economic development strategy includes priority actions to bring forward new employment space in Midsomer Norton and Radstock, including a strategic allocation of the Somer Valley element of the *Bristol, Bath & Somer Valley Enterprise Zone* (See Somer Valley Enterprise Zone factsheet).

<sup>1</sup> All references are to volume 4 – Somer Valley - see Appendix 1

<sup>2</sup> B&NES documents suggest 60% of residents in the somer valley travel out of the area to work

<sup>3</sup> This is a lower figure than 2011 reflecting redevelopment of other sites for housing/mixed use.

<sup>4</sup> Sourced from 2019 Annual Monitoring – see Appendix 1



56. Monitoring evidence suggests around 2,450 dwellings have been completed or committed in the Somer Valley to date (2011-2019). Around 890 homes have been built in Midsomer Norton and Westfield since 2011.
57. Interpreting monitoring data for employment floorspace is difficult as the plan provides for a net loss of traditional employment floorspace. There has been a net loss of office/employment floorspace (2011-2019) of 6700 sqm.
58. No development has taken place on the Enterprise Zone Area to date, nor has a planning application come forward on the site. It is also noted that there is a need for comprehensive traffic improvements and sustainability measures to bring these allocated employment sites forward.
59. B&NES have confirmed they are progressing a partial local plan review which is likely to include revised housing and employment requirements. The early indication is that the broad spatial strategy and B&NES plan objectives may remain for the Somer Valley. Mendip consider that this area will continue to be under pressure as a location for additional housing as Midsomer Norton, Radstock and Paulton lie outside the designated Green Belt.

#### Commuting

60. Travel to Work Origins and Destinations (2011 census) are summarised in the 2017 Somer Valley Transport Strategy (Tables 2.4 and 2.5 in Appendix 2). This confirms around a third of Somer Valley residents work in the area with around 40% commuting to Bath and Bristol. Overall the strategy notes there are 7000 fewer jobs than residents in the Somer Valley. Table 2.4 indicates around 10% of Somer Valley residents travel into Mendip for work and around 13% of Mendip residents travel into the Somer Valley.

#### Summary

61. It is acknowledged that the imbalance of homes and jobs is a significant policy issue in the B&NES strategy for this area and reflected in its adopted policies and economic strategies.
62. However, it should also be acknowledged in LPP2 that settlements in north Mendip have strong links to the Bath area and it is not straightforward to isolate the impact of development in Mendip from growth pressures on B&NES. While there is evidence of an imbalance of out-commuting from the Somer Valley to Bath, there are also travel to work flows from the Somer Valley area into Mendip and vice versa. Growth in the settlements in NE Mendip also contribute to commuting flows to Bath.
63. Development on the fringe of Westfield does not prevent economic-led regeneration strategy of the BaNES plan.

64. It is noted that there has been limited progress on addressing employment land supply and provision. In addition, the Somer valley transport strategy notes there is less scope for transport contributions from development as most of the allocated housing in the plan at adoption had already been built or committed. The draft site allocation in main modifications fully recognises need for joint infrastructure discussions.

**Question 4.1 (iii) What other sustainability issues should the Plan have regard to in relation to these sites?**

65. The Sustainability Appraisal has identified a number of issues in relation to the allocation of these sites. The proposed site allocation policies have addressed these issues and the Council considers that these measures will be sufficient to ensure the sustainability of the proposed allocations.

**Mendip District Council  
Local Plan Part 2 Examination  
Additional Hearing Statement**

**Matter 4 - Consideration of the six sites  
suggested in the Main Modifications**

**Matter 4.2 Sites at Primary Villages:**

**Sites RD1 (Land off The Mead, Rode for a minimum of 26 dwellings), NSP1 (Land off Mackley Lane, Norton St Philip for a minimum of 27 dwellings) and BK1 (Land off Great Dunns Close, Beckington for a minimum of 28 dwellings).**

## **Matter 4.2 Sites at Primary Villages:**

**RD1 (Land off The Mead, Rode for a minimum of 26 dwellings),  
NSP1 (Land off Mackley Lane, Norton St Philip for a minimum of 27 dwellings)**

**BK1 (Land off Great Dunns Close, Beckington for a minimum of 28 dwellings).**

4.2.i Are these sites sustainable as sites for new homes, and are there ownership or other delivery constraints?

1. The proposed allocations are considered to be sustainable sites for the delivery of new homes. The sites were subject to a sustainability appraisal process that aided the site selection process. The SA of the sites is set out in Appendix 2 of the Second Addendum to Sustainability Appraisal (SDM41). Where neutral or negative assessments against the SA objectives were noted, the Council have ensured that the proposed policy wording and/or context to the proposed policy addresses this.
2. Site RD1 – Land off the Mead, Rode  
The site is considered to be sustainable for the delivery of new homes. The assessment against the SA objectives noted positives impacts against SA09: Encourage more sustainable travel patterns, SA012: Promoting healthy and safe communities and SA013: Improve access to facilities and services. A slight negative contribution was noted in the assessment against SA08: Protect and enhance the district's built environment, while a negative assessment was noted with regard to two objectives relating to maintaining the character of settlements and protecting the landscape. The impacts against all other indicators were assessed as neutral.
3. The proposed allocation achieved a slight negative against SA08: Protect and enhance the district's built environment. The development site is within the grounds of Grade 2\* listed Merfield House, and Merfield Lodge is immediately adjacent to the site. Consequently, and in consultation with Historic England, Criterion 3 of Proposed Policy RD1 specifically requires the design of the scheme to protect the setting of the nearby listed buildings.
4. A negative assessment against the linked indicators SA02: Maintain and enhance the distinctive character of settlements and SA03: Protect and enhance the district's landscape was noted. The site allows views out of the historic core of the village into open countryside, which forms a backdrop to the historic buildings. There is potential for a poor design to impact on the character of Rode, the conservation area and the landscape settings of the Grade 2\* listed buildings. Specific policy requirements to address the need for sensitive design is included at Policy RD1 at Criteria 4 and 5.

5. The update to the Habitat Regulations Assessment (HRA) had not been completed at the time of the SA, which therefore records an unknown against SAO11: Meet housing needs whilst providing suitable housing for all in appropriate, sustainable locations. The in-combination effects of the allocations to meet the additional 505 dwelling requirement has now been assessed as reported within the Addendum to the HRA (SDM43). Since the site lies within the consultation zone of the Mells Valley Bat SAC, appropriate mitigation measures are required and are specified as 0.08ha of bat replacement habitat within the development as a requirement at Policy RD1, Criterion 7.
6. The development of the site is in keeping with the Rode Neighbourhood Development Plan (NDP) which was passed at referendum on 18th July 2017 and was formally "made" by Mendip District Council at its Cabinet meeting on 7th August 2017. The Neighbourhood Plan sets out at Paragraph 4.22 that, "There is therefore an identified need in Rode for private provision of specialist housing for the elderly and local support for meeting this community need. An unobtrusive small scale development opportunity has been identified, involving alterations and adaptations to an existing residential building and curtilage that was assessed as the most suitable site in the site appraisal and selection report of 2014 for the Neighbourhood Plan. Consequently it is proposed to allocate Merfield House and grounds for limited development of housing for the elderly, subject to meeting policy requirements in this plan and those of the Local Planning Authority. The latter will include respecting its status as a listed building." The proposed LPP2 allocation policy has been developed to reflect the community aspirations as expressed in the Rode NDP.
7. The site promoter's response to the Main Modification Consultation confirms that the site is deliverable under the proposed policy (IMOD-132-6773). A preferred developer has been identified and there is confidence that the site is deliverable in the early part of the plan period. The site promoter confirms that the criterion specified by the policy will be accommodated in the design.
8. A refresh of the Infrastructure Delivery Plan (IDP) was prepared (SDM50). The schedule of required infrastructure is shown in Appendix 2. SDM50 notes that there is no critical strategic infrastructure necessary to deliver the proposed allocation. However, education contributions and biodiversity measures are considered to be necessary supporting infrastructure to the development. These requirements have been expressed in the proposed allocation policy.
9. No objections to the proposed allocation were received during the consultation period, although a joint response from the Parish Councils of Beckington, Norton St Philip and Rode objecting to the principle of

allocating 505 additional dwellings to the north east of the district was received (IMOD-408-6963).

10. Site BK1 - Land off Great Dunns Close, Beckington

The site is considered to be sustainable for the delivery of new homes. The assessment against the SA objectives noted positives impacts against SAO3: Protect and enhance the district's landscape SAO9: Encourage more sustainable travel patterns and SAO13: Improve access to facilities and services. A slight negative contribution was noted in the assessment against SAO2: Maintain and enhance the distinctive character of settlements. A negative impact was noted with regard to SAO8: Protect and enhance the district's built environment. The impacts against all other indicators were assessed as neutral.

11. The proposed allocation site is contained within the existing built form of the village and does not have extensive views of the countryside, however there is a need to ensure that the development of the site reflects its rural location, as there is potential to impact on the character of Beckington. A slight negative contribution was noted in the assessment against SAO2: Maintain and enhance the distinctive character of settlements and Policy BK1, Criterion 2 requires the development to minimise the visual impact of the development and to respect the rural character of the locality. In addition, the SA notes that surface water drainage and sewer capacity in the village is under review.

12. A flood assessment for Beckington has been commissioned by the local flood authority in conjunction with Wessex Water. This assessment is seeking options to increase and resolve capacity issues. The flood study was scheduled for completion during 2020, but it is unclear at this time what programme of works Wessex Water intends to undertake. Residents were updated by Mendip and the Somerset Rivers Authority earlier this year, the update is appended to SDM49 at Appendix 6. The proposed allocation site was considered at a S78 Appeal (APP/Q3305/W/17/3187245) which was ultimately dismissed. The appeal decision is discussed in the Council's response to Question (iii). The appeal Inspector

13. noted at Paragraph 68 of his decision that, "the foul drainage system should be connected to the alternative route, and I am satisfied on the evidence that would be appropriate and could be secured by a planning condition, including requiring the approval of the local planning authority" and was content that, "the raising of the land would allow for the installation of a comprehensive surface water drainage system, including any necessary attenuation, to ensure that the discharges would not be above the greenfield run-off rate." (Paragraph 70). Accordingly, Criterion 8 of Policy BK1 requires proposals to demonstrate that surface

drainage and sewage capacity can be accommodated without a detrimental impact on the settlement.

14. A negative impact was noted with regard to SAO8: Protect and enhance the district's built environment. The proposed allocation site is elevated above houses in Goose Street, some of which are listed. There are areas of intervening gardens and unlisted houses, and the site borders the conservation area. The potential to impact on the setting of the listed buildings and the conservation area has been noted within the policy response which requires at Policy BK1: Criterion 3 that proposals should preserve and enhance the significance and setting of heritage assets in the adjoining Conservation Area.
15. The update to the HRA assessment had not been completed at the time of the SA, which therefore records an unknown against SAO11: Meet housing needs whilst providing suitable housing for all in appropriate, sustainable locations. The in-combination effects of the allocations to meet the additional 505 dwelling requirement has now been assessed and are reported in the Addendum to the HRA (SDM43). Since the site lies entirely within Band C for Greater Horseshoe bats from both the Mells Valley Bat SAC and the Bath and Bradford on Avon Bats SAC, appropriate mitigation measures are required and are specified as 0.22ha of bat replacement habitat within the development as a requirement at Policy BK1, Criterion 6. .
16. The schedule of required infrastructure is shown in Appendix 2 of the IDP (SDM50). SDM50 notes that there is no critical strategic infrastructure necessary to deliver the proposed allocation. However, education contributions, drainage, surface water and flood risk works are considered to be necessary supporting infrastructure to the development. In addition, it is noted that that offsite highways works and studies will be required. An error was recorded in SDM50 at Appendix 2. A requirement for specific offsite highways infrastructure **has** been identified for this allocation at this time.
17. MM17 proposes a new policy and supportive text. Policy DP27 'Highway Infrastructure Measures for Frome, Beckington and Rode' details the highway infrastructure requirements at Frome, Beckington and Rode. The supporting text requires that development at Beckington must demonstrate, through the planning application process, how it reasonably and proportionately supports the delivery of necessary infrastructure including the need to deliver improvements at the A36 Beckington roundabout. The proposed allocation policy BK1 also includes a requirement at Criterion 7 for an assessment of local and cumulative traffic impacts on the A36 to inform the provision of highways mitigation or contribution measures in agreement with the highways authority.

These inclusions to the policy are supported by Highways England in their response to the consultation (IMOD-111-6478).

18. The site promoters confirm that the site is available and deliverable for the quantum of development specified by the policy, though contest whether the highways contribution is justified (IMOD-357-6538). The site promoters are also of the view that the drainage and sewerage works may be swiftly resolved to allow the site to come forward immediately. Wessex Water have not provided a comment regarding proposed allocation BK1 (IMOD-287-6085).
19. The consultation statement (SDM49) notes that 71 representations were received objecting to the proposed allocation. The principle issues of concern were highways capacity on the A36 roundabouts and sewer capacity within Beckington. Concerns were also raised about the capacity of local schools and GPs and the impacts on the nearby Conservation Area and listed buildings in Goose Street.
20. Highways Capacity  
The Council have noted the concerns raised with regard to highways capacity arising from the proposed development, particularly the cumulative impacts. In order to strengthen the position of adopted LPP1 Policy DP9: Transport Impact of New Development, the context to Policy BK1 notes at paragraph 2.5 that Highways England have identified capacity issues on both A36 roundabouts which link the village to the highways network. The Council has included Policy DP27 'Highway Infrastructure Measures for Frome, Beckington and Rode' as a main modification to the plan. It has also been considered necessary to include a requirement at Policy BK1, Criterion 7 for an assessment of local and cumulative traffic impacts on the A36 to inform the provision of highways mitigation or contribution measures in agreement with the highways authority. The Council considers that these measures are sufficient to ensure that any highways impacts arising from the development can be appropriately managed.
21. Sewer Capacity  
A number of objections highlight the prematurity of making provision for further development at Beckington until existing sewer flooding issues are resolved. The S78 Appeal Inspector noted at Paragraph 68 of his decision that, "the foul drainage system should be connected to the alternative route, and I am satisfied on the evidence that would be appropriate and could be secured by a planning condition, including requiring the approval of the local planning authority". ((APP/Q3305/W/17/3187245). Criterion 8 of Policy BK1 is sufficient to ensure that the existing drainage conditions are not exacerbated, and that adequate drainage can be achieved for the proposed allocation.



22. Education Capacity

The Council have noted the current constraints on local education capacity in the context to the policy. Local primary education capacity is projected to increase in the medium term, but until that time there is capacity within other schools in Mendip District. The context to the policy notes that educational contributions may be required from the development in accordance with LPP1 Policy DP19: Development Contributions and may be used to provide transport to alternative schools.

23. Healthcare Capacity

The Council considers that adopted LPP1 Policy DP19: Development Contributions can operate to ensure that the healthcare infrastructure requirements arising from the development will be met.

24. Heritage Impacts

The Council considers that the operation of adopted LPP1 Policy DP4: Heritage Conservation, together with the proposed Policy BK1, Criterion 3 wording, is sufficient to avoid negative impacts on heritage assets arising from the development.

26. NSP1 – Land off Mackley Lane, Norton St Philip

- The site is considered to be sustainable for the delivery of new homes. The assessment against the SA objectives noted positive impacts against SAO12: Promoting healthy and safe communities and a slight positive against SAO13: Improve access to facilities and services. Slight negative impacts were recorded against SAO3: Protect and enhance the district's landscape, while negative impacts were recorded against SAO2: Maintain and enhance the distinctive character of settlements and SAO8: Protect and enhance the district's built environment. The impacts against all other indicators were assessed as neutral.
27. The linked objectives SAO2 and SAO8 were both found to have negative impacts as a result of the allocation. The site is at a gateway to the village and at the edge of the Conservation Area. A series of mitigation measures have been included in the proposed policy in recognition of the sensitivities at this locations. These measures are intended to enhance the design of the scheme over and above the high design standards envisaged by adopted LPP1 Policies DP1: Local Identity and Distinctiveness, DP3: Heritage Conservation and DP7: Design and Amenity of New Development. Criterion 2 of proposed policy NSP1 seeks to ensure that the "Laverton Triangle" portion of the site retains its role as a feature at the gateway to the village. Criterion 2, 3 and 4 also require the proposals to have particular regard to local materials and styles to ensure that the site design and layout respects the rural character of the locality and preserves and enhances the significance and setting of the surrounding heritage assets.
28. A consultation response from Historic England (IMOD-12-1798) requests an amendment to Criterion 3 of the allocation policy which would alter the criterion to read "Proposals should preserve and enhance the significance of the Conservation Area, including its setting, and the settings and significance of nearby listed buildings. Creating an appearance of countryside on the northern edge of the site will be important to the setting of the Conservation Area." The amendment to the policy is accepted by the Council (See ED33).
29. Unknown impacts were recorded against SAO5: Protect, maintain and where possible enhance, the district's native biodiversity and SAO11: Meet housing needs whilst providing suitable housing for all in appropriate, sustainable locations. The HRA assessment had not been completed at the time of the SA, which therefore records an unknown against these two indicators. The in-combination effects of the allocations to meet the additional 505 dwelling requirement has now been assessed by the Addendum to the HRA (SDM43). Since the site lies entirely within zones B and C for Greater Horseshoe bats from both the Mells Valley and the Bath and Bradford on Avon Bats SACs, appropriate mitigation measures are required and are specified as 0.24ha of bat

replacement habitat within the development as a requirement at Policy NSP1, Criterion 6. It is considered that this requirement, in conjunction with the operation of adopted LPP1 Policy DP5: Biodiversity and Ecological Networks and Policy DP6: Bat Protection will ensure that a neutral or slight positive outcome against these indicators can be achieved by the development.

30. A refresh of the Infrastructure Delivery Plan (IDP) was prepared (SDM50). The schedule of required infrastructure is shown in Appendix 2 of the document. SDM50 notes that there is no critical strategic infrastructure necessary to deliver the proposed allocation. However, biodiversity measures, drainage, footpaths and cycleways will be required. An error has been recorded in SDM50 at Appendix 2. No requirements for specific offsite highways contributions have been identified for this allocation at this time.
31. The site promoters confirm that the site is available and deliverable for the quantum of development specified by the policy, and are supportive of the development criterion included within the allocation policy (IMOD-135-6043).
32. The consultation statement (SDM49) notes that 103 representations were received objecting to the proposed allocation. The principle issues of concern were landscape impacts, impact on the Conservation Area, drainage and potential flooding downhill from the site, loss of wildlife, traffic on High Street, highway access along Mackley Lane and the scale of development in the village in relation to the spatial strategy set out in LPP1.
33. It should be noted that proposed Policy NSP1 seeks to address site specific and design related issues raised in the S78 Appeal process against the decision to refuse permission for the development of 20 dwellings on the northern portion of the proposed allocation (the Laverton Triangle element of the site). The appeal was dismissed. The Council's full consideration of the appeal decision is set out in the response to Question 3 of this statement.
34. Landscape Impacts  
A series of mitigation measures have been included in the proposed policy in recognition of the sensitivities at this location. Specifically, Criterion 2 of proposed Policy NSP1 seeks to ensure that the "Laverton Triangle" portion of the site retains its role as a feature at the gateway to the village, while Criterion 1 limits the number of dwellings that are considered acceptable on that portion of the site. The Council consider that the proposed policy wording offers substantial additional guidance to prospective applicants to ensure that the design of the proposed scheme will be sensitive to landscape considerations. These proposed criterion

will act in addition to those Adopted LPP1 Policy DP4: Mendip's Landscapes.

35. Conservation Area Impacts

Criterion 2 of proposed Policy NSP1 seeks to ensure that the design of the scheme is particularly sensitive to the adjacent Conservation Area. The incorporation of the amendments to the policy advised by Historic England will further strengthen the policy. Criterion 3 of the policy will be amended to read, "Proposals should preserve and enhance the significance of the Conservation Area, including its setting, and the settings and significance of nearby listed buildings. Creating an appearance of countryside on the northern edge of the site will be important to the setting of the Conservation Area." The Council consider that the operation of the proposed policy together with adopted LPP1 Policy DP1: Local Identity and Distinctiveness and Policy DP3: Heritage Conservation will ensure that the design of the scheme is appropriate to the location.

36. Biodiversity Impacts

Criterion 6 of the proposed policy requires the scheme to maintain and enhance biodiversity. This criterion, together with the operation of adopted LPP1 Policy DP5: Biodiversity and Ecological Networks, is considered sufficient to protect biodiversity at this location.

37. Highways Capacity

Criterion 8 of the proposed policy requires safe access to be provided to the site from Mackley Lane and at the junction of Mackley Lane and Townend. The supporting text notes the paucity of pedestrian and vehicle access to the site and it is incumbent on the site promoters to ensure that this can be achieved as part of the development scheme. This is in accordance with adopted LPP1 Policy NDP9: Transport Impact of New Development. The scheme is not of a scale that would be likely to engender high levels of additional traffic, but there may be cumulative impacts on highways capacity as a consequence of the level of development anticipated at Norton St Phillip. Any highways mitigation required for the proposal will be determined by Somerset County Council (acting as highways authority) as part of the decision making process when a planning application is submitted for approval.

38. Flooding

There is no known flood risk on the site. The site is 1.1ha and would consequently require statutory flood risk assessment at the planning application stage. It may be that drainage capacity improvements will be required to support the development of the site. This will be determined by the sewer operators (Wessex Water) as part of the planning application process.

4.4.ii How much weight should be given to the recent planning appeal decisions in relation to sites NSP1 and BK1, and in particular, have any material considerations changed since these appeals were dismissed?

39. Site BK1 - Beckington

This issue relates to appeal Ref: APP/Q3305/W/17/3187245 Land at Bath Road, Beckington, application 2017/0278/FUL, dated 31 January 2017, for erection of 28 dwellings (19 market, 9 affordable), with public open space and other associated infrastructure. The appeal was dismissed.

40. The site area and form of development at the appeal was similar to that now proposed as BK1. The LPP2 Inspector has asked the Council to allocate land in the North East of the District including the villages North of Frome. Since LPP1 is now more than 5 years old, and regarded as out of date, there is an opportunity to review the allocation of land in Beckington.
41. The S78 Inspector's sole reason for dismissal was that the proposal was not in accordance with an up to date LPP1. His reasoning in reaching this conclusion with respect to LPP1 is set out in Paragraphs 23 and 60.
42. Paragraph 23:  
*"As the site is located outside the development limits of Beckington and in the open countryside the proposal is contrary to CP1, CP2 and CP4. It would also increase the exceedance of the 15% guideline figure in the LPP1. While it is clear that the housing number set out in LPP1 is a minimum, to increase the number further would lead to Beckington growing at a disproportionate rate out of step with the overall spatial distribution strategy of the development plan. LPP1 has been adopted relatively recently and the National Planning Policy Framework (the Framework) emphasizes in paragraph 17 that planning should be genuinely plan-led. In my view the conflict with the spatial strategy of the adopted plan, of itself, should be given significant weight. I will discuss whether the LPP1 remains up-to-date later in this decision."*
43. At Paragraph 60 the S78 Inspector notes that the Council could demonstrate a 5 year land supply at that time and *"...that the LPP1 is not out-of-date and the tilted balance set out in paragraph 14 of the Framework does not apply"*.
44. At Paragraph 74 he concluded that:  
*"...the LPP1 is up-to-date and therefore should be given full weight. The determination of the appeal should follow the development plan unless other considerations indicate otherwise. As paragraph 12 of the Framework makes clear development that conflicts with an up-to-date local plan should be refused unless other considerations indicate otherwise."* And further at Paragraph 75 that *"Looked at as a whole, fully*

*taking into account the benefits of the proposal, I conclude that other material considerations do not indicate that the determination should be made otherwise than in accordance with the development plan. Consequently the appeal should be dismissed."*

45. LPP1 is no longer considered up to date, and the LPP2 Inspector has asked the Council to consider the allocation of additional land for housing in the North East of the District, including the villages North of Frome (ED20). ED20 Paragraph 17 advises the Council that 505 dwellings should be apportioned to sustainable settlements in the north-east part of the district, both on sites adjacent to Midsomer Norton and Radstock and possibly within other settlements which lie within the district which could lead to other sustainable benefits. SDM44 sets out the Council's response to ED20. Further, the LPP2 Inspector comments in ED26 that the area of search should include the edges of the two towns of Midsomer Norton and Radstock (within Mendip), as well as considering the possibility of land for new homes within the primary villages which are located to the north of Frome. These factors are considered to amount to a change in material circumstances since the dismissal of the S78 appeal.
46. ED44 sets out the process by which potential allocations have been identified and the options available. The appeal at Great Dunn's Close demonstrated that all the site specific issues raised at the time could be resolved. The material changes in circumstances surrounding the site has meant that it has now been re-considered through the Main Modifications process.
47. Many of the consultation responses raise similar issues of concern to those raised in relation to the S78 appeal. These include traffic, drainage and impact on heritage assets (Conservation Area and listed buildings in Goose Street) and sewerage. The S78 appeal Inspector concluded that these issues did not justify dismissal of the appeal and could be managed through careful design or conditions. The Council has endeavoured to include appropriate measures within Policy BK1 to manage any potential negative impacts of the allocation.
48. Paragraph 7 of the S78 appeal decision sets out these main issues of concern. The S78 Inspector considered these to be:
  - *"the relationship of the proposal to the development plan for the area;*
  - *the effect on the settings of the Beckington Conservation Area and a number of listed buildings in Goose Street;*
  - *whether the proposal makes appropriate provision for affordable housing, infrastructure and similar matters;*

- *whether there are any other material considerations which would indicate that the proposal should be determined otherwise than in accordance with the terms of the development plan."*
49. At Paragraph 37, the S78 Inspector discussed the potential for harm to heritage assets in the village. He considered that, *"The harms to the setting of the BCA and the listed buildings are all less than substantial to the significance of the heritage assets. This means compliance or otherwise with DP3 of the LPP1 will depend on this harm being weighed against the public benefits of the proposal ..."*
  50. At Paragraph 66 he also considered that, *"... The appeal site does not significantly contribute to the character and appearance of the wider area. As the LVIA concluded, and the Council did not aver, there would be no significant residual landscape or visual effects once the landscaping had come to maturity. I concur with this view. This means that there would be little effect on the wider area beyond the heritage harm I have identified."*
  51. In relation to concerns about foul drainage, the Inspector considered at Paragraph 68 that, *"Under the current appeal proposal the foul drainage system should be connected to the alternative route, and I am satisfied on the evidence that would be appropriate and could be secured by a planning condition, including requiring the approval of the local planning authority"* and was content at Paragraph 70 that, *"the raising of the land would allow for the installation of a comprehensive surface water drainage system, including any necessary attenuation, to ensure that the discharges would not be above the greenfield run-off rate."*
  52. The S78 Inspector was satisfied that issues of drainage, sewerage, landscape and visual impact could be adequately addressed within a planning approval.
  53. The S78 Inspector expressed concern at Paragraph 72 that, *"The proposal would be contrary to the overall strategy of the LPP1 and would have a harmful effect on designated heritage assets."* However, he considered that the benefit of additional housing did outweigh the less than substantial harm to the heritage assets. He wrote in Paragraph 73:
  54. *"Set against this is the significant weight I have given to the benefits of the additional housing, both market and affordable, and the particular significant beneficial weight to the affordable housing. There are also the limited benefits of the New Homes Bonus and enhancements to biodiversity. These are public benefits for the purposes of DP3 of the LPP1. Giving great weight to the conservation of heritage assets and special attention to the setting of listed buildings this would balance the less than substantial harm to the significance of the designated heritage*

*assets. There would thus be compliance with DP3 of the LPP1. I also take into account the lack of environmental harm beyond heritage harm."*

55. Material circumstances relating to the weight to be accorded to LPP1 have changed significantly since the appeal was dismissed. It is the Council's view that the negative impacts associated with the development of site BK1 can be addressed through the application of appropriate policy criterion.
56. NSP1, Norton St Philip  
The issue relates to appeal Ref: APP/Q3305/A/14/2221776 East site, Laverton Triangle, Norton St Philip, BA2 7PE. The appeal was made by Lochailort Investments Limited against the refusal of application No 2013/2052, dated 25 September 2013, which was refused by a notice dated 9 June 2014. The appeal was dismissed.
57. The proposal comprised residential development of up to 20 dwellings with associated access, parking and landscaping. The site now forms part of site NSP1, being the northern part, triangular in shape and east of Fortescue Fields. The southern part of NSP1 was not part of the Section 78 appeal site.
58. It should be noted that a further application was made on 19th Dec 2019 for the area set out in NSP1 together with additional land west of Fortescue Fields. The application has been withdrawn.
59. It should also be noted that the Norton St Philip Neighbourhood Plan was subject to judicial review which found in favour of the Neighbourhood Plan, the outcome of an appeal is currently awaited. Site NSP1 is unaffected by policies contested in the Judicial Review.
60. The LPP2 Inspector has asked the Council to allocate land in the North East of the District including the villages North of Frome. Since LPP1 is now more than 5 years old, and regarded as out of date, there is an opportunity to review the allocation of land in Norton St Phillip.
61. The S78 Inspector's main reason for dismissal was that the proposal was not in accordance with an up to date LPP1. Her reasoning in reaching this conclusion with respect to LPP1 is set out in Paragraphs 10, 30 and 31.
62. The S78 Inspector considered the main issues as set out at Paragraph 10:
  - *"the current housing land supply position in the District;*



- *and the effect of the development on the character and appearance of the area, including the Norton St Philip Conservation Area and its setting, and the setting of nearby listed buildings."*
63. In relation to the housing land supply, the S78 Inspector considered at Paragraph 30 that, *"...given the housing land supply situation that I have identified, it is still appropriate to accord due weight to policies CP1 and CP2 of the Part 1 Plan, which do not support general housing development in the countryside, where the appeal sites are located."*
  64. She continued at Paragraph 31 that, *"I am also mindful that, in relation to housing provision in Norton St Philip, Table 8 in the Part 1 Plan shows that housing completions and existing commitments in the village had, by March 2013, already exceeded the planned target (some 73 completions or permissions against the 45 dwelling requirement for the entire Plan period). Since those figures were compiled, further dwellings have been allowed at appeal with the consequence that a total of 107 dwellings have now been approved/built in the village since 2006. In effect, the village has accommodated more than 200% of the identified allocation in the first 8-9 years of the Plan period, amounting to an increase of some 35% in the housing stock of the village, well above the 'proportionate' 15% growth anticipated by the Part 1 Plan for villages such as this. Whilst I recognise that the figures in the Plan are expressed as minima, the need to plan for proportionate levels of growth remains an essential consideration in accordance with the spatial strategy set out in Core Policy 1. The addition of up to a further 57 dwellings would undermine that strategy."*
  65. LPP1 is no longer considered up to date, and the LPP2 Inspector has asked the Council to consider the allocation of additional land for housing in the North East of the District, including the villages North of Frome (ED20). ED20 Paragraph 17 advises the Council that 505 dwellings should be apportioned to sustainable settlements in the north-east part of the district, both on sites adjacent to Midsomer Norton and Radstock and possibly within other settlements which lie within the district which could lead to other sustainable benefits. SDM44 sets out the Council's response to ED20. Further, the LPP2 Inspector comments in ED26 that the area of search should include the edges of the two towns of Midsomer Norton and Radstock (within Mendip), as well as considering the possibility of land for new homes within the primary villages which are located to the north of Frome. These factors are considered to amount to a change in material circumstances since the dismissal of the S78 appeal.
  66. ED44 sets out the process by which potential allocations have been identified and the options available. The appeal at Laverton Triangle demonstrated that the site specific issues raised at the time could be

resolved. The material changes in circumstances surrounding the site has meant that it has now been re-considered through the Main Modifications process.

67. At Paragraph 34, the S78 Inspector discussed the potential for harm to heritage assets in the village. She considered that, *"The character and appearance of the Conservation Area is defined by the interplay between medieval, vernacular Cotswold type and classical architecture, mixed in with some positive Victorian contributions, and its coherent, tightly-knit character, particularly when experienced from the main through routes. The Appraisal notes that one of the Area's great assets is the visual and psychological contrast between 'urban' and rural elements. As a consequence, the significance of the Conservation Area derives not only from its historic settlement pattern and its many listed and historic buildings, but also from the abundance of green space both within it (which, as noted by the appellant, ranges from small residential gardens, to the church/churchyard and Church Mead) and its rural landscape setting. That setting allows for an understanding and appreciation of its significance, providing an historical context for this ridge-top village, marking it as a rural settlement."* And that *"...Given that the significance of the Conservation Area derives in part from its rural landscape setting and the historic approaches through that setting, I am in no doubt that, in its anticipated restored state, the Triangle site would continue to play a role in allowing for an appreciation of the significance of the Conservation Area, contributing to its significance"*. (Paragraph 38)
68. However, the impact on nearby listed buildings was not a concern. The S78 Inspector comments at Paragraph 39 *"...I consider that the appeal site contributes little, if anything, to the significance of the listed building or its setting. The same applies to the setting of Townend."*
69. The S78 Inspector considered the impact of the proposal on the character and appearance of the area. At Paragraph 41 she set out that, *"... the impression of countryside when approaching the site from the south, and along Mackley Lane, is maintained right up to the junction with Town End, the presence of the Laverton Triangle site helping the countryside to flow into this part of the village. The previous Inspector concluded that 'The loss of the Laverton Triangle to built development would mean that the built boundary of the village would move markedly westwards, out into the open countryside. Houses on the field would be seen above the hedges, as the land lies above the adjacent roads. The built impact of the proposal would be seen as an incursion into the open countryside.'* Whilst the appeal scheme would not extend any further west than the Fortescue Fields development, the other observations hold true today," She also commented in relation to the tree belt on the site at Paragraph 42 that *"...I am in no doubt that the replacement tree belt*

*remains necessary in the anticipated location in connection with Fortescue Fields development."*

70. The Inspector also commented at Paragraph 44 that, *"As the land lies above the level of the adjacent roads, particularly Town End, I consider that houses on the appeal site would be seen above the hedges, the indicative sections through the appeal site submitted with the appeal doing nothing to allay my concerns in this regard, especially the relationship of dwellings with Town End. Whilst there would be no harm to the significance of the nearby listed cottages, and whether or not there is a need for the tree belt in relation to the Fortescue Fields development, I am in no doubt that the built impact of up to 18 dwellings on this site would be seen as an incursion into the open countryside that would cause substantial harm to the character and appearance of the area. There would be conflict therefore, with policies DP1, DP4 and DP7 of the Part 1 Plan, which together seek to ensure that new development is appropriate to its local context and that it contributes positively to the maintenance and enhancement of local identity and distinctiveness in a manner that is compatible with the pattern of natural and man-made features."* Furthermore, at Paragraph 45 that, *"There would also be harm to the setting of the Conservation Area, an integral part of its significance on this approach. Whilst, in the parlance of the Framework, that harm would be less than substantial, there would still be real and serious harm. ..."*
71. In conclusion the Inspector considers that the provision of housing is a benefit but has to be weighed against the identified harm. She comments at Paragraph 83 that *"...to be weighed against those benefits is the identified environmental harm, which includes significant harm to the landscape character and appearance of the area, and the harm to the setting and heritage significance of the Conservation Area. In the case of Appeal A, the harm would be less than substantial, which harm is to be weighed against the public benefits of the proposal..... The benefits outlined above are not, in either case, sufficient to outweigh the harm that I have identified"*.
72. Material circumstances relating to the weight to be accorded to LPP1 have changed significantly since the appeal was dismissed. Less than substantial harm was identified by the S78 Inspector in relation to heritage assets. The scheme under consideration at the appeal was for significantly more dwellings (18) than policy NSP1 allows for (7). Policy NSP1 also includes safeguards to protect the conservation area and maintain a rural appearance on the approach to the village. It is the Council's view that the negative impacts associated with the development of site NSP1 can be addressed through the application of appropriate policy criterion.

**Question 4.2 (iii) What other sustainability issues should the Plan have regard to in relation to these sites?**

73. The Sustainability Appraisal has identified a number of issues in relation to the allocation of these sites. The proposed site allocation policies have addressed these issues and the Council considers that these measures will be sufficient to ensure the sustainability of the proposed allocations.

**Mendip District Council  
Local Plan Part 2  
Additional Hearing Statement**

**Matter 4.3  
Other Sites in the Northeast of the  
District**

**Mendip District Council  
Local Plan Part 2 Examination  
Additional Hearing Statement**

**Matter 4.3 Other Sites within the Northeast of the District**

4.3 Other sites within the north-east of the District: In the light of the consideration of the sites identified in sections 4.1 and 4.2 above, are there any other sites, either on the edge of Midsomer Norton/ Radstock, or within the three Primary Villages identified above, or in any other settlements in the north-east of the District, which are considered to be more sustainable for the allocation of new development to meet the additional 505 dwellings total? If so, what is the evidence?

1. In accordance with the site selection process detailed in the 505 Dwelling Background Paper (SDM44) and outlined in the Council's response to Matter 3 at Paragraph 8, only sites that had been promoted as available for development up to October 2018 (following the Pre-submission consultation) were considered for allocation to meet the additional 505 dwelling requirement. This pragmatic approach was adopted to ensure parity with other sites considered through the LLP2 preparation as it was considered inappropriate to introduce further delay to the process through a further call for sites at this late stage of the plan examination.
2. It is not considered appropriate for the Council to assess further sites for allocation at this late stage of the process without revisiting the site allocations for the rest of LPP2. Figure 1 notes that the Council's approach removes three further sites from consideration. One at Norton St Phillip, one at Chilcompton and one at Midsomer Norton. While the development of these sites may represent sustainable additions to the housing land supply, they have not been assessed due to the need to focus the site search on those that have been previously presented to the Council as available. The Council have committed to an immediate review of the plan through MM01. This is considered to provide the appropriate opportunity to review those sites promoted at this late stage of the LPP2 process through a comprehensive call for sites.

**Figure 1: Sites Promoted for Residential Allocation at the Main Modifications Consultation Stage**

	Location	Representation	Indicative Capacity	Considered for Contribution to 505 Dwellings by Council
1	Land North of Warminster Road, Beckington	IMOD-335-6915	40 dwellings	Assessed as part of site BECK024. The scale of BECK024 was considered to be disproportionate to the additional needs appropriate to be met at Beckington at this time.
2	Land East of Beckington (north, east and south of Mill Lane)	IMOD-367-966	60 dwellings	Assessed as parcels BECK005a, b and c. These prominent hill top sites were considered to be unsuitable for allocation due to their prominence in the landscape and contribution to the setting of listed buildings.
3	Land at Tellisford Lane, Norton St Phillip**	IMOD-360-6930	Capacity not indicated	No, this is a new site which has not previously been promoted in LPP2
4	Land at Barbara's Field, Rode	IMOD-295-1726	Capacity not indicated	Assessed as part of Site RD003. The site is not considered to be suitable for allocation as it is important to the landscape setting of the village, and is a defining feature of the settlement, forming a large open space at the centre of the 3 clusters of building that make up Rode.
5	Land N. of Beauchamps Drive (south of White Post allocation)**	IMOD-353-6077	70 to 80 dwellings	No, this is a new site which has not previously been promoted in LPP2
6	Land at Chilcompton Road on edge of Midsomer Norton <i>as part allowing greater flexibility for cross-boundary sites</i>	IMOD-112-6497	20 in Mendip	Considered as part of site NRAD007. The site has constraints and is dependent on an allocation through the B&NES local plan process.
7	Land at Rock Road Chilcompton <i>promoted as part of an alternative approach to address the 505 dwellings.</i>	IMOD-286-1716	150 dwellings	No, this is a new site which has not previously been promoted in LPP2
8	Land at Anchor Close (subject to outline application) <i>promoted as part of an alternative approach to address the 505 dwellings.</i>	IMOD-286-1716	63 dwellings	The site is subject to application 2019/2345/OTS The site was not considered suitable for allocation by the LPP2 SA (COLE14)

	<b>Location</b>	<b>Representation</b>	<b>Indicative Capacity</b>	<b>Considered for Contribution to 505 Dwellings by Council</b>
9	Land North of Bell Hill Garage, Norton St Phillip	IMOD-149-1649	Capacity not indicated	The green field element of the site has nil development potential under the adopted Local Plan Part 1 Policy DP2. It has been designated as an Open Area of Local Significance. Accordingly, it has not been assessed under the 505 dwelling site selection process as set out in Para 18 of SDM44. The brownfield element is proposed for allocation by the Norton Saint Phillip Neighbourhood Development Plan which is currently subject to an appeal, following a Judicial Review hearing in the High Court.
10	Land at Oakhill	IMOD-345-1751	30 dwellings	No. The site is not in the appropriate location to the north east of the district, nor does it functionally relate to Midsomer Norton/Radstock.
11	Land at Newhouse Farm (North of Elm Close, site WL5) –	IMOD-137-6077	85 dwellings	No. The site is not in the appropriate location to the north east of the district.
12	Land off Caxton Road, Frome	IMOD-346-6531	30 dwellings	No. The site is not in the appropriate location to the north east of the district.
13	Site at Church Lane, East Lydford – related to objection MM5 around ‘caps’ in villages	IMOD-71-6305	Capacity not indicated	No. The site is not in the appropriate location to the north east of the district.



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## HEARING STATEMENT

### THE PARISH COUNCILS OF BECKINGTON, NORTON ST PHILIP AND RODE

#### MATTER 1 – OVERALL HOUSING PROVISION FOR MENDIP

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- 1. In relation to the ‘Additional requirement 2011-2029’ for 505 dwellings, as identified in LPP1 policy CP2, to be addressed in site allocations, should these dwellings be added to the Part 1 of the Local Plan (LPP1) total of 9,635 dwellings (Core policy 2) or be subsumed within this total?**
  - 1.1 The table in LPP1 CP2 makes clear that the total number of dwellings to be allocated (9,635) includes the additional figure of 505 arising from the one year roll-forward of LPP1. These 505 dwellings should not be added to the LPP1 total because they are already included within it i.e. it would lead to double-counting.
- 2. Is there a ‘strategic expectation’, based on LPP1, for allocating 505 additional dwellings in the north-east part of the District, and if so, what is the evidence to support it?**
  - 2.1 The table in LPP1 CP2 makes clear that the 505 additional dwellings are to meet district-wide housing need. This arises from the general roll-forward of LPP1 for an additional year and is not intended or expected to meet any identified strategic expectation to deliver additional dwellings in the north-east part of the District (however that may be defined).
  - 2.2 Whilst paragraph 4.21 of the supporting text does intimate that allocations could be made in the north-east of the District (without defining what that sub-district actually means) or in the vicinity of Radstock/Midsomer Norton, this:
    - (a) does not form part of LPP1 CP2 itself;
    - (b) is not a mandatory strategic expectation or requirement (it is a case of 'may', not 'must'); and
    - (c) is subject to the overarching requirement in LPP1 CP1 and paragraph 4.21 itself that allocations be directed to the most sustainable settlements in accordance with the adopted spatial distribution strategy.
  - 2.3 This means that whilst the north-east of the District should be considered as a possible location for allocations, this must be as part of the District considered as a whole. If there are more suitable allocations to be found elsewhere, there is no strategic expectation to allocate in the north-east as well as to do so would upset the adopted spatial strategy.
- 3. Assuming that the additional 505 dwellings are part of the LPP1 total of 9,635, is the ‘strategic expectation’ for allocating these dwellings in the north-east part of the District still justified and sustainable?**
  - 3.1 As set out above, there is no such strategic expectation.

- 3.2 Even if there was a strategic expectation, this must be read in light of LPP1 CP1 and the supporting text which make clear that any allocation must still be considered against the adopted spatial distribution strategy. Amongst other things, this makes clear that allocations in primary villages should be to meet identified local need rather than meeting generalised District-wide requirements.
- 4. Is the definition of the North/Northeast (which is generally paraphrased to the north-east) of the District, as set out in the map on page 10 of the Council's document entitled Additional 505 Dwellings – Background Paper (January 2020), justified?**
- 4.1 No, the definition is not justified. It is not clear how this arbitrary area has been selected or what alternative areas might have been considered for the 'area of search', but discarded. There is no robust reasoned explanation in the Background Paper.
- 4.2 In particular, as set out above, given that LPP1 makes clear that these allocations are to be considered against the adopted spatial distribution strategy in CP1 – which includes the principal market towns – it is not clear why the area has been specifically drawn to exclude Frome, one of the key settlements which is identified as one of the most sustainable locations for new housing in the District. The omission of any of the principal market towns from the area of search means that it is simply impossible to apply the spatial distribution strategy as key parts of the settlement hierarchy are missing.
- 5. Is there a justified and sustainable case for spreading the allocation for the additional 505 dwellings out across the entire District?**
- 5.1 Yes, and this was the approach taken in the submission version of LPP2.
- 5.2 As set out above, LPP1 CP2 makes clear that the 505 dwellings are required to meet generalised District housing need. Whilst paragraph 4.21 of the supporting text provides that the area of search should include the north-east of the District, this does not justify limiting the location for potential allocations in this way.
- 5.3 The over-arching requirement is to apply the spatial distribution strategy in LPP1 CP1 whereby the bulk of new housing is directed to the most sustainable settlements with the highest agglomeration of jobs and facilities – the principal market towns – with other settlements – such as the primary and secondary villages – being considered for further allocations if there is evidence identifying a local need for housing.
- 5.4 LPP1 CP1 and CP2 not only justify this District-wide approach, they mandate it. If the strategic requirement of 505 dwellings can be more sustainably met elsewhere than the north-east, then that is where they should be made.
- 5.5 This does not – of course – prevent other allocations being made in the north-east, but this must be in accordance with LPP1 CP1 and must be aimed at satisfying an identified local need, but there is simply no evidence in the present case to establish such local need because the entire premise of the allocation methodology was to seek to satisfy non-local, District-wide requirements in an artificially limited area of search.

**DLA Piper UK LLP**

**21 August 2020**

## HEARING STATEMENT

### THE PARISH COUNCILS OF BECKINGTON, NORTON ST PHILIP AND RODE

#### MATTER 3 – SELECTION OF SETTLEMENTS TO ACCOMMODATE GROWTH

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1. **What is the justification for the selection of specific settlements to be the basis of the allocations of the 505 additional dwellings?**
  - 1.1 There is no valid justification to support the selection of specific settlements because the approach adopted does not accord with the adopted spatial distribution strategy in LPP1 CP1. LPP1 CP2 makes clear that the 505 dwellings are required to meet generalised District housing need. Whilst paragraph 4.21 of the supporting text provides that the area of search should include the north-east of the District, this does not justify limiting the location for potential allocations in this way.
  - 1.2 The over-arching requirement is to apply the spatial distribution strategy in LPP1 CP1 whereby the bulk of new housing is directed to the most sustainable settlements with the highest agglomeration of jobs and facilities – the principal market towns – with other settlements – such as the primary and secondary villages – being considered for further allocations if there is evidence identifying a local need for housing.
  - 1.3 Whilst in and of themselves there may be good reasons for selecting or discounting individual settlements as the locations for potential new allocations, this must not be done in isolation. Rather, it is necessary to 'take a step back' and evaluate whether these settlements remain appropriate having regard to alternative allocations across the District as a whole. It is simply not possible to justify the selection of specific settlements until this wider comparison has been undertaken.
  - 1.4 To put the matter another way: the settlement selection has focussed too much on whether the identified locations are within the north-east of the District (however defined) or not, rather than the more important question of whether these locations are the most sustainable places in the District taken as a whole to meet this District-wide need.
  - 1.5 In this regard, it is important to note that the submission version of LPP2 allocated greatly in excess of the target minimum in LPP1 CP2. This meant that all identified housing need had already been met through allocations and there is accordingly no justification for selecting additional settlements merely because of the precatory aspiration in paragraph 4.21 of the supporting text.
  - 1.6 Whilst ED20 para. 17 indicated that the Inspector considered that further allocations "*should be considered*" near Midsomer Norton and Radstock as well as within the primary villages, this was a directory instruction not a mandatory one. In other words, there was a need to consider whether additional housing allocations should be apportioned in these areas, but no requirement that allocations actually be made in any particular place or, indeed, at all. In treating the

Inspector's guidance as directions going to soundness, the District has fallen into error in its approach to selection.

- 1.7 If additional allocations are nevertheless to be made, this should be in accordance with the adopted spatial distribution strategy in LPP1 CP1 and, if allocations in primary or secondary villages are in contemplation, these should be directed towards those settlements that have under-performed against their anticipated rates of delivery – both in absolute terms and relative to the current progress through the LPP1 period. This is with a view to encouraging an even and proportionate spread of new housing as envisaged by the spatial strategy in CP1 and CP2.

**2. How does this relate to the SA (Second Addendum) and HRA Addendum?**

- 2.1 As set out above, the District has improperly and inappropriately limited its area of search to sites adjacent to Midsomer Norton and Radstock and the primary villages. This does not comply with the spatial strategy in LPP1 CP1.
- 2.2 This error has also been carried across to the SA in that the location of a settlement in the 'north-east' – which is not defined – has been included as a key assessment factor.<sup>1</sup> It is telling that the only primary villages in which allocations have been proposed are ones in which this factor was considered to be satisfied.
- 2.3 A further question arises as to the inclusion of other settlements that – according to the SA – are not located in the north-east of the District.<sup>2</sup> If it is assumed that there is a justification to limit the settlement selection in this way, then there would appear to be no reason why these other settlements were included in the first place and, if these settlements outwith the north-east were included, why not others such as Frome which is further north and east than many of the settlements that were included.<sup>3</sup>
- 2.4 With respect to the HRA Addendum, there is an additional error with particular reference to the proposed selection of Norton St Philip in that the assessment has not considered potential in-combination effects of LPP2 with recent planning applications and appeals covering the land in proposed allocation NSP1 and other adjacent land. This would constitute a project for the purposes of the HRA, but has not been included. Whilst the planning application history for BANES has been factored into the assessment<sup>4</sup>, there is no explanation as to why the Norton St Philip planning history has been excluded even though the proposed allocation could well make it more likely that more extensive development in this primary village might be brought forward.
- 2.5 Moreover, the limitation of the area of search means that other alternative locations for allocations have not been considered at all. It is entirely possible that other settlements in the spatial hierarchy could absorb new development without any likely significant effects at all. These would then be preferable to the proposed allocations in HRA terms, but the question has simply not been asked.

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<sup>1</sup> SDM44, page 10

<sup>2</sup> See generally, SDM45

<sup>3</sup> SDM44, page 10

<sup>4</sup> SDM43, para. 45

- 3. Is the balance between edge of town and Primary Village sites and dwelling numbers appropriate? If not, what should the balance be?**
- 3.1 In a sense, this is the 'wrong question' to ask. The spatial strategy set out in LPP1 CP1 and CP2 makes clear that the choice to be made is not between edge of town and primary village sites, but instead allocations determined in accordance with the adopted spatial distribution hierarchy. The omission of any of the principal market towns from the analysis means that this has not been done.
- 3.2 To put the matter another way: it may well be that the appropriate division of allocations is for none to be allocated to edge of town or primary village locations at all if there are more sustainable sites available. This has not been addressed satisfactorily because the question was not asked before the allocations were identified on the basis of the flawed methodology.
- 3.3 If, upon completing the necessary analysis, it is determined that there are no preferable sites available, the spatial distribution strategy should be applied in sequence i.e. allocations in primary villages to meet identified local need, then secondary villages and finally open countryside.
- 3.4 There is no evidence to demonstrate that there is an established local need in any of Beckington, Norton St Philip or Rode which means that the proposed allocations are not justified. This means that the balance should be in favour of strategic edge of town locations (albeit in the open countryside) whereby new dwellings are located contiguous with the largest, most sustainable settlements with the greatest facilities.

**DLA Piper UK LLP**

**21 August 2020**

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## HEARING STATEMENT

### THE PARISH COUNCILS OF BECKINGTON, NORTON ST PHILIP AND RODE

#### MATTER 4 – CONSIDERATION OF THE SIX SITES SUGGESTED IN MMS

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**1. Edge of Midsomer Norton**

1.1 No further representations.

**2. Sites at Primary Villages**

*(i) Are these sites sustainable as sites for new homes, and are there ownership or other delivery constraints?*

2.1 No, these sites are not sustainable for new homes.

2.2 With respect to RD1, this site was considered at length during the preparation of the adopted Rode Neighbourhood Plan. It was concluded that whilst there was an identified local need for 'senior' housing, the site would not be appropriate for general residential development. The site is prominent from the designated conservation area and is important to the setting of several listed buildings, including the Grade 2\* Merfield House. The field allows views out of the historic core of the village into open countryside, which forms a backdrop to the historic buildings, and this pastoral setting would be significantly harmed by development of the site.

2.3 It should also be noted that the proposals considered at neighbourhood plan stage were for a lower number of dwellings than the proposed allocation of 26 new dwellings. In these circumstances, there would be even less scope to mitigate the impact on these key heritage and landscape assets due to the higher quantum of development envisaged.

2.4 With respect to BK1, this site has previously been refused planning permission for new residential development by the District and this refusal was upheld on appeal. This was because the additional development of this site would not represent proportionate growth of the settlement, would upset the balance of the adopted spatial distribution strategy in LPP1 CP1 and, accordingly, would not be sustainable overall.

2.5 With respect to NSP1, this site has also been included within the subject-matter of a number of recent planning applications and appeal decisions, the latest of which was submitted in late 2019 and subsequently withdrawn in early summer 2020. This itself demonstrates that there are significant inherent constraints which render it unsustainable.

2.6 In addition to the objections to development of BK1, particular constraints applicable to NSP1 underpinning the previous appeal refusals include:

- (a) the proximity of the site to the designated conservation area that forms the heart of the historic village – as well as forming part of the setting of this heritage asset, part of NSP1 actually lies within it as well;

- (b) the disruption of the pastoral landscape setting including with its prominent views to the nearby 'White Horse' from the village core; and
  - (c) the incursion into open countryside at a prominent 'gateway' into the settlement which also disturbs the visual link between the Mead and the open countryside to the south and southeast.
- 2.7 It is noteworthy that constraints (a) and (b) in particular share a great degree of commonality with the issues adversely affecting RD1.
- 2.8 Overall, all three sites would lead to an increase in out-commuting
- (ii) How much weight should be given to the recent planning appeal decisions in relation to sites NSP1 and BK1, and in particular, have any material considerations changed since these appeals were dismissed?*
- 2.9 Significant weight should be given to these appeal decisions because they are recent, relate to the same land and proposed similar levels of new residential development. The reasons for refusal all relate to inherent constraints such as the impact on the setting of heritage or landscape features or are general planning harm arising from the conflict with the adopted spatial strategy in LPP1 i.e. the 'harm to the plan' arises regardless because of the recent history of development and expansion in each village compared to the trajectory envisaged by the spatial distribution strategy and relative to other settlements in the District.
- 2.10 Whilst it is understood that the District is not at present able to demonstrate a five year housing land supply, it is important to note that the current NPPF makes clear that adverse impact on designated assets is not thereby disappplied as a policy consideration. Moreover, the spatial distribution strategy remains sound by directing the majority of new residential development to the larger, most sustainable settlements with the primary and secondary villages providing new housing to satisfy identified local needs. In this regard, a generalised shortfall of housing land supply across the District taken as a whole does not demonstrate that there is a local need for housing in these less sustainable settlements and, accordingly, whilst it is a material consideration it is not determinative and does not reduce the weight that should be given to the independent planning harms identified in the appeals.
- (iii) What other sustainability issues should the Plan have regard to in relation to these sites?*
- 2.11 No further joint representations. Please refer to the statements lodged by each parish council for further information.

### **3. Other sites within the north-east of the District**

*In the light of the consideration of the sites identified in sections 4.1 and 4.2 above, are there any other sites, either on the edge of Midsomer Norton/ Radstock, or within the three Primary Villages identified above, or in any other settlements in the north-east of the District, which are considered to be more sustainable for the allocation of new development to meet the additional 505 dwellings total? If so, what is the evidence?*

- 3.1 The principal market town of Frome should be considered for the allocation of new development in the event that it is concluded that an additional 505 dwellings are required. This is because it has the greatest access to facilities, road and rail links and is identified as the most appropriate settlement in the hierarchy in this part of the District.



- 3.2 One site that was put forward in the 2014 call for sites is FRO215.<sup>1</sup> This lies immediately to the south of proposed allocation FR5.<sup>2</sup> The Sustainability Appraisal concluded that this site was not suitable for new residential development on the basis of its location on the southern slopes of the settlement. New housing would extend development into an area that is currently rural in character and prominent in views from the south and it was concluded that the undeveloped character of these south facing slopes is important to the setting of the town.<sup>3</sup>
- 3.3 However, the same concerns about encroachment onto the southern-slopes were also raised in relation to allocation FR4.<sup>4</sup> Nevertheless, FR4 has been allocated notwithstanding this potential impact on the setting of the settlement. This is a clear inconsistency in approach and no explanation has been provided to justify this divergence when there is a common constraint applicable to both sites.
- 3.4 Moreover, it is important to note that FRO215 also falls within a Future Growth Area for Housing designated in LPP1 whereas FR4 is not so designated. This means that FRO215 is located within an identified Strategic Site which represents a logical extension of the settlement and offers flexibility in the latter part of the plan period (i.e. now) if housing supply from other sources does not materialise or if other evidence warrants the further release of land.<sup>5</sup> Any release of additional land will normally be made through a site allocation.<sup>6</sup>
- 3.5 In these circumstances, if there is a need to allocate an additional 505 dwellings to maintain the delivery of housing to meet District-wide needs, LPP1 makes clear that the Future Growth Areas should be the first 'port of call' as they are connected with the most sustainable settlements and have already been assessed as suitable, logical locations for additional allocations to come forward. FRO215 alone could accommodate 125 new dwellings<sup>7</sup> which would mean that there would be no need to make any allocations in the primary villages at all as the need can be met from settlements higher in the spatial distribution strategy/hierarchy.
- 3.6 Further advantages of FRO215 include the fact that it is bounded on the south by Birchill Lane which would provide a clear, defensible settlement boundary capable of enduring beyond the plan period and its proximity to existing committed developments or proposed allocations.
- 3.7 Further sites which can be considered more sustainable are the land immediately to the south of allocation FR4 and the land to the east of allocation FR5 and site FRO215. The latter is also contained within the designated Future Growth Area, could be accessed easily from the committed residential development on The Mount (Dragonfly Close) and, again, would have a clear defensible boundary demarcated by the existing right of way on the eastern edge of the parcel.

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<sup>1</sup> See map extracted from the HELAA appended to this statement

<sup>2</sup> See appended map, FRO150.

<sup>3</sup> SD12e, page 4

<sup>4</sup> See appended map, FRO 150a, and SD12e, page 3

<sup>5</sup> SD33, para. 4.25

<sup>6</sup> SD33, CP2

<sup>7</sup> SD12e, page 4



- 3.8 Finally, in terms of the overall landscape setting of these sites and their relationship to the existing settlement of Frome, whilst they would entail further development on the currently open land to the south and would be visible to some extent when approaching from the south, it is important to note (as set out above) that allocations have already been proposed that would be visible in a similar fashion.
- 3.9 The wider context of these views is also important. In particular, the sites would be seen against the backdrop of the existing settlement and, in that context, they would not appear incongruous against the urban form. It must also be borne in mind that to the east, southeast and south the sites are also viewed in relation to the parallel railway lines and the A361 main road which separate them from the open countryside beyond. This means that these sites would be logical extensions of the existing settlement and can be considered to be more sustainably located and, in themselves, more sustainable than the draft allocations proposed in these main modifications.


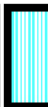
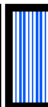


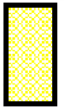

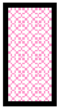

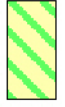


**DLA Piper UK LLP**

**21 August 2020**

# Boundaries of existing Development Limits, Open Areas of Local Significance and Development Site Options - Key

Notes:

Compiled by on 24 August 2015

	HELAA - A: Potentially suitable within development limits
	HELAA - B: Potentially suitable outside development limits
	HELAA - C: Potentially suitable Employment Land
	HELAA - D: Excluded or not suitable
	Development Limit
	Existing Strategic Housing Allocation (See Local Plan Part I)
	Future Growth Area for Housing (See Local Plan Part I)
	Committed Employment Site (See Local Plan Part I)
	Future Growth Area for Employment (See Local Plan Part I)
	Green Gap
	Town Centre Development Areas
	Open Areas of Local Significance

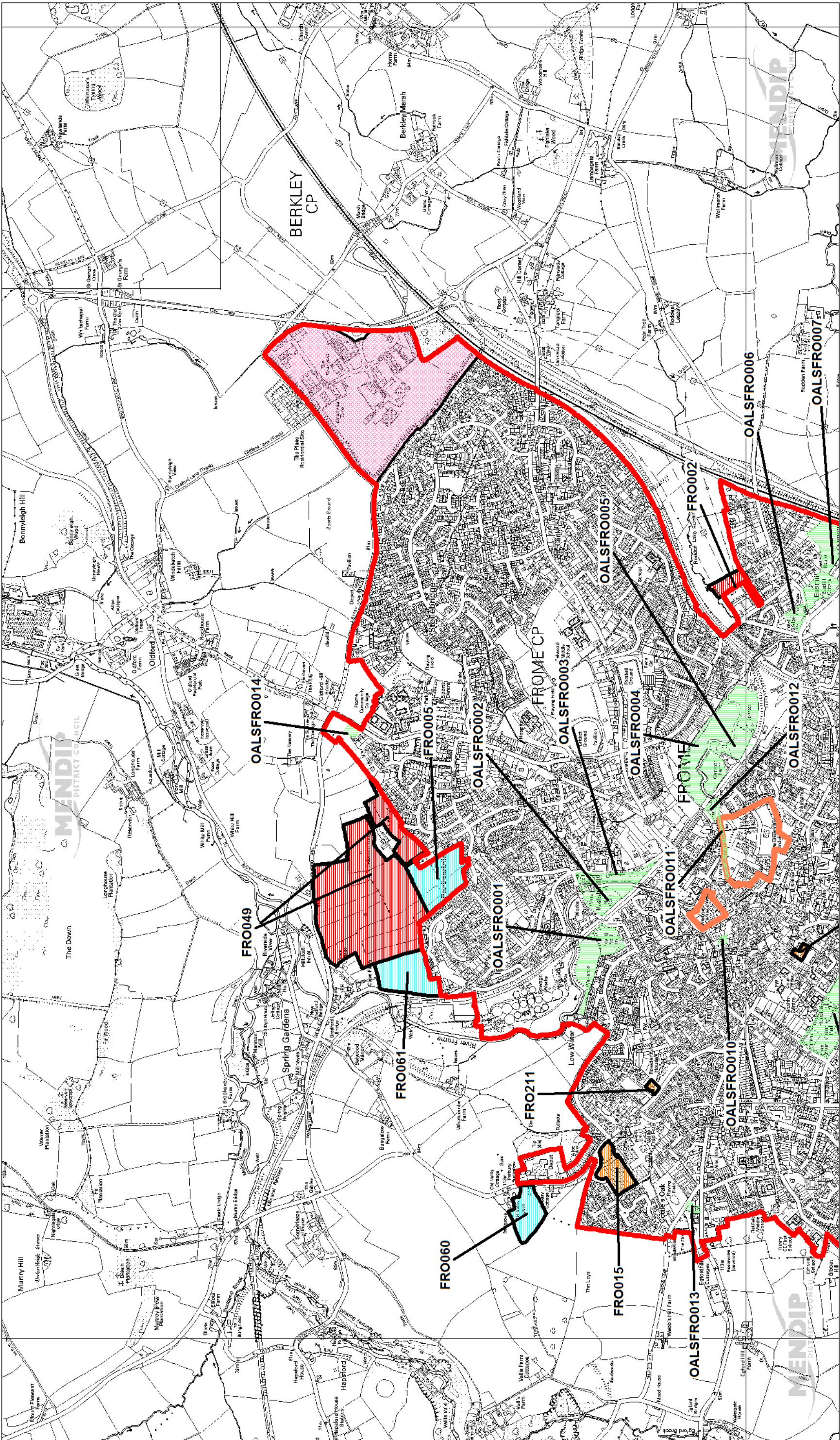


Boundaries of existing Development Limits, Open Areas of Local Significance and Development Site Options

Frome North  
Scale 1:14000  
Notes:

**MENDIP**  
DISTRICT COUNCIL  
Cannards Grave Rd  
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Compiled by on 7 August 2015



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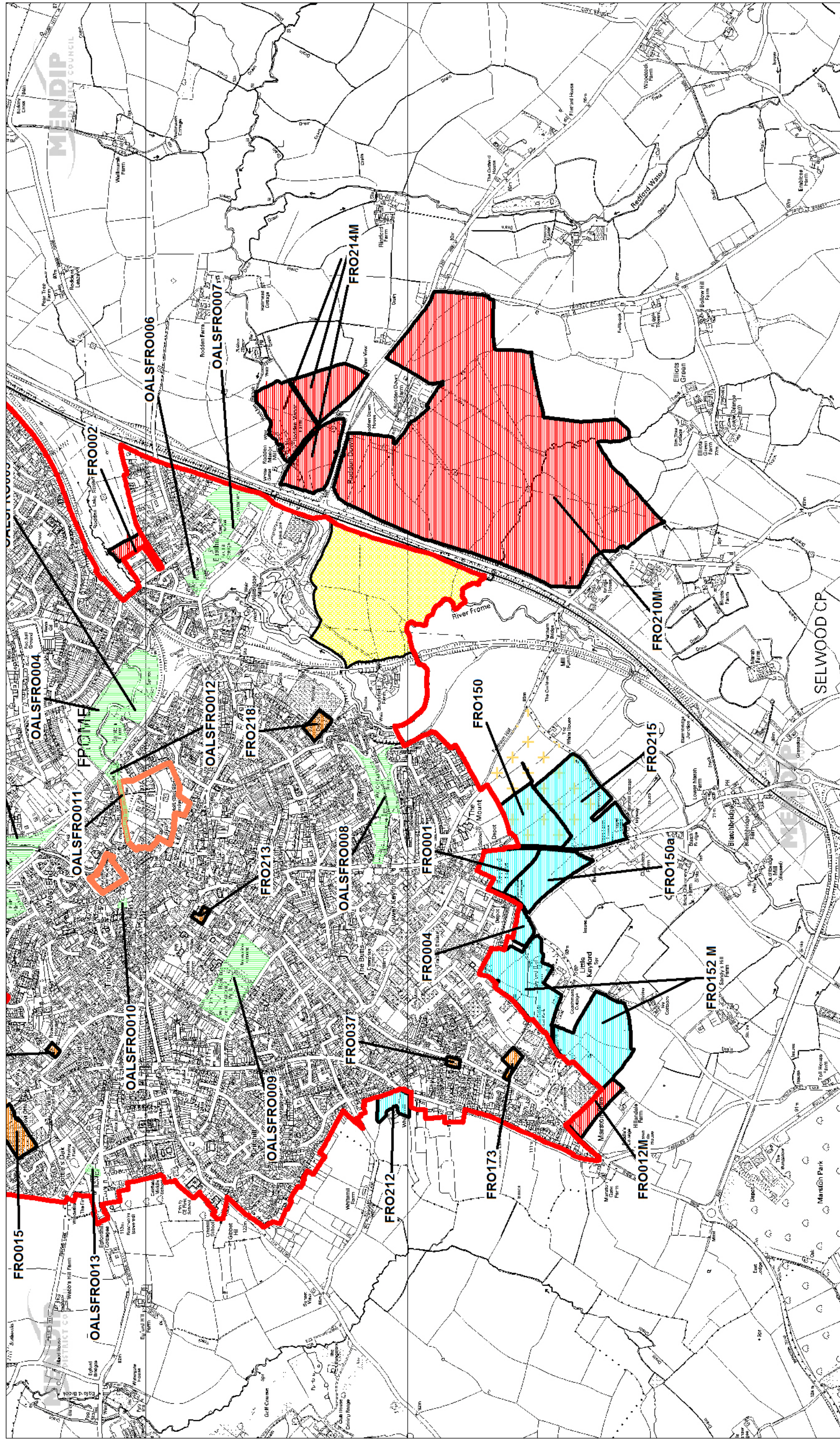
## Boundaries of existing Development Limits, Open Areas of Local Significance and Development Site Options

## Frome South

Scale 1:14000

Notes:

Compiled by on 7 August 2015



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## BATH & NORTH EAST SOMERSET COUNCIL RESPONSE TO

### Examination of Mendip District Local Plan 2006 – 2029: Part 2: ED/30

#### Matter 1 - Overall Housing Provision for Mendip

- (i) In relation to the 'Additional requirement 2011-2029' for 505 dwellings, as identified in LPP1 policy CP2, to be addressed in site allocations, should these dwellings be added to the Part 1 of the Local Plan (LPP1) total of 9,635 dwellings (Core policy 2) or be subsumed within this total?

#### B&NES Responses

1. 505 dwellings are included in the Local Plan Part 1 (LPP1) total of 9,635 dwellings as set out in CP2 (1) Table and Table 6 Mendip District Housing Requirement 2006-2029 and are not required in addition to the 9,635 dwellings.
2. The additional requirement for 505 dwellings (over and above the 9,130 dwellings originally identified in LPP1) was the result of reviewing housing requirements (2013) and the rolling forward of the plan period to 2029. CP2 (1) states 'Provision for a minimum of 9,635 additional dwellings will be made in line with the table below over the plan period from 2006 to 2029. The table states 'additional requirement 2011 to 2029 as per 4.21 of the supporting text– 505 new homes 2006- 2029'.
3. Para 4.21 *'The Review of Housing Requirements (2013) and the rolling forward of the plan period to 2029 will result in an additional requirement for 505 dwellings in the District. This will be addressed in Local Plan Part II: Site Allocations which will include a review of the Future Growth Areas identified in this plan. The Site Allocations document will also be able to take account of issues in emerging Neighbourhood Plans, updated housing delivery, revised housing market areas and housing needs identified through cross boundary working. Allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton in accordance with paragraph 4.7 above.'*
4. Para 4.21 of the LPP1 allows the Site Allocations document (LPP2) to take into account updated housing delivery. Prior to submitting the LPP2, Mendip Council reviewed the housing completions, current supply and housing trajectory and the findings were set out in the LPP2 *Background Paper 'Testing Housing Supply(SDM44)'*. Therefore, the total figure of 11,253 dwellings consists of 'Housing Delivery 2006-2029' and 'Future Growth Areas' includes the figure (505 dwellings) raised from the rolling forward of the plan period.
5. The confusion regarding the provision of the additional 505 dwellings seems to arise from Mendip Council's explanation at para 3.33 of the submitted Plan. It states that *'In addition to requirements for towns and the rural area, Core Policy 2 also identified a need to distribute a further 505 dwellings in towns and villages as a consequence of rolling forward the plan period to 2029 (see also para 4.21 in Local Plan Part I).*

Development Monitoring (set out in the Housing Background Paper) shows that this has been largely met through non-Plan commitments and this does not need to be specifically addressed in Local Plan Part II. (emphasis added)

6. *The Housing Background Paper further explains in para 13 'Policy CP2 makes provision for an additional 505 dwellings as a result of 'rolling forward' the plan period to 2029. However, the updated analysis of supply demonstrates there is no longer a reason to specifically meet this requirement in Local Plan Part II. In effect, the level of 'unplanned' or windfall development to date has fulfilled this aspect of CP2 (emphasis added). Provided planned allocations in Local Plan Part II reach 726 dwellings, this would now make a total of 9,764 dwellings, around 1% above the minimum district target.*
7. Table A below is a summary of the changes proposed to LPP1 and LPP2 Table 3 through the Examination of LPP2.

**Table A: The summary changes to Table 3 of the LPP2**

	CP2 minimum requirements	LPP2 Submitted Plan	LPP 2 Planning Growth (Proposed Changes)	LPP 2 Planned Growth (proposed additional 505 allocations)
<b>Frome</b>	2,300 (25%)	2,776(24.6%)	2,880(25.4%)	
<b>Glastonbury</b>	1,000(11%)	1,013(9.%)	1,036(9.1%)	
<b>Street</b>	1,300(14%)	1,807(16.%)	1,580(13.9%)	
<b>Shepton Mallet</b>	1,300(14%)	1,470(13%)	1,543(13.6%)	
<b>Wells</b>	1,450(16%)	1,676(14.9%)	1,768(15.6%)	
<b>Rural</b>	1,780(20%)	2,226(19.8%)	2,538(22.4%)	
Primary Villages *without 81 new allocation			[1,211]	
Secondary Villages			[544]	
Other villages & Countryside			[783]	
<b>Urban Rural Windfall</b>		285(2.5%)		
<b>District wide</b>	505			
Village sites in NE District				81
Adj Midsomer Norton				455
<b>Total</b>	<b>9,635</b>	<b>11,253</b>	<b>11,345</b>	<b>536</b>

8. An explanation of exactly which 'unplanned' or windfall development sites counted toward the 505 dwellings would have been helpful within the Housing Background Paper, however the key point is to ensure the minimum requirement set by the LPP1 of 9,635 dwellings is met. The submitted LPP2 facilitates 11,253 dwellings which is 1,618 dwellings or 16.7% over the LPP1 minimum requirements. With updated figures prior to

the Modifications proposed, this adds up to 11,345 dwelling which is 1,710 dwellings or 17.7% over the LPP1 minimum requirements in accordance with the spatial strategy set in Policy CP1. This exceeds and includes the 505 dwellings set out as described above, which is not therefore required in addition.

9. Therefore, the requirement for 505 dwellings remains subsumed within the total housing minimum requirement set in the submitted LPP2 and is not an additional requirement.

**ii) Is there a 'strategic expectation', based on LPP1, for allocating 505 additional dwellings in the north-east part of the District, and if so, what is the evidence to support it?**

10. There is no strategic expectation for allocating 505 additional dwellings in the north-east part of the District. Therefore, there is no evidence to support it. The '505 dwellings' requirement originally resulted from rolling forward the LPP1 plan period to 2029. The '505 dwellings' was therefore derived from a numerical district-wide shortfall and not through a shortfall in provision in the north-east part of the district. This was not the result of a geographic requirement or evidence of local need specific to this part of Mendip District.
11. In seeking to plan for the 505 dwellings para 4.21 of the LPP1 states that '*allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may (emphasis added) include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton.*'
12. In preparing the LPP2 Mendip DC was able to identify and allocate sites to deliver 11,253 dwellings (including the additional '505 dwellings') in more sustainable locations, within the context of the spatial strategy, to meet additional housing needs within Mendip. Therefore, sites in the north/north-east of Mendip were not allocated in the submitted draft LPP2 because Mendip DC could more sustainably meet its housing needs.
13. Therefore, there is no strategic expectation for or need to allocate 505 additional dwellings in the north-east part of the District. Therefore, there is no evidence to support it.

**(iii) Assuming that the additional 505 dwellings are part of the LPP1 total of 9,635, is the 'strategic expectation' for allocating these dwellings in the northeast part of the District still justified and sustainable?**

14. Para 4.21 of the LPP1 states that '*allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may (emphasis added) include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton.*'
15. The Adopted LPP 1 Policy CP2 refers to the requirement for the 505 dwellings for the 'District', not specific to the northeast part of the District. There is no reference to the specific requirement for the northeast part of the District in Policy CP2 nor the Key

Diagram. Para 4.21 only references that it 'may' include land in the north/north-east of the District.

16. Therefore, there is no 'strategic expectation' for allocating these dwellings in the northeast part of the District. As demonstrated in Table A, the allocations proposed in the main modifications are not justified or sustainable, especially when considered within the context of the spatial strategy set out in LPP1.

**(iv) Is the definition of the North/Northeast (which is generally paraphrased to the north-east) of the District, as set out in the map on page 10 of the Council's document entitled Additional 505 Dwellings – Background Paper (January 2020), justified?**

19. B&NES Council has no comment to make in respect of this question.

**(v) Is there a justified and sustainable case for spreading the allocation for the additional 505 dwellings out across the entire District?**

20. As set out above there is no need or expectation to allocate an additional 505 dwellings in order to meet the minimum housing requirement set out in LPP1. The submitted LPP2 facilitates 11,253 dwellings which is 1,618 dwellings, 16.7% over the LPP1 minimum requirements. An explanation of exactly which 'unplanned' or windfall development sites counted toward or provided the additional 505 dwellings would have been helpful within the Housing Background Paper so that the distribution of these dwellings could have been assessed against the extent to which they align with the spatial strategy set out in LPP1 and therefore, could be regarded as being in sustainable locations. However, it is useful to note that in overall terms the distribution of 11,253 dwellings is broadly consistent with the spatial strategy and the distribution of the LPP1 requirement as set out in Table A above.



## BATH & NORTH EAST SOMERSET COUNCIL RESPONSE TO

### Examination of Mendip District Local Plan 2006 – 2029: Part 2: ED/30

#### Matter 2 – Sustainability Appraisal and Habitats Regulation Assessment

**(i) Is the Sustainability Appraisal (SA) (Second Addendum) (January 2020) for the proposed Main Modifications, i.e. for the 505 additional dwellings in the north-east of the District, robust in its methodology and conclusions?**

1. It is not considered that the SA of the proposed Main Modifications is robust in its methodology and conclusions.
2. As B&NES Council's formal submission set out, the effects on social and transport infrastructure from the potential development of these sites, particularly criteria SAO09 (encourage more sustainable travel patterns) and SAO13 (improve access to facilities and services,) are not certain until they have been assessed comprehensively as para 4.7 of the LPP1 requires and would be necessary to meet the soundness tests. This does not appear to have been undertaken.
3. For example, there is no evidence of detailed traffic modelling to test the impact of these sites on the existing roads which are already heavily trafficked and affected by frequent traffic congestion. The cumulative effects need to be understood and identified (including in combination with other plans) prior to allocation, infrastructure improvements to address these impacts then need to be identified and for it to be demonstrated these measures can be viably delivered alongside or prior to development of the allocated sites. Additionally, no assessment appears to have been undertaken or discussions held with B&NES with regards to impacts on social infrastructure, such as the provision of school places. The SA findings clearly state that *'infrastructure requirements would need to be agreed with BaNES.'* for all sites adjacent to Midsomer Norton. The approach of deferring this to the application stage is not considered sound for a Local Plan (it is neither justified or effective). The infrastructure implications should be properly assessed, and deliverable solutions identified in preparing the Local Plan and allocating sites.
4. Significant concerns are identified through the site assessments particularly assessing the in-combination effects. It would be too late to address any issues identified once the principle of development is established through site allocations.
5. As a more general principle whilst theoretically some sites could contribute towards meeting the Mendip Local Plan housing targets (as assessed against criterion SAO11), it remains B&NES Council's view that the additional '505 dwellings' included in the LPP1 is to meet the needs of the wider Mendip District and is not specific to the north/north-east of the district. Therefore, it is not considered these sites are in the most sustainable location within the context of the LPP1 spatial strategy to meet the needs of the wider district, especially as other alternative sites are already identified and allocated through the draft LPP2. This needs to be reflected in the Sustainability Appraisal.

**(ii) In particular, do the 13 sustainability objectives in the SA represent a realistic summary of the principal sustainability criteria which the Plan should have regard to?**

6. Please see paras 21 to 25 above. In addition, some of the site assessments don't seem to be correctly reflected in the SA Overall Impact scoring in the *Second Addendum to Sustainability Appraisal January 2020*. For example, the appraisals for Site NRAD-001M Land at White Post,
- Policy Implication 47 states '*Settlement is not identified by BaNES as an area for significant housing development within their Local Plan. The BaNES position set out in the Core Strategy and Placemaking Plan is that development in this location is unsustainable due to the peripherality of the development, highways impact and school capacity.*'
  - Policy Implication 50 states '*There have been significant concerns highlighted in planning applications relating to this site and NRAD005 from B&NES Highways regarding the impact upon development in this area on the road network/ cumulative impact from this site, NRAD-005 and the newly developed Barratt site to the north would need to be assessed.*

However, a positive '++' scoring was recorded to SA Objective 11 'Meet housing needs whilst providing suitable housing for all in appropriate, sustainable location' for the site without comprehensive assessment required by the LPP1.

**(iii) Are these criteria analysed at an appropriate level of detail and rigour?**

7. No. As explained in paras 21 to 26, it is not considered that these criteria analysed are at an appropriate level of detail nor rigour.

**(iv) Does the SA provide a sufficient level of detail in the treatment of realistic alternatives in the north-east of the District?**

8. Because 505 dwellings are not specifically needed to meet the requirement for the north-east, they should be compared with all alternative locations across the District and in accordance with the spatial strategy set out in LPP1.

**(v) Is the Habitats Regulation Assessment (HRA) Addendum (January 2020), in relation to the 505 additional dwellings in the north-east of the District, robust?**

9. B&NES Council has no comment to make in respect of this question.

## **BATH & NORTH EAST SOMERSET COUNCIL RESPONSE TO**

### **Examination of Mendip District Local Plan 2006 – 2029: Part 2: ED/30**

**Matter 4 – Consideration of the six sites suggested in the Main Modifications 4.1 Edge of Midsomer Norton: Sites MN1 (Land at White Post, near Westfield for a minimum of 250 dwellings), MN2 (Land at Underhill Lane, Midsomer Norton for a minimum of 60 dwellings) and MN3 (Land east of the A367, near Westfield for a minimum of 145 dwellings).**

**(i) Are these sites sustainable as sites for new homes, and are there ownership or other delivery constraints?**

1. All sites suggested in the Main Modifications are contrary to the Spatial Strategy set out in the B&NES Core Strategy which was endorsed by the Core Strategy Inspector. The impact both individually and cumulatively on social and transport infrastructure of the proposed site allocations are not considered properly. The impacts on the towns of further residential development in terms of the transport network, services/facilities, employment opportunities and environmentally are considered and assessed through the B&NES Core Strategy and Placemaking Plan, informed by the SA. Introducing such additional allocations in the Mendip LPP2 without properly assessing the impact of the allocations is neither justified nor effective.

**(ii) If the housing/employment balance in Radstock/Norton is already skewed in relation to a serious issue of out-commuting (e.g. to employment opportunities in Bath and Bristol), how critical is this consideration in relation to the overall sustainability of these sites or any other potential housing sites on the edge of Midsomer Norton and Radstock?**

2. The housing/employment imbalance and resultant significant and increasing out-commuting from Midsomer Norton, Radstock & Westfield is strategically the most critical sustainability consideration in respect of planning further development through Local Plans. In 2011 the census showed that about 68% of journeys to work are out-commuting, which was an increase from 57% in 2001, and it is likely to have further increased since 2011. The Placemaking Plan allocates a number of employment and housing sites addressing the strategic key issues for the Somer Valley area and in particular the imbalance and out-commuting. These sites were subject to sustainability appraisals. Over and above housing sites already committed via past Local Plan allocation or planning permission the Placemaking Plan (adopted in 2017), together with the Westfield Neighbourhood Plan limits additional residential development and focusses on allocating and bringing forward employment land.
3. B&NES Council considers the short term priority should be to deliver additional employment space and jobs in this area before further housing sites are allocated in Local Plans. Delivery of employment space will be facilitated by designation of the Somer Valley Enterprise Zone (on land to the west of Midsomer Norton) and preparation of a Local Development Order which is now underway.

4. Following delivery employment space and local job growth the potential allocation of further housing sites in the Midsomer Norton, Radstock and Westfield area should be undertaken through joint working between B&NES Council and Mendip on our respective replacement Local Plans in order to ensure housing growth is delivered at the right time, in the right location(s) and with the necessary supporting infrastructure.
5. In the meantime, both Local Planning Authorities may need to determine applications for the development of housing adjoining the urban areas. These applications will need to be considered on their merits and any benefits of the proposed scheme weighed against the harm caused (taking account of the issues and considerations outlined above). Notwithstanding this determination of applications on a 'case by case basis' it is considered that the approach to planned housing development through Local Plans must be governed by the strategy set out above.

**(iii) What other sustainability issues should the Plan have regard to in relation to these sites?**

6. The SEA Regulations require an assessment of cumulative effects with other plans. One of the key strategic issues the adopted B&NES Development Plan is addressing is an imbalance between jobs and homes caused by recent incremental housing development and a decline in the manufacturing sector and resultant high degree of out-commuting. The development of the sites considered here would exacerbate the recent trend of incremental housing development which the B&NES Development Plan, incorporating not only B&NES Core Strategy and Placemaking Plan, but also Westfield Neighbourhood Plan, seeks to prevent.
7. Allocating sites adjoining Midsomer Norton, Westfield or Radstock through the Mendip LPP2 would worsen the imbalance between jobs and homes, resulting in additional unsustainable commuting patterns, and would add cumulative impacts on key infrastructure within Midsomer Norton, Radstock and Westfield. Therefore, development of these would result in significant negative cumulative impacts when considered with the adopted B&NES Development Plan. The Mendip Sustainability Appraisal addendum failed to properly assess these cumulative effects with B&NES Development Plans.

Mendip District Council

Local Plan Part II (Sites & Policies)

# Sustainability Appraisal



## Adoption Statement

(produced in accordance with Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004)

December 2021

## Contents

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2. How environmental considerations and Sustainability Appraisal have been integrated into the plan	4
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5. How significant sustainability effects of implementing the plan will be monitored	8

## Appendices and links to published Examination Documents online

Appendix 1	Exam Doc	Regulation 16: The Environmental Assessment of Plans and Programmes Regulations 2004
Appendix 2		LPP1 SA Adoption Statement - December 2014
Appendix 3		Screening of the Additional Main Modifications
Appendix 4	SD16	Sustainability Appraisal Scoping Report - September 2015
Appendix 5	SD11	Pre-Submission Sustainability Appraisal Report - December 2017
Appendix 6	SD12a	Review of Relevant Plans, Policies & Programmes
Appendix 7	SD12b	Review of Baseline Information
Appendix 8	SD12c	Sites screened out at Initial Assessment
Appendix 9	SD12d	Site Assessment Template
Appendix 10	SD12e	Results of Sustainability Appraisal of sites in settlements where an allocation is required
Appendix 11	SD12f	Results of Sustainability Appraisal for all of the Preferred Option Sites in Frome, Glastonbury, Street & Wells
Appendix 12	SD12h	Results of Sustainability Appraisal of Employment Sites
Appendix 13	SD13	Addendum to Sustainability Appraisal Proposed Changes - January 2019
Appendix 14	SD12g	Addendum to Sustainability Appraisal. Results of Sustainability Appraisal for all of the Preferred Option Sites in Frome, Glastonbury, Street & Wells Revised following pre-submission Representations January 2019
Appendix 15	SDM41	Second Addendum to Sustainability Appraisal - Proposed Main Modifications - January 2020
Appendix 16	SDM42	Second Addendum to Sustainability Appraisal - Midsomer Norton and Radstock
Appendix 17	SDM44	505 Dwellings Background Paper - January 2020
Appendix 18	SDM45	505 Dwellings Background Paper - Settlement and site assessments
Appendix 19	SDM46	Additional SA in Mendip villages
Appendix 20	SD6	Statement of Consultation Jan 2019
<p>Submission documents (SD) can be found online on this page  <a href="https://www.mendip.gov.uk/submissiondocuments">https://www.mendip.gov.uk/submissiondocuments</a></p> <p>Main Modification documents (SDM) can be found on this page  <a href="https://www.mendip.gov.uk/localplanexamination">https://www.mendip.gov.uk/localplanexamination</a></p>		

## Introduction

Mendip District Council adopted the Mendip District Local Plan 2006-2029 Part I: Strategies and Policies on 15 December 2014. Local Plan Part I (LPP1) is the overarching strategic plan for development within Mendip District, and includes the strategic vision, objectives, key policies, broad locations for change and allocations of strategic sites. Mendip District Council (the Council) have now adopted Mendip District Local Plan 2006-2029 Part II: Sites and Policies. Local Plan Part II (LPP2) builds upon LPP1 through the allocation of additional development sites and setting additional development management policies that are needed to meet objectives set out in Local Plan Part I or the National Planning Policy Framework (NPPF). The Plan was adopted on 20<sup>th</sup> December 2021.

Regulation 16 of the Environmental Assessment of Plans and Programmes Regulations 2004 requires that an Environmental Statement is produced after the adoption of a plan to which the Regulations apply. Regulation 16(4) specifies that the statement should explain: how environmental considerations have been integrated into the plan; how the environmental report has been taken into account; how consultation responses have been taken into account; why the plan has been adopted rather than the other alternatives considered; and how the significant environmental effects of implementing the plan will be monitored. A copy of Regulation 16 is appended to this paper at Appendix 1.

Planning authorities are required to carry out a Strategic Environmental Assessment (SEA) of Local Development Documents under the Planning and Compulsory Purchase Act 2004. This process fully incorporates European SEA requirements, but also takes into account wider social and economic matters. The Sustainability Appraisal (SA) for the Mendip District Local Plan has been prepared in accordance with the following:

- Regulation 36 of the Town and Country Planning (Local Development) (England) Regulations 2004
- The European Directive 2001/42/EC
- Environmental Assessment of Plans & Programmes Regulations 2004
- The National Planning Policy Framework
- The National Planning Practice Guidance

The SA process has been carried out alongside and throughout the development of the Mendip District Local Plan. The framework developed for the SA of LPP2 is based on the framework that was used for the SA of LPP1, which was first subject to consultation in 2008. However, changes were made to some of the SA objectives to better reflect the content of LPP2. The SA Process for LPP1 is summarised in the Regulation 16 SA/SEA Adoption Statement which is appended to this paper at Appendix 2.

Careful evaluation of the options and key alternatives at various points throughout the SA process has been an integral part of the development of LPP2. At each stage, the SA considered aspects of the plan against a range of environmental, economic and social effects. Any negative effects identified were recorded and potential mitigation measures identified. The SA process has been ongoing since 2014 and has been updated throughout the submission and examination process to examine the impacts of changes made to the plan. At each stage of the development of LPP2, public consultation was undertaken to ensure that iterative feedback was taken into consideration in the next steps of plan preparation. Finally, following receipt of the Inspectors Report, a screening of the Additional Main Modifications was carried out to assess the likelihood of changes to the SA findings. This screening exercise is documented in Appendix 3 of this statement.

In general terms the SA found that the preferred option sites are sustainable but highlighted the need to incorporate mitigation measures. These mitigation measures have been incorporated into the

specific policy requirements for the allocation policies. These mitigation measures include requirements to secure phosphate neutral development in areas affecting the Somerset Levels and Moors RAMSAR, the unfavourable condition of which was brought to the attention of the Council late in the examination process. The Council expects the mitigation measures identified to be refined and implemented through the permission and development process. Longer term impacts will be assessed through the Local Plan monitoring framework set out in LPP1 Appendix 2.

## **How environmental considerations and Sustainability Appraisal have been integrated into the Plan**

The iterative approach to carrying out the SA has been reported via addenda and updates to the main SA Report. Some of these updates were carried out during the LPP2 examination process and available online as examination documents.

In total, the Sustainability Appraisal was carried out at four separate stages as follows:

Issues and Options Stage

**Sustainability Appraisal Scoping Report** (Sept 2015)  
(Appendix 4 of this statement)

Pre-Submission Stage

**Sustainability Appraisal of the Pre-Submission Draft Local Plan** (Dec 2017)  
(Appendices 5 to 12 of this statement)

Proposed Changes

**Addendum to the Sustainability Appraisal** (Jan 2019)  
(Appendices 13 and 14 of this statement)

Proposed Main Modifications

**Second Addendum to Sustainability Appraisal** (Jan 2020)  
(Appendix 15 of this statement)

To aid understanding of the process and to ensure that all relevant documentation is able to be easily referenced in future, a final version of this statement will include the full suite of SA documents appended to this paper. This will be published in due course

In addition, a comprehensive site assessment process was undertaken during the examination process to ensure that all sites promoted at the settlements identified as appropriate to meet the additional 505 dwellings allocation requirement were assessed. The reporting of this additional site assessment process was divided. The assessment of all preferred options is presented in the Second Addendum to the Sustainability Appraisal, while the assessment of all other sites at the preferred settlements is presented in the 505 Dwelling Background Paper and its appendices published in September 2020. The background paper forms Appendices 17, 18 and 19 of this statement). A final screening of the Additional Main Modifications for potential changes to the SA findings was carried out during September 2021 following receipt of the Inspector's Report and forms Appendix 3 of this statement.

The Sustainability Appraisal of LPP2 was carried out in house and was based on the Council's sustainability appraisal framework, which is set out the Scoping Report published in September 2015. This report is shown as Appendix 4. The report contains the Council's list of sustainability objectives, relevant baseline information, and indicators and targets pertaining to the objectives, and



incorporates the outputs of Stage A (Tasks A1 to A6) of the sustainability appraisal process. Relevant plans/programmes were updated; baseline information regarding the character of the area and its likely evolution was collated & analysed; sustainability problems, issues & opportunities were checked; and the SA framework for sustainable development that had been used to appraise the LPP1 was refined to make it more suitable for assessing the site options in LPP2. The SA framework forms the basis against which the emerging LPP2 has been appraised for sustainability.

The SA work undertaken to support and inform the Pre-Submission plan was undertaken in four distinct areas representing Stages B and C of the SA process. These four areas were Site Option Appraisals, Housing Number Option Appraisals, Employment Land and Development Management Policy Appraisals.

### **Site Option Appraisal**

The Site Options Appraisals appraised all sites promoted as available for development in accordance with the SA Framework. All suitable sites were taken forward as candidates for allocation as preferred options in settlements where the housing requirement had not been significantly exceeded. Appropriate mitigation measures for each site were highlighted in the assessment.

### **Habitats Regulations Assessment**

A Habitats Regulations Assessment (HRA) was carried out to support the appraisal process and was updated in light of the Sweetman 2 Judgment in the ECJ in October 2018. Recommendations for individual sites from this updated HRA report are reflected in the Proposed Changes that were submitted for Examination. A response from Natural England concurring with the conclusions of the updated HRA was received in December 2018. A further update to the HRA was undertaken in respect of the additional 505 dwellings proposed in the north/ north east of the District. Appropriate mitigation measures against potential impacts on the Mells Valley SCA were included in the allocation policies.

During August 2020 Natural England wrote to local authorities advising that the interest features of the Somerset Levels and Moors Ramsar Site were considered unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates. Appropriate mitigation measures were agreed with Natural England in the form of wording to be added to the allocation policies to secure phosphate neutral development in areas at risk of affecting the Ramsar Site. These amendments were secured late in the examination process and have been integrated into policies as Additional Main Modifications. These modifications have been screened and found to have a neutral or positive impact on the findings of the SA for each of the sites.

The HRA for the Plan has been updated on adoption to take into account the latest advice regarding the condition of the Ramsar and other technical work on designated habitats. This is published as a separate document on adoption : HRA version 4 December 2021

### **Housing Number Option Appraisals**

The housing numbers within LPP1 were considered to be a minimum that need to be delivered over the plan period. LPP2 was therefore an opportunity to explore how to deliver more than the minimum, particularly in light of additional housing market evidence provided in the Mendip, Sedgemoor, South Somerset and Taunton Deane Strategic Housing Market Assessment (October 2016).

The Housing Number Option Appraisal was undertaken at the Pre-Submission, Proposed Changes and Proposed Main Modifications Stages. At each of these stages two options were appraised:

Option 1: Delivering the housing targets outlined in the adopted LPP1.

Option 2: The allocation of all the preferred sites in Frome, Glastonbury, Street and Wells and sites in the Primary and Secondary villages.

Shepton Mallet was excluded from Option 2 because the town is expected to deliver 13% more housing than the target outlined in Core Policy 2 of LPP1. In addition, some of the Primary and Secondary Villages had also met or far exceeded the levels of development required by LPP1. In accordance with the strategic direction set out in LPP1, no further development was to be directed to those villages which had already met their requirement.

The appraisal of Option 2 was supported by a comprehensive assessment of the impacts on each of the towns of Frome, Glastonbury, Street and Wells to ensure that cumulative impacts of the allocations proposed at that stage were taken into consideration. The assessment is shown in Appendices 11, 14 and 15 of this statement.

### **Employment Land Appraisals**

A very small number of sites were put forward for employment use. Consequently, the appraisals were not used to help choose between sites in settlements. Instead, the appraisal was used to identify any potential sustainability issues that might arise from development of the sites. The full Appraisals can be found in Section 8 of the Pre-Submission SA forming Appendix 12 of this statement.

### **Development Management Policy Appraisals**

Four new development management policies are included within LPP2. These are Policy DP24: Single-plot Exception Sites for Self & Custom-Build, Policy DP25: Employment Land, Policy DP26: Green Belt and Policy DP27: Frome Highway Infrastructure. Policies DP24, DP25 and DP26 were not initially subject to SA in accordance with the approach taken under LPP1. However, consultation responses raised sustainability issues with regard to Policy DP24 which were addressed in the Proposed Changes SA. The changes made to the policy as a result of the SA highlighted that it is an affordable housing policy and addressed the impact on rural areas, the landscape and biodiversity, the role of local connection, restriction of resale values and limits on size. Policy DP27 was introduced at the Main Modification Stage to highlight the specific infrastructure requirements necessary to support development in the Frome area. This policy provides additional detail to adopted LPP1 Policy DP9 which has been subject to appraisal.

## **How the results of consultation have been taken into account in the Sustainability Appraisal**

Consultation with key environmental bodies including the Environment Agency, Historic England and Natural England, as well as local environmental bodies, was undertaken at both the scoping stages of the assessment and also throughout the process. At the initial scoping stages the views of the key environmental bodies were incorporated into the framework. These bodies were consulted throughout the preparation of the plan to ensure that the preferred options had been appropriately assessed.

Refinements to the evidence used to inform the site assessments has been made throughout the process as part of the regular update to the LPP2 evidence base. However, changes to the plan were

made in response to the consultations undertaken at three main stages. The Submission of LPP2 included a Statement of Consultation which sets out how consultation was carried out and summarises the main issues raised through consultation at each stage, detailing how these representations were taken into account in producing the plan. This forms Appendix 20 of this statement. The specific changes to the Sustainability Appraisal as outlined in the Statement of Consultation and summarised as follows:

#### Stage 1

##### Issues and Options Stage

##### **Sustainability Appraisal Scoping Report** (Sept 2015)

Consultation responses focussed on the quality of the indicators in addition to providing evidence to help support the assessment. Changes were made to further refine the indicators and supplementing the site evidence base.

#### Stage 2

##### Pre-Submission Stage

##### **Sustainability Appraisal of the Pre-Submission Draft Local Plan** (Dec 2017)

Consultation responses focussed on evidence to support or refute the findings of the SA, particularly with regard to the cumulative impacts of allocations on the main towns. Changes were made to the reporting of indicators to better reflect the agricultural land classification to ensure that the importance of soils was incorporated into the decision-making process. Changes were also made to Policy DP24 to reflect the affordable housing aspect of the policy. A summary of the consultation responses and the impact these have had upon the SA and the plan is set out in Section 4 of the Addendum to the Sustainability Appraisal (Appendix 13 of this statement). This updated assessment formed part of the Sustainability Appraisal document suite which was submitted for examination.

#### Stage 3

##### Proposed Main Modifications

##### **Second Addendum to Sustainability Appraisal** (Jan 2020)

During the Examination Hearings a number of Proposed Modifications to LPP2 were identified. The Council considered that these modifications made changes to the plan sufficient to warrant additional Sustainability Appraisal. A second addendum to the SA was prepared and was subject to consultation at the same time as the proposed Main Modifications to the plan. The representations made at this stage were considered through the examination process and further changes were made to the plan to ensure that the most appropriate mitigation measure was identified where required.

## **Reasons for choosing the plan in light of other reasonable alternatives**

The remit of LPP2 was to provide additional site allocations and development management policies to supplement the strategic framework adopted under LPP1. The SA process for LPP2 was therefore focussed on selecting the most suitable sites from those promoted to the Council to meet the development requirements. During the process preferred and alternative site allocations have been tested. The details of the assessments of these alternatives are set out in detail in the Pre-Submission Sustainability Appraisal at Section 6.3 (Appendix 13 of this statement).

The additional housing market evidence provided in the Mendip, Sedgemoor, South Somerset and Taunton Deane Strategic Housing Market Assessment (October 2016) and the introduction of the standard method to determining housing numbers made it pertinent to consider options for

exceeding the development expectations set by LPP1 in order to secure plan led growth within the district. The reasonable alternatives of Option 1: Meeting LPP1 Development Expectations and Option 2: Allocation of all sustainable sites at the towns of Frome, Glastonbury, Street and Wells and sites in the Primary and Secondary villages (subject to consideration of plan period commitments and completions) represented two real alternative approaches to developing the plan. Other alternatives such as concentrating development in one of the towns or increasing the proportion of development in the rural areas would not have accorded with the spatial strategy set by LPP1 and were therefore not tested.

Both the options identified were assessed at the Pre-Submission Stage. Option 2 and the impacts on each of the towns was subsequently re-assessed at the Proposed Changes and Main Modifications stages. The revised assessments concluded that the proposed changes did not modify the initial conclusions of the SA.

The assessment of Option 1 was overall neutral for all but one SA indicator. The assessment of Option 2 found a mixture of positive, negative and neutral impacts. Although Option 2 was found to have more negative impacts than Option 1, the decision to implement Option 2 was taken due to the need to deliver more housing over the plan period than the minimum outlined in LPP1. The assessment of Option 2 builds on the town level cumulative assessments of all allocations proposed, and the SA process has identified sufficient actions that the impacts of choosing to pursue Option 2 can be mitigated.

During the examination of the plan, the Council were advised by the Inspector to seek allocations for a further 505 dwellings in the north/north east of the District. Since the spatial strategy had already been established in LPP1, there was no further requirement for the LPP2 SA to establish alternative distribution scenarios in the north east of the district. Instead, the Council sought to meet the need in accordance with the adopted spatial strategy as directed by the Inspector.

In accordance with the locational directions set out within LPP2 Core Policy CP2 and the supporting text, land to accommodate 505 dwellings was sought in the north east of the district including sites adjacent to Midsomer Norton and Radstock. The SA undertaken was consequently a site assessment process. The alternatives were the individual sites promoted at the settlements that support delivery of the spatial strategy. In accordance with the approach taken at other settlements in pursuit of Option 2, all sustainable sites that met the locational specification were proposed for allocation.

Full details of the consideration of alternative approaches is set out in the 505 Dwelling Background Paper and the Second Addendum to the Sustainability Appraisal.

## **How significant sustainability effects of implementing the Plan will be monitored**

Appendix 2 of LPP1 contains the Policy Monitoring Framework which sets out a framework of topics and indicators which has been collated and monitored by the Council since the adoption of LPP1. This information, along with other contextual indicators, will be used to assess the outcomes of LPP2 in order to understand whether the adopted policies are working effectively. This monitoring framework also incorporates objectives and additional indicators from the SA to ensure that measures specified to mitigate significant environmental impacts can be monitored.

Mendip District Council

Local Plan Part II (Sites & Policies)

# **Pre-Submission Sustainability Appraisal Report**



**December 2017**

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## **Appendices**

- Appendix 1:      Review of Relevant Plans, Policies & Programmes**
- Appendix 2:      Review of Baseline Information**
- Appendix 3:      Sites screened out at Initial Assessment**
- Appendix 4:      Site Assessment Template**
- Appendix 5:      Results of Sustainability Appraisal of sites in settlements  
                             where an allocation is required**
- Appendix 6:      Results of the Sustainability Appraisal for all of the Preferred  
                             Option sites in Frome, Glastonbury, Street & Wells**
- Appendix 7:      Results of the Sustainability Appraisal of employment sites**

## 1 Purpose of a Sustainability Appraisal

- 1.1 The process of plan making relies upon the choices between different options for the development and use of land through the planning system. The requirement to produce a Sustainability Appraisal under the Planning and Compulsory Purchase Act (2004) seeks to ensure that the decision making process takes into account the key objectives of sustainable development. These objectives are:
- Social progress which meets the needs of everyone
  - Effective protection of the environment
  - Prudent use of natural resources
  - Maintenance of high and stable levels of economic growth
- 1.2 Sustainability Appraisal is a systematic process undertaken during the preparation of a plan or strategy. The role of the Sustainability Appraisal is to assess the extent to which the emerging policies and proposals will help to achieve relevant environmental, social and economic objectives. In doing so, it will provide an opportunity to consider ways in which the plan or strategy can contribute to improvements in environmental, social and economic conditions as well as a means of identifying and addressing any adverse effects that policies and proposals might have.
- 1.3 The overall aim of the Sustainability Appraisal process is to help ensure that the Mendip District Local Plan makes an effective contribution to the pursuit of sustainable development. Sustainable development is defined as:
- “Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”<sup>1</sup>**
- 1.4 This report sets out the methodology used to undertake the Sustainability Appraisal, and the assessment of the policies of the Mendip District Council Local Plan Part II.

## 2 Relationship to Strategic Environmental Assessment

- 2.1 The European Directive 2001/42/EC requires an Environmental Assessment of plans and programmes prepared by public authorities that are likely to have a significant effect on the environment. The process is referred to as Strategic Environmental Assessment (SEA) and covers relevant plans and programmes whose preparation began after July 2004. All parts of the Mendip District Local Plan must therefore be subject to this assessment.
- 2.2 Through the Planning and Compulsory Purchase Act (2004) a Sustainability Appraisal must be carried out for all parts of a Local Plan and supplementary planning documents. Sustainability Appraisal and Strategic Environmental Assessment, although similar, are different processes. Strategic Environmental Assessment focuses solely on environmental effects whereas

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<sup>1</sup> Brandt Report



Sustainability Appraisal covers environmental, social and economic considerations. This Sustainability Appraisal Report addresses the requirements of the Sustainability Appraisal and Strategic Environmental Assessment processes simultaneously by giving full consideration to environmental issues as well and social and economic concerns. The Scoping Report and Sustainability Appraisal Report for the draft Local Plan Part II together meet the need of the Strategic Environmental Assessment Directive by setting out the significant effects on the environment of implementing the draft plan and those alternatives considered.

**Table 1: Summary of the requirements of the SEA Directive and where these have been addressed in this SA Report (Based on Figure 12, SA Guidance, ODPM 2005)**

<b>SEA Directive Requirements</b>	<b>Where covered in SA Report</b>
Outline of contents, main objectives of the plan or programme and the relationship with other relevant plans	Local Plan Part II Background (Section 3)
Relevant current state of environment and likely trends without implementation of the plan	Mendip Characteristics and Baseline Information (Section 5 and Appendix 4)
Likely significant effects on plan on environmental characteristics	Appraisal of Local Plan Part II Options (Section 6)
Existing environmental issues relevant to plan, including, in particular, those relating to any areas of particular environmental importance	Mendip characteristics and Baseline Information (Section 5 and Appendix 4)
Environmental protection objectives, established at international, community or national level, which are relevant to the plan or programme and the way those objectives and any environmental considerations have been taken into account	Review of relevant PPPs (Section 5)
The likely significant effects on environment, including on issues such as biodiversity, population, human health, fauna, flora, soil, water, air, climatic factors, material assets, cultural heritage, landscape and interrelationship between the above factors. These effects should include secondary cumulative, synergistic, short, medium and long term effects on the environment of implementing the plan	Section Appraisal of Local Plan Part II (Section 6)
An outline of the reasons for selecting the alternatives dealt with, and description of how the assessment was undertaken including any difficulties encountered in compiling required information	Section Appraisal of Local Plan Part II (Section 6)
Description of measures envisages concerning monitoring	Monitoring Framework
A non-technical summary of the information provided under the above heading	Non-technical summary (see separate report)

### 3 Local Plan Part II - Background

- 3.1 Mendip District Council is preparing a Local Plan. The first part of this, the Local Plan Part I, covers the broad distribution of new development across the plan area for the period 2006-2029 and was adopted in December 2014. It also contains a number of other strategic policies and a suite of development management policies. The second part of the overall plan – the Local Plan Part II addresses the allocation of sites for housing, employment and other uses as well as some additional development policies.
- 3.2 The purpose of Local Plan Part II (Sites & Policies) is to:
- Identify and allocate additional sites for housing to meet the requirements for affordable and market housing set out in Local Plan Part I;
  - To ensure there are sufficient sites to enable a rolling five year supply of housing land in the District and to meet the housing delivery test;
  - To review and allocate additional employment land to support economic development;
  - To review and update development limits around towns and villages;
  - To review and update the open and community space designations;
  - To set out additional development management policies to meet objectives in Local Plan Part I and the NPPF.
- 3.3 Local Plan Part I establishes an overarching development vision and key objectives for the District. All other parts of the planning framework for the District must be aligned with its intentions in order that a coherent and consistent basis for decision making is in place. Local Plan Part II identifies sites, reviews site designations, reviews the delineation of development limits and considers whether additional development management policies are needed to meet objectives set out in Local Plan Part I or the NPPF.
- 3.4 The Council also intends to prepare a separate plan identifying sites to meet the needs of the Gypsy and Traveller community. Options for these sites do not form part of this document.
- 3.5 The Council may also produce Supplementary Planning Documents which will provide details of how policies in the development plan will be implemented in practice.
- 3.6 Neighbourhood Plans can be prepared by Parish Councils and are an additional way in which sites and policies promoting development can be drawn up to reflect the needs of local communities. Once “made” Neighbourhood Plans have the same status in planning decisions as the Local Plan.

## 4 Appraisal Methodology

### Approach taken

- 4.1 The Sustainability Appraisal process for the Local Plan Part II has been undertaken in a systematic manner and has been developed to appraise the impact of the Local Plan Part II which will shape the future of Mendip up to 2029. The Sustainability Appraisal has been carried out simultaneously with the development of the Local Plan Part II and has informed the production of policy options and allocations.
- 4.2 The Sustainability Appraisal has been carried out by Mendip District Council Planning Officers from autumn 2014 onwards in conjunction with internal and external consultees.
- 4.3 The stages of Sustainability Appraisal for Local Plans as set out in the OPDM Sustainability Appraisal Guidance are shown in **Table 2** below:

**Table 2: Corresponding Stages in Plan making and Sustainability Appraisal** (stages and tasks as set out in Figure 5 of the ODPM SA Guidance, 2005)

<b>Local Plan Stage 1: Pre-production – Evidence Gathering</b>
<b>SA stages and tasks</b>
<b>Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope</b> <ul style="list-style-type: none"> <li>A1: Identifying other relevant plans, programmes, and sustainability objectives</li> <li>A2: Collecting baseline information</li> <li>A3: Identifying sustainability issues and problems</li> <li>A4: Developing the SA Framework</li> <li>A5: Consulting on the scope of the SA</li> </ul>
<b>Local Plan Stage 2: Production</b>
<b>SA stages and tasks</b>
<b>Stage B: Developing and refining options and assessing effects</b> <ul style="list-style-type: none"> <li>B1: Testing the Local Plan objectives against the SA Framework</li> <li>B2: Developing the Local Plan options</li> <li>B3: Predicting the effects of the Local Plan</li> <li>B4: Evaluating the effects of the Local Plan</li> <li>B5: Considering ways of mitigating adverse effects and maximising beneficial effects</li> <li>B6: Proposing measures to monitor the significant effects of implementing the Local Plan</li> </ul>
<b>Stage C: Preparing the SA Report</b>
<ul style="list-style-type: none"> <li>C1: Preparing the SA Report</li> </ul>
<b>Stage D: Consulting on the preferred options of the Local Plan and the SA Report</b>
<ul style="list-style-type: none"> <li>D1: Public participation on the preferred options of the Local Plan and the SA Report</li> <li>D2(i) Appraising significant changes</li> </ul>

<b>Local Plan Stage 3: Examination</b>
<b>SA stages and tasks</b>
<ul style="list-style-type: none"> <li>D2(ii) Appraising significant changes resulting from representations</li> </ul>
<b>Local Plan Stage 4: Adoption and monitoring</b>
<b>SA stages and tasks</b>
<ul style="list-style-type: none"> <li>D3: Making decisions and providing information</li> </ul>
<b>Stage E: Monitoring the significant effects of implementing the Local Plan</b>
<ul style="list-style-type: none"> <li>E1: Finalising aims and methods of monitoring</li> <li>E2: Responding to adverse effects.</li> </ul>

### Stage A: Setting the Context & Scope

- 4.4 The scoping phase of the process is the information gathering phase. It was during this phase that the context for the Local Plan Part II was established, baseline information collected, influential plans and programmes noted and significant issues impacting upon the district identified. The last part of this phase was the development of a Sustainability Appraisal Framework which establishes a procedure for testing the sustainability of the Local Plan against agreed sustainability objectives.
- 4.5 In developing the Sustainability Appraisal framework a number of Sustainability Appraisal objectives have been developed which seek to address the issues identified through the analysis of baseline data, and the requirements of other plans, programmes and policies. The framework that has been developed for the Local Plan Part II is largely based on the framework that was used for the Sustainability Appraisal of the Local Plan Part I which was subject to consultation in 2008 and amended in light of comments. However some changes have been made to the framework for this Local Plan Part II Sustainability Appraisal process. Some of the SA objectives have been changed to better reflect the content of the Local Plan Part II.
- 4.6 A Scoping Report was prepared for the Local Plan Part II. This has been used to inform the Sustainability Appraisal of the Pre-Submission Local Plan Part II. The Scoping Report was published alongside the Local Plan P2 Issues & Options Paper in September 2015. A number of specific consultees were targeted for their comments. These included those bodies in the UK with 'environmental responsibility' as required by the SEA Directive. These consultees were as follows:

#### Statutory Consultees:

- Environment Agency
- Natural England
- Heritage England

### Stage B: Developing & Refining Options & Assessing Effects

- 4.7 This stage was carried out to inform the generation and refinement of the alternative options during the preparation of the emerging Local Plan Part II. The Sustainability Appraisal Framework was key in predicting and assessing the effects of the various options that emerged.

- 4.8 Local Plan Part II is essentially concerned with allocating sites to deliver enough housing and employment land to meet the needs of the district over the plan period. Sites were submitted for consideration as housing sites initially through the Council's Housing & Employment Land Availability Assessment in 2014. These sites were then subject to an initial, desktop assessment to highlight any severe constraints which would prevent housing development on them. Those sites considered to have severe constraints were then rejected at this point.
- 4.9 Those sites considered to be free from severe constraints were published as options in the Issues & Options Consultation in 2015. This consultation process also initiated some further site options. All of these sites have therefore been subject to sustainability appraisal.
- 4.10 Section 6 covers the appraisal of the options in more detail.

### **Stage C: Preparing the Sustainability Appraisal Report**

- 4.11 This document reports on the appraisal of the effects of the emerging Local Plan Part II.

### **Stage D: Consulting on the preferred options of the DPD and the Sustainability Appraisal Report**

- 4.12 This Sustainability Appraisal Report is being published for six weeks alongside the Pre-submission draft of the Local Plan Part II. The consultation period will run from 2<sup>nd</sup> January 2018 to 12 February 2018.

### **Stage E: Monitoring the significant effects of implementing the DPD**

- 4.13 The Annual Monitoring Report (AMR), will report on the results of the significant effects monitoring required as part of the sustainability appraisal process.

### **Assumptions and Limitations**

- 4.14 This Sustainability Appraisal Report discusses the significant effects of options and policies of the emerging Local Plan Part II. As the results of the appraisal must feed into the preparation of the emerging Local Plan Part II the appraisals must be carried out on drafts of the document as it is developing. The iterative nature of the Sustainability Appraisal process means that further appraisals may take place during the preparation of the submission document to ensure all significant effects of the Local Plan Part II are appraised and mitigated where possible.

## 5 Sustainability Appraisal Context

### Introduction

- 5.1 Setting the context for the appraisal is an essential part of the process and involves significant data gathering and analysis of information. This section provides a summary of that context, with much of the detailed information contained in Appendices where appropriate.

### Links with other plans, policies and programmes

- 5.2 The Local Plan Part II is one of a number of strategies prepared to help shape the future of Mendip. There are a significant number of other plans, policies and programmes that have to be taken into account in the preparation of the district's Local Plan Part II and the Sustainability Appraisal. These range from European Directives at an international level through to those at the local level such as Mendip's Economic Strategy.
- 5.3 All of the plans, policies and programmes that are considered to be relevant to the production of the Local Plan Part II and the Sustainability Appraisal were outlined in the Scoping Report published in 2015. The Scoping Report assessed each of the relevant plans, policies and programmes to determine what implications they had for the Local Plan Part II. This assessment also helped to highlight what the main sustainability issues were for the district. The assessment of relevant plans, policies and programmes can be found in **Appendix 1**.

### Baseline Information and Key Sustainability Issues

- 5.4 The baseline information has been divided into the 13 themes outlined in the SEA Guidance and was first published as part of the Scoping Report in 2015. This baseline information can also be found in **Appendix 2** of this report. Analysis of the baseline and the social, environmental and economic characteristics of the district, along with the review of relevant plans, policies and programmes led to the identification of the key sustainability issues for Mendip listed below.

### Key Sustainability Issues in Mendip:

- a) There is an affordability issue around housing and as such a pressure for more affordable homes and to reduce the affordability gap (i.e. the difference between average earnings and average house prices).
- b) There is a need to provide housing suitable for smaller households and to accommodate the needs of the ageing population.
- c) There is a need to protect and enhance the district's important landscapes, protected areas and biodiversity.
- d) The important heritage assets of the district need to be conserved and enhanced.
- e) There is pressure to locate new development on previously developed land and therefore avoid the unnecessary loss of green field land.
- f) There is a need to further promote prudent use of resources including water, energy and waste materials. Therefore the increased development of renewable energy; increased recycling and re-use of waste are important for the future.
- g) Flooding presents a risk to a number of places within the district including areas of Glastonbury and Shepton Mallet.
- h) There is a lack of core services and facilities over much of the rural area.

## Sustainability Appraisal Objectives

- 5.5 The Sustainability Appraisal Objectives were formed to address the sustainability issues outlined above. They formed part of the Sustainability Appraisal Framework that was published in the 2015 Scoping Report. The SA objectives are therefore as shown in **Table 4**.

**Table 4: Sustainability Appraisal Objectives**

SAO Ref	SA Objective
SAO1	Promoting a strong, thriving and diverse local economy
SAO2	Maintain and enhance the distinctive character of settlements
SAO3	Protect and enhance the district's landscape
SAO4	To avoid, reduce and manage flood risk
SAO5	Protect, maintain and where possible enhance, the district's native biodiversity
SAO6	To maintain and where necessary improve water quality, and provide for sustainable sources of water supply
SAO7	Promote increased energy production from renewable sources and encourage a reduction in consumption of energy
SAO8	Protect and enhance the district's built environment
SAO9	Encourage more sustainable travel patterns
SAO10	Maintain and enhance the vitality of our town centres ensuring they are vibrant and exciting places to live, work and play
SAO11	Meet the district's housing needs whilst providing suitable housing for all in appropriate, sustainable locations
SAO12	Promoting healthy and safe communities
SAO13	Improve access to facilities and services

## 6 Options Appraisal: Sites

- 6.1 The Local Plan Part II is primarily concerned with allocating sites to deliver the housing and employment land outlined in Local Plan Part I therefore the options to be appraised through the Sustainability Appraisal process are potential sites.
- 6.2 A Call for Sites was issued in 2014 asking for landowners and developers to come forward with sites they felt had potential for delivering housing and employment land. These sites formed the Council's Housing & Employment Land Availability Assessment.
- 6.3 Stage 1 of the site selection process included a desktop review of constraints was undertaken for each of these submitted sites to ascertain whether there were any severe constraints which would result in a site being ruled out. Examples of such constraints include: being within an area of Flood Zone 3; being within a Special Landscape Feature area; being significantly removed from a settlement; having significant viability issues such as power lines on the site etc. The desktop review resulted in a number of sites being discounted at this early stage. These sites are listed in **Appendix 3: Sites screened out at initial assessment**. The discounted sites were published in the Issues & Options Consultation Paper published in 2015 for each settlement, along with those sites considered suitable to be taken forward on to the next stage.
- 6.4 Those sites taken forward from Stage 1 of the site selection process, along with any additional sites put forward through the Issues & Options consultation were then subject of Sustainability Appraisal. In order to inform the appraisal information was gathered in a Site Assessment Template. An example of one of these can be found in **Appendix 4**. A site visit was also undertaken in order to ascertain likely impacts upon landscape character, integration into the built environment etc. This information was then used to carry out the Sustainability Appraisal. As no sites are to be allocated in settlements which have exceeded their housing requirement set out in LP P1, only the results for the SA of sites in settlements with an outstanding requirement are shown in **Appendix 5**. The sites shown below in Table 5 were therefore considered suitable as Preferred Options.

**Table 5: Sites Suitable as Preferred Options**

Settlement	Site Reference	Site Address
Frome	FRO001	Land at Keyford Field
	FRO005	Land at Packsaddle Way
	FRO150	Land east of The Mount
	FRO150a	Land south of Keyford Field
	FRO152M	Land north & south of Sandy's Lane
Glastonbury	GLAS001	Land at Glastonbury Highway Depot
	GLAS001a	Land at Avalon Motors
	GLAS027	Garage site, Frogmore, Street Rd
	GLAS119	Glastonbury Town Council Allotments
	GLAS055	Lintells Garage, Glastonbury
Street	STR001	Land adjacent to Brooks Farm, Brooks Rd in FGA
	STR003	Land to the west of Somerton Rd



	STR137	Land adjacent to Street Cemetery
	WAL022b	Land west of Street (in FGA) in Walton Parish
Wells	WELLS044	Land west of Bubwith Walk, Wells
	WELLS084	Land south of Elm Close, Wells
	WELLS094	Wells Rugby Club
	WELLS116M	Tincknells, Glastonbury Road
Binegar/Gurney Slade	GS001	Land off Station Road
Butleigh	BUT003	West View, Sub Road, Butleigh
	BUT006a	Land at Sub Road
	BUT012	36 Cornish Cottages
Coleford	COLE024	South of the recycling centre
Croscombe	CROS008	Land North of Fayreway
Ditcheat	DIT008	Land adjacent to the eastern edge of Ditcheat
	DIT009	Land at Back Lane
	DIT010	Folly Orchard
Doulting	DOU003	Land East of Chelynch Road
	DOU008	Site on land to the east of Farm Road
Draycott	DRAY004a	Westland House, Westfield Lane
	DRAY022	Land at Little Paddock
Mells	MELLS002	Park Hill House, Woodlands End
Nunney	NUN001a	Land at Green Pitts Lane
Stoke St Michael	SSM008	Land west of Frog Lane
Westbury Sub Mendip	WSM006	Land at Court House Farm
West Pennard	WPEN004	Land to the rear of the Post House, Newton Lane
	WPEN014	Land to the side & rear of Avalon

- 6.5 Please note that these sites are not necessarily the final sites to be allocated in the Local Plan Part II but are instead those considered acceptable to be allocated in Sustainability Appraisal terms.** Further interrogation detailed below was used in order to finalise the sites.
- 6.6** Those sites found to be acceptable in sustainability appraisal terms, in settlements with an outstanding housing requirement, were then informally consulted on with Parish Councils as Preferred Options. Where a number of sites were considered acceptable, but not all of them would be required, the views of the parish council were sought in order to aid decision-making on which sites should be taken forward as allocations.
- 6.7** Information was then sought relating to infrastructure provision e.g. the Education Authority on school capacities; Wessex Water on drainage/sewerage issues; the Highways Authority on access issues; and the County Ecologist on issues relating to impact upon protected species. This information was then used to make a decision on those sites which are proposed to be allocated in Local Plan Part II and any mitigation measures necessary.

## 7 Options Appraisal: Housing Numbers

- 7.1 The housing numbers within Local Plan Part I are considered to be a minimum that need to be delivered over the plan period. As such, through Local Plan Part II, was an opportunity to explore how to deliver more than the minimum.
- 7.2 As a consequence an option was formed based on the allocation of all those Preferred Sites in the principal settlements of Frome, Glastonbury, Street & Wells. It also includes allocating sites to meet the outstanding housing requirements in the Primary & Secondary Villages.
- 7.3 This option does not include any further development in Shepton Mallet. From the data available on what levels of housing have been completed/consented, alongside the outstanding LP P1 allocation, the town is expected to deliver 13% more housing than the target outlined in Core Policy 2 of the Local Plan Part I. Therefore it is considered unnecessary to allocate any further sites for housing.
- 7.4 A number of the Primary and Secondary Villages have also met and in some cases far exceeded the levels of development required of them in Local Plan Part I. Due to the strategic aim of the Local Plan Part I to direct the majority of development to those settlements considered the most sustainable locations i.e. the principal towns, no further development will be directed to those villages which have already met their requirement.
- 7.5 In order to carry out the Sustainability Appraisal for this option across the district as a whole firstly an appraisal was done to ascertain the anticipated impacts on the towns of developing all of the preferred options in that location. **Appendix 6** shows details of the results of the Sustainability Appraisal for all of the preferred options across the four towns. Tables 6 – 10 below show the appraisal results for the allocation of all preferred options sites in the towns.
- 7.6 **Frome:**  
In Frome allocation of all the preferred option sites would deliver a final housing figure of 2,616. This equates to a 14% uplift on the Local Plan Part 1 target. Table 6 shows the results of the Sustainability Appraisal for the 14% uplift on Frome. Although the Sustainability Appraisal shows that the development of all Preferred Sites would have some slight negative impacts overall it is considered that these could be mitigated. Therefore the option is found to be acceptable.

**Table 6 Appraisal of allocation of all preferred option sites in Frome**

SA Objective	Overall Impact	Comments [reasons for impact]	Potential mitigation measures
SAO1	±	Those sites that are currently in employment use/were last used for employment have been discounted from consideration for housing use in Frome. This is due to the importance placed on employment sites by the Town Council in their Neighbourhood Plan and their ambitions to preserve town centre sites for employment use.	Provision of 4.5 ha employment land as part of a mixed use scheme on the site FRO152M

		Due to the size of FRO152M, an extent of employment land can be provided on the site.	
SAO2	-	<p>Three of the preferred option sites are considered likely to have a neutral impact upon this objective and two are considered to have a slightly negative impact.</p> <p>Overall, development of all is found to have a slight negative impact. This is also partly due to the cumulative impact of the development of all five sites.</p> <p>The negative anticipated effects are considered to be able to be mitigated against.</p>	Inclusion of policy criteria to ensure sensitive design within any allocation policies for those sites with most sensitivity.
SAO3	-	<p>For two of the preferred option sites it is considered development would have some negative impact upon landscape character, however this impact is anticipated to be slight.</p> <p>The negative anticipated effects are considered to be able to be mitigated against.</p>	Inclusion of policy criteria to ensure sensitive design within any allocation policies for those sites with most sensitivity.
SAO4	-	<p>None of the preferred sites are within designated flood zones however surface water flooding is considered to be a minor issue for two of the sites however this risk could be mitigated effectively by the incorporation of appropriate SUDS. Therefore it is not anticipated that allocating all of the preferred option sites is likely to have a significant impact upon flood risk in/around the town.</p>	Incorporation of appropriate SUDS
SAO5	±	<p>Development of any of these sites is not considered likely to impact upon protected species. Loss of greenfield land to development is likely to have some degree of negative impact upon the local biodiversity however there is also the potential for measures to be put in place as part of development to enhance biodiversity links and/or improve Somerset's Ecological Network.</p>	If the HRA indicates there are some likely negative impacts that have not been highlighted through the desktop work undertaken some mitigation measures may need to be added into the resultant allocation policies.

SAO6	±	None of the preferred sites are anticipated to have any significant impact upon water quality and none are in close proximity to the River Frome.	
SAO7	+	Although none of the sites offer any specific opportunities for renewable energy production an increase in the amount of greenfield land allocated could offer some potential for initiatives such as siting for solar gain etc.	
SAO8	-	Some of the sites are considered to have potential for negative impact upon the built environment as a consequence of development and one of these is anticipated to have a significant negative impact due to its contribution to the setting of the town. The sites which are not considered to have a likely negative impact can accommodate a significant proportion of the uplift. Therefore the anticipated impact is considered slightly negative. Where the anticipated impact is expected to be more significant appropriate mitigation measures can be included in any allocation policy.	Include appropriate mitigating criteria in the allocation policies of those sites which are more sensitive.
SAO9	--	Although increased housing to the town could exacerbate the issue around out-commuting this focus on self-containment is not considered as pertinent as it was at the time of LPP1.	
SAO10	-	The need for further growth in Frome could add pressure on to those brownfield sites within the town in/last used for employment use to be redeveloped for housing. This could have an impact upon the vitality of the town centre.	
SAO11	+	This option would result in additional housing which would obviously have a positive impact upon this objective. All the sites considered to be suitable for preferred options if developed would make a positive contribution to housing delivery.	
SAO12	+	The increase in greenfield land under this option, in comparison to Option 1 – status quo could provide the opportunity for additional recreational area/open space which would have a positive impact upon this objective.	
SAO13	±	This option is unlikely to have a significant impact upon this objective. All but one of the sites are considered to be in accessible locations.	

## 7.7 **Glastonbury:**

In Glastonbury allocation of all the preferred option sites would deliver a final housing figure of 1,010. This equates to a 1% uplift on the Local Plan Part 1 target. Table 7 shows the results of the Sustainability Appraisal for the 1% uplift on Glastonbury. Although the Sustainability Appraisal shows that the development of all Preferred Sites would have some negative impacts overall it is considered that these could be mitigated against. Therefore the option is found to be acceptable.

**Table 7: Appraisal of allocation of all preferred option sites in Glastonbury**

<b>Sustainability Appraisal of 1% Uplift - Glastonbury</b>			
<b>SA Objective</b>	<b>Overall Impact</b>	<b>Comments [reasons for impact]</b>	<b>Potential mitigation measures</b>
SAO1	--	<p>860 houses have either been completed or are committed for development against the LP P1 target of 1,000 houses. Therefore 140 houses remain to be delivered.</p> <p>All but one of the sites considered to be preferred options are currently in employment use or former employment sites and in total can deliver 150 houses. Therefore development of all of the sites is likely to have a significant impact upon this objective due to the loss of employment land through redevelopment.</p>	Allocation of other sites for employment use which are unsuitable for housing freeing up these sites.
SAO2	-	<p>The majority of the sites that are considered preferred options for allocation are all brownfield sites within the town and development is anticipated to have a neutral impact upon locally distinctive features.</p> <p>The other site is on the edge of the town and development here could impact upon the setting of Glastonbury Tor.</p> <p>Therefore due to the sensitivity of the greenfield site the anticipated impact upon this objective is considered to be slightly negative.</p>	
SAO3	-	<p>The majority of the preferred option sites are all within the town and its development limits it is not considered that development of them will have a negative impact upon landscape character. In fact it is considered that development of all would have some positive impact on enhancing the character of the surrounding area.</p> <p>The remaining site is currently in use as allotments, which although has a different character to open green fields, is still in keeping with the rural agricultural nature of the surrounding land. Development of any scale here would have an impact on the landscape character.</p> <p>Overall the anticipated impact is expected to be slightly negative.</p>	

SAO4	-	Only one of the preferred option sites has any flood risk associated with it. Therefore the anticipated impact is expected to be slightly negative.	
SAO5	-	<p>The site assessments of the preferred options sites did not flag up any significant issues relating to biodiversity.</p> <p>Due to Glastonbury's proximity to the internationally protected Somerset Levels &amp; Moors Special Protection Area &amp; Ramsar site increased housing numbers could have impacts upon the integrity of this site due to further pressures from recreation uses. However due to the small numbers involved in developing the Preferred Option sites it is not expected to be significant.</p>	If the HRA indicates there are some likely negative impacts that have not been highlighted through the desktop work undertaken some mitigation measures may need to be added into the resultant allocation policies.
SAO6	±	Allocating all the preferred option sites, equating to a 1% uplift in housing numbers is unlikely to impact upon water quality. The sites considered to be preferred options are all anticipated to have a neutral impact.	
SAO7	±	There are no known specific opportunities for renewable energy projects on the preferred option sites or around the town in general. Therefore the anticipated impact is considered to be neutral.	Greenfield development could provide an opportunity for site design to maximise solar gain etc.
SAO8	±	<p>The anticipated impact on this objective for development of the majority of the preferred option sites is either neutral or positive due to their location amongst existing development and their character as former employment sites.</p> <p>The one site where a slight negative impact is expected is the sole greenfield allotment site however this impact is considered slight. Therefore overall the cumulative impact of allocating all preferred option sites is expected to be neutral.</p>	
SAO9	+	The town is considered a sustainable location for further housing development due to the availability of public transport options and facilities and services. All of the preferred options sites are considered to be located in relatively accessible locations within the town.	

		The uplift in housing numbers is not considered to have a negative impact upon the balance of jobs and homes or exacerbate commuting issues.	
SAO10	+	Development of the preferred options sites would not result in loss of town centre retail space or other uses. The sites are well-located for access to town centre facilities and could therefore increase footfall within the town centre.	
SAO11	+	This option utilises all the preferred sites identified in Glastonbury and will deliver a 1% uplift on the housing target outlined in LP P1. Therefore the impact on this objective is considered to be slightly positive.	
SAO12	±	The only greenfield site available which is considered to be suitable as a preferred option is currently in use as allotments. Therefore development of this site will result in the loss of allotments at this location. The allotments will be re-provided nearby so the overall impact is considered to be neutral.	
SAO13	+	All of the preferred options sites are considered to be located in locations with relatively good access to the services and facilities within the town.	

## 7.8 **Street:**

In Street, allocation of all the preferred option sites, with the exception of sites STR001 and WAL022b would deliver a final housing figure of 1,467. This equates to a 13% uplift on the Local Plan Part 1 target. In addition to this the sites STR001 and WAL022b will be designated/allocated as future growth areas. Table 8 shows the results of the SA for the 13% uplift on Street. Although the Sustainability Appraisal shows that the development of all Preferred Sites would have some slight negative impacts overall it is considered that these could be mitigated against. Therefore the option is found to be acceptable.

**Table 8: Appraisal of allocation of all preferred option sites in Street**

Summary of Sustainability Appraisal			
SA Objective	Overall Impact	Comments [reasons for impact]	Potential mitigation measures
SAO1	±	The sites that have been assessed and considered suitable as preferred options are not considered to have any likely significant impact on this objective. They do not result in the loss of employment land.	
SAO2	-	Two of the other sites are in close proximity to Traditional Orchards which are a locally distinctive	

		<p>characteristic of this part of the district. However although they are close to the proposed sites it is not thought that development would have a significant negative impact upon the integrity of these orchard sites.</p> <p>There are no further issues relating to local distinctiveness arising from development of the Preferred Option sites.</p> <p>However development of the two sites which comprise the Future Growth Area are thought to be in some danger of impacting upon the separation of Street &amp; Walton, an issue which is interlinked with local distinctiveness.</p> <p>Overall the impact upon this objective is considered to be slightly negative.</p>	
SAO3	-	<p>The landscape character surrounding Street is not considered to be of the highest quality however the Ivythorn Hill Special Landscape Feature does lie to the south of the town.</p> <p>Therefore it is not considered that the additional development arising from allocation of all of the Preferred Sites would have more than a slight negative impact upon the landscape character surrounding the town.</p> <p>However the impacts on development of land adjacent to the future growth area (WAL022b) would need to be ascertained once the scale and layout of the FGA has been masterplanned.</p>	
SAO4	-	<p>All but one of the sites suitable as a preferred option is considered to have a neutral impact on flooding &amp; flood risk. Site STR003 has an anticipated minor negative impact however this is likely to be able to be mitigated against with use of SUDS/attenuation ponds etc and the site is large enough to be able to accommodate these.</p>	
SAO5	--	<p>Street is in relatively close proximity to the internationally protected Somerset Levels &amp; Moors Special Protection Area &amp; Ramsar site. Increased housing numbers could have significant impacts upon the integrity of this site due to further pressures from recreation uses. The degree of</p>	



		<p>impact from the increased housing number on the Levels &amp; Moors would need to be determined with advice from the County Ecologist.</p> <p>Those sites which are considered suitable as preferred options all have some issues that have been flagged up around presence of protected species or proximity to designated sites. Therefore whilst the option does not represent a significant increase in housing numbers its accommodation on any of the sites is likely to have some negative impact upon biodiversity.</p>	
SAO6	±	The sites considered to be preferred options are all anticipated to have a neutral impact and there are no particularly water sensitive areas around the town.	
SAO7	±	There are no known specific opportunities for renewable energy projects on the preferred option sites or around the town in general. An uplift in housing numbers would require further greenfield land and this could present an opportunity for integration of renewable technologies but current housebuilding practices favoured by the volume housebuilders are unlikely to incorporate these. Therefore the anticipated impact is considered to be neutral.	Greenfield development could provide an opportunity for site design to maximise solar gain etc.
SAO8	-	Although the allocation of all Preferred Sites does not result in a significant amount of additional development to the town one of the sites considered suitable as a preferred option is considered to be sensitive in terms of heritage assets. As such although the impact upon this objective is not anticipated to be very significant, a slight negative impact is recorded.	
SAO9	+	With reference to 2011 Census data Street is a net importer of workers with more workers travelling in to jobs in the town than residents travel out to jobs. As such, increased housing and therefore workers in the town could help to balance this out. All of the sites found to be suitable as preferred options are considered to be in accessible locations. Therefore the overall impact upon this objective is considered to be positive.	
SAO10	+	Additional housing will result in a larger town population which is likely to result in increased	

		footfall in the town centre and therefore have a positive impact upon this objective. All of the preferred option sites are greenfield sites and therefore the development of these will not place any added pressure on town centre brownfield sites which may currently be in employment use. The overall impact is considered to be positive.	
SAO11	+	The majority of the sites considered to be suitable for preferred options if developed would make a positive contribution to housing delivery.	
SAO12	+	Allocation of the Preferred Sites could provide the opportunity for additional recreational area/open space which would have a positive impact upon this objective.	
SAO13	±	The majority of sites considered to be suitable as preferred options are in accessible locations therefore impact upon the objective is likely to be neutral.	

### 7.9 Wells:

In Wells, allocation of all the preferred option sites would deliver a final housing figure of 1,576. This equates to a 9% uplift on the Local Plan Part I target. In addition to this the site WELLS084 will be designated/allocated as a future growth area. Table 9 shows the results of the Sustainability Appraisal for the 9% uplift on Wells. Although the Sustainability Appraisal shows that the development of all Preferred Sites would have some slight negative impacts overall it is considered that these could be mitigated against. Therefore the option is found to be acceptable.

**Table 9: Appraisal of allocation of all preferred option sites in Wells**

Summary of Sustainability Appraisal			
SA Objective	Overall Impact	Comments [reasons for impact]	Potential mitigation measures
SAO1	±	Only one of the Preferred Option sites is considered to have potential for impact on employment uses. The site is currently in active use and has a country store and a mix of underused industrial/warehousing buildings and storage containers. None of these are formally in employment use. Commercial uses could either be consolidated on part of site or relocated within Wells.  The overall impact is considered to be neutral.	
SAO2	-	Although the Preferred Option sites individually are not considered to be particularly sensitive, cumulatively the impact is anticipated to be negative, but not to a significant extent. The FGA	

		site is considered to be more sensitive. Overall the impact is considered to be negative but not significantly.	
SAO3	- -	<p>The Preferred Option sites are not considered individually to have an anticipated negative impact upon landscape character. The FGA site is considered to be more sensitive.</p> <p>As the allocation of the Preferred Option sites will have a cumulative impact upon the landscape character surrounding the city, particularly to the west the overall impact is considered to be significant. However the negative anticipated effects are considered to be able to be mitigated against.</p>	Inclusion of policy criteria to ensure sensitive design within any allocation policies.
SAO4	-	The majority of the preferred sites have flooding issues to some extent. Therefore development of these to meet the uplift is likely to have some negative impact. However it is likely that any negative impacts could be mitigated against.	Improved drainage Attenuation Ponds SUDS
SAO5	-	There are issues relating to Protected Species, specifically bats in the majority of the sites however advice from Ecologist indicates that any negative impacts could be mitigated against by the inclusion of relevant measures in allocation policies.	<p>Include intention in policy to take opportunities to maintain or enhance biodiversity.</p> <p>Include requirement for provision of replacement habitat if necessary.</p>
SAO6	±	The sites considered to be preferred options are all anticipated to have a neutral impact and there are no particularly water sensitive areas around the town.	
SAO7	±	There are no known specific opportunities for renewable energy projects on the preferred option sites or around the city in general. An uplift in housing numbers would require further greenfield land and this could present an opportunity for integration of renewable technologies but current housebuilding practices favoured by the volume housebuilders are unlikely to incorporate these. Therefore the anticipated impact is considered to be neutral.	Greenfield development could provide an opportunity for site design to maximise solar gain etc.
SAO8	-	Development of all of the Preferred Option sites does represent a substantial increase in houses for the City therefore it is likely there may be some	

		cumulative impact of assimilating a number of sites into the built environment. Overall the impact is considered to be slightly negative.	
SAO9	±	The 2011 Census showed that Wells continues to be a net importer of workers therefore the uplift in housing may have a slight positive impact upon rebalancing this by increasing the number of homes in the City. Those sites outside the settlement limits are likely to have a more negative impact. Overall the impact upon this objective is considered to be neutral.	
SAO10	±	Additional residents to the town could result in increased footfall to the city centre thereby having a positive impact upon this objective. However some of the preferred sites are considered to a more neutral impact upon this objective due to their nature/proximity to the centre. Overall therefore the impact is considered to be neutral.	
SAO11	+	Development of all the Preferred Sites would result in additional housing to Wells. Statistics show that the City is a net importer of workers, has a high population of older people and issues around affordability of homes. Any additional housing is likely to be beneficial and have a positive impact upon the objective.	
SAO12	+	Allocation of the Preferred Option sites could provide the opportunity for additional recreational area/open space which would have a positive impact upon this objective.	
SAO13	±	Allocation of the preferred option sites is unlikely to have a significant impact upon this objective as the sites considered to be suitable as preferred options are in accessible locations.	

7.10 Utilising these results an appraisal was then undertaken on two options around housing numbers. Option 1 was delivering the housing targets outlined in the adopted Local Plan Part I. Option 2 was the allocation of all the preferred sites in Frome, Glastonbury, Street and Wells and sites in the Primary and Secondary villages to meet the outstanding requirements. Tables 10 and 11 show the results of the Sustainability Appraisal of these two options respectively.

**Table 10: Results of SA of Option 1**

SA Objective	Overall Impact	Comments [reasons for impact]
SAO1	-	Potential for loss of existing employment sites, particularly in the towns, through windfall redevelopment. This loss could be exacerbated by the

		introduction of the Brownfield register & permission in principle. Therefore the impact upon this objective is considered to be slightly negative.
SAO2	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon local distinctiveness.
SAO3	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon landscape character.
SAO4	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon flood risk.
SAO5	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon biodiversity.
SAO6	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon water quality.
SAO7	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon this objective.
SAO8	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon this objective.

SAO9	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon this objective.
SAO10	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon this objective.
SAO11	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon this objective.
SAO12	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon this objective.
SAO13	±	The LP P1 housing figure was the result of the SA of a number of development levels and the final figure was considered to be acceptable in SA terms. Those sites allocated within Part I were also found to be the most favourable of those assessed. LP Part II will include the remaining site allocations as these will go through their own SA process. Therefore it is felt unlikely that this option will have a significant impact upon this objective.

**Table 11: Results of SA of Option 2**

SA Objective	Overall Impact	Comments [reasons for impact]
SAO1	±	The majority of Preferred Option Sites are greenfield sites, development of which are unlikely to have an impact upon this objective. In those areas where there is an issue there are alternative areas where employment land could be delivered.
SAO2	-	This option is likely to have some degree of negative impact upon local distinctiveness in all areas. Perhaps most noticeably in the rural area where the level of completions/commitments in some villages has been quite dramatic. However all the Preferred Option sites are considered to be acceptable in terms of the level of impact that may arise.
SAO3	--	For the majority of the towns the impact upon landscape character is not expected to be significantly negative. However for Wells and the rural area

		the impact is likely to be more severe. Cumulatively looking at the option as a whole the anticipated impact is likely to be relatively significant. However this impact can be mitigated against by including policy criteria to ensure sensitive design within the allocation policies.
SAO4	-	It is not anticipated that this option is likely to have a significant negative effect upon this objective. The Preferred Option sites are not considered to have any significant issues relating to flooding. Any negative impacts could be mitigated against using improved drainage systems, attenuation ponds, SUDS etc.
SAO5	-	Some of the sites have some issues around biodiversity and presence of protected species. However the HRA indicates all the Preferred Option sites are capable of development albeit allocation policies for some sites may need to include specific criteria relating to provision of habitat etc.
SAO6	±	Implementation of this option is not considered to have any anticipated impact upon water quality across the district.
SAO7	±	There are no known specific opportunities for renewable energy projects around the district. Allocation and development of all the preferred option sites does present an opportunity for integration of renewable technologies but current housebuilding practices favoured by the volume housebuilders are unlikely to incorporate these.
SAO8	-	This option does represent a reasonable uplift in housing from the minimum figure adopted in LP P1. Therefore there are likely to be some impacts on the built environment although these are mainly anticipated to be around assimilation of new development into the built environment rather than direct impacts to heritage assets. Therefore any impacts are considered able to be mitigated against with careful and sensitive design etc and the overall impact likely to be relatively minimal across the district.
SAO9	-	<p>The majority of development is still directed to the five main settlements in the district under this option which are considered to be the most sustainable locations for new development in Mendip.</p> <p>However this option does represent an uplift in the rural area of over 25% which is a less sustainable location although development is mainly focused in those villages with a reasonable bus service.</p> <p>Overall the impact is considered to be negative but not substantially.</p>
SAO10	±	Overall the anticipated impact upon this objective is considered to be neutral. Additional housing to the towns could result in extra footfall in the town centres which would have a positive impact upon this. However some town sites have a more neutral impact due to their close proximity to the town centre.
SAO11	+	This option represents an uplift in housing from the minimum figure adopted as part of LP P1 therefore any additional housing is considered to have a positive impact on this objective.



SAO12	+	The majority of the Preferred Sites which will be allocated under this option are greenfield sites which are able to make provision for some open space. Therefore the impact upon this objective is considered to be positive.
SAO13	+	The majority of extra development under this option will be in the principal settlements, considered the most sustainable locations in the district for new development. The option also represents over a 25% uplift in housing in the rural area, principally directed to the most sustainable villages which may have a positive impact upon this objective due to more potential use of village facilities.

- 7.11 Although Option 2 is found to have more negative impacts than Option 1 the decision has been taken to implement Option 2 due to the need to deliver more housing than the minimum outlined in the adopted Local Plan Part I.

## 8 Employment Land

- 8.1 A number of new sites were also put forward through the HELAA and consultation processes for use as employment land. These have also been the subject of Sustainability Appraisals. However due to the very small number of sites that were put forward for employment use the appraisals are not used to make a decision between sites in settlements. Instead the appraisal has been used to identify any potential sustainability issues that might arise from development of these sites. The full Appraisals can be found in **Appendix 7**. Sites GLAS117E, SHEP112, STR138E and FRO012M have all been allocated for employment use.

## 9 Development Management Policies and Local Green Spaces

- 9.1 A number of new development management policies are proposed within the Local Plan Part II:
1. Single-plot Exception Sites for Self & Custom-Build (Draft Policy DP24)
  2. Employment Land (Draft Policy DP25)
  3. Green Belt (Draft Policy DP26)
- 9.2 As the Sustainability Appraisal is intended to be used as a tool for determining the relative sustainability merits of options around the 'big decisions' of a plan, the decision was taken that these policies would not be subject to Sustainability Appraisal. This is in accordance with the same approach that was followed for Local Plan Part I. Therefore those options surrounding the levels of housing and sites to accommodate the level of growth are those which have been the subject of this appraisal.
- 9.3 A number of sites have also been designated as Local Green Spaces. The majority of these were previously designated as Open Areas of Visual Significance. These sites alongside newly proposed sites, have been the subject of their own process of assessment for designation, details of which can be found in the Local Green Space Topic Paper. As such these have not been the subject of a separate Sustainability Appraisal.



## **10 Monitoring**

- 10.1 The delivery of the sites will be monitored annually through the Council's Annual Monitoring Report. This will be undertaken using the annual housing monitoring data collected by the Council to understand which planning permissions relating to sites for housing have been implemented. This will enable the Council to understand which allocated sites have been granted planning permission. Of those with planning permission it will indicate those which have been completed within the year (years for monitoring purposes run from 01/04 to 31/03); which are under construction and which have not been started.

## **11 Next Steps**

- 11.1 The Sustainability Appraisal process has led to the conclusions above being drawn and preferred options being chosen as a consequence. These are outlined in the Local Plan Part II: Sites & Policies Pre-Submission document that has been published alongside this draft Sustainability Appraisal Report. Suggestions have been made as to how possible negative effects can be mitigated and how this mitigation measures have been addressed through the policies within the Preferred Options document.
- 11.2 The range of significant negative effects that have been identified within this report, along with the relevant mitigation measures will be used to construct a monitoring framework that will be used to monitor the long term effects of the adopted Local Plan Part II on sustainability in Mendip.
- 11.3 The information contained within this report and the accompanying appendices will be used to inform the preparation of the submission Local Plan Part II and the final version of the Sustainability Appraisal Report. This will be done in light of consultation responses received through the upcoming consultation period. Where any significant changes are proposed these will be subject to reappraisal is necessary.

Mendip District Council

Local Plan Part II (Sites & Policies)

# Sustainability Appraisal Report



## Second Addendum to Sustainability Appraisal- Proposed Main Modifications - January 2020

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This version updated on 27<sup>th</sup> January 2020 to include comments from BaNES.

## **Introduction**

- 1 Sustainability appraisal (SA) is a systematic process undertaken during the preparation of the plan. The role of SA is to assess the extent to which emerging policies and proposals help to achieve relevant social, economic and environmental objectives. It provides an opportunity to consider ways in which the plan can contribute to improving social, economic and environmental conditions and as well as a means of identifying and addressing any adverse effects. The SA process is iterative and informs the development of the plan.
- 2 This document forms part of the public consultation on the Main Modifications. Representations received on this document or the MM will be considered by the Local Plan Inspector

## **Mendip Local Plan Part 2 - Sustainability Appraisal**

- 3 A Sustainability Appraisal was undertaken through the process of preparing the Mendip Local Plan Part 2 and submitted as part of the Council's Examination Documents. These can be found on the Mendip website <https://mendip.gov.uk/submissiondocuments> as documents SD11 and appendices SD 12a – 12h. The assessment criteria are described in the main report and summarised in Appendix 4 in this document.
- 4 Following pre-submission consultation, a first addendum to the SA (SD13) was produced in association with Proposed Changes to the Plan and was then subject to consultation in early 2019.
- 5 This second addendum covers policy revisions and additional sites promoted through post-hearing Main Modifications (MM). It provides an update to the SA summaries of preferred options sites and other policies submitted with the plan.

## **Sustainability Appraisal of sites near Midsomer Norton and Radstock**

- 6 Following examination hearings, the Council have undertaken SA of sites on the northern boundary of the Mendip District. These were not included in the submission SA. Further information is provided in the Council's examination response IQ-3. The summary SA findings are set out in Appendix 1
- 7 BaNES and land promoters have been consulted on the draft SAs in this location as agreed in IQ-3. The full draft of the SAs are shown in Appendix 6a (published separately to this document) together with the detailed 'informal' comments from Bath and NE Somerset officers BaNES(in Appendix 6b) and from land promoters/agents in Appendix 6c. Where appropriate amendments that have been suggested are included in the draft and summary SA's.
- 8 It is noted that BaNES have raised specific concerns regarding the extent to which the draft SA addresses cumulative impacts and the need for technical assessment of infrastructure impacts. These broader points are set out in Appendix 5. These are informal comments at this stage.

## **New development sites put forward in Main Modifications**

- 9 The additional housing sites proposed through Main Modifications are listed in table 1
- 10 Appendix 5 of the Pre-submission SA sets out the results for settlements where allocations were considered necessary in Local Plan Part II. To update this appendix, each of the sites where additional housing is proposed have been reassessed. This includes the sites around Midsomer Norton (Appendix 1) and preferred options in Primary Villages in Appendix 2.

Table 1: New housing sites added to the Plan through Main Modifications				
Main Mod	Settlement	Policy Ref	Site address	Change
MM66	Midsomer Norton	MN1	White Post	250 dwellings
MM67	Midsomer Norton	MN2	Land at Underhill Farm	60 dwellings
MM68	Midsomer Norton	MN3	Land East of A367	145 dwellings
MM69	Beckington	BK1	Land off Great Dunns Close	28 homes
MM114	Norton St Philip	NSP1	Land west of Mackley Lane	27 homes
MM123	Rode	RD1	Land adjacent to the Mead	26 homes

### Assessment of Other Policies in Main Modifications

- 9 Table 2 sets out what the Council consider to be additional or revised policies put forward in Main Modifications which are not related to housing.

Table 2: Key changes to other policies proposed in MM				
Main Mod	Settlement	Policy Ref	Change	Comment
MM01	n/a		Early plan review	Not site-specific development policy
MM17	Frome , Beckington & Rode		New policy to address highway infrastructure in and around Frome	Not a site-specific development policy and designed to mitigate environmental impacts
Multiple MM ED20 MM1	n/a		Revisions to make clear housing allocations over five units are minimums	Potential increased delivery on some sites not of a scale considered to make a significant difference to assessment
MM39	Glastonbury	GL7	Inclusion of a Travellers site on employment allocation	Revised SA
MM46	Street	ST3	Reconfiguration of site	Revised SA
Multiple MM ED20 MM7	Local Green Spaces		Withdrawal of Local Green Spaces from Plan	No SA needed. (see para 10)

- 10 Local Green Spaces have been the subject of their own process of assessment for designation, details of which can be found in the Local Green Space Topic Paper (SD20). These are not development allocations and were not subject to Sustainability Appraisal in the Plan. Their withdrawal is similarly not considered to require Sustainability Appraisal.

- 11 Summaries of the updated SA required for policy GL5 and revised policy ST3 are shown in Appendix 3. Revisions to the policies in MM is likely to reduce environmental impacts.

### Re-appraisal of Housing Uplift

- 12 In the SA report, an appraisal was undertaken on the relative uplift in housing growth resulting from allocations in Local Plan Part 2. This was also reviewed in the proposed changes document. Two options were appraised: Option 1 - which reflected meeting the minimum requirements and Option 2 – allocation of all preferred sites. The results are shown in Tables 10 and 11 of SD11. This assessment has been reviewed in the light of MM.
- 13 The MM have broadly retained the approach to the distribution of growth although additional housing sites have been allocated adjacent to Midsomer Norton. Whilst the town Midsomer Norton is outside the Mendip District boundary, it offers a similar level of services to the principal settlements within Mendip and for the purposes of SA it is treated as having a similar role.
- 14 Three primary villages are also identified as locations for modest development. All 3 villages have already exceeded the level of growth anticipated in the spatial strategy. However, they are all Primary villages and have been identified as the most sustainable locations for growth in the rural North East of the District.
- 15 An SA based on the updated Table 4a in MM (below) has been re-assessed. Overall, in the villages and rural areas the uplift above minimum requirement increased from 36% to 43% due to the addition of sites for 81 dwellings in the rural north east.

Table 4a: Planned uplift from settlement requirements in CP2			
Dwellings	CP2 Minimum Requirement 2006-2029	Planned Growth 2006 - 2033/34 (*1)	Change from Policy CP2
Frome	2,300	2,880	25%
Glastonbury	1,000	1,036	4%
Street	1,300	1,580	22%
Shepton Mallet	1,300	1,543	19%
Wells	1,450	1,768	22%
Villages & rural	1,780	2,539	43%
NE Mendip District (*2)	505	536	6%
<b>Total</b>	<b>9,635</b>	<b>11,882</b>	<b>19%</b>
Windfall 2020/21-2029 (*3)		900	
<b>Total Uplift</b>	<b>9,635</b>	<b>12,782</b>	
Source : Mendip Housing Trajectory (November 2019)			
(*1) Includes completions to 2019 plus +commitments, LP1 and LP2 allocations and developable sites			
(*2) Allocations adj Midsomer Norton and villages in table 2			
(*3) Estimated at 100 dwellings per year			

- 16 Table 10, assessing the sustainability impacts of delivering the housing targets outlined in the adopted Local Plan Part I, has not been affected by Main Modifications and is not reviewed here.
- 17 Table 11 assessing the sustainability impacts of Option 2, the allocation of all the preferred sites in Frome, Glastonbury, Street and Wells and sites in the Primary and Secondary villages has been reviewed below to take account of the main modifications as well as the Proposed Changes put forward pre-Submission. These include the allocation of land adjacent to Midsomer Norton and in the rural North East, as well as

changes to sites and the planned uplift in housing numbers which were part of the Proposed Changes.

**Update to SD12 Table 11: Revised Results of SA of Option 2 After Main Modifications**

SA Objecti	Overall Impact	Comments [reasons for impact]
SAO1	±	The majority of sites are greenfield sites which are unlikely to have an impact upon this objective. In those areas where there is an issue there are alternative areas where employment land could be delivered, including at Lintells garage where employment land is being replaced on an alternative site.
SAO2	-	This option is likely to have some degree of negative impact upon local distinctiveness in all areas. Perhaps most noticeably in the rural area where the level of completions/commitments in some villages has been quite dramatic and main modifications will add to this trend. However all the Preferred Option sites are considered to be acceptable in terms of the level of impact that may arise.
SAO3	--	For the majority of the towns the impact upon landscape character is not expected to be significantly negative. However for Wells and the rural area the impact is likely to be more severe. Cumulatively, looking at the option as a whole, the anticipated impact is likely to be relatively significant. However this impact can be mitigated by including policy criteria to ensure sensitive design within the allocation policies.
SAO4	-	It is not anticipated that this option is likely to have a significant negative effect upon this objective. The Preferred Option sites are not considered to have any significant issues relating to flooding. Negative impacts can be mitigated using improved drainage systems, attenuation ponds, SUDS etc.
SAO5	-	Some of the sites have some issues around biodiversity and presence of protected species. However the HRA indicates all the Preferred Option sites are capable of development albeit allocation policies for some sites may need to include specific criteria relating to provision of habitat etc.
SAO6	±	Implementation of this option is not considered to have any anticipated impact upon water quality across the district.
SAO7	±	There are no known specific opportunities for renewable energy projects around the district. Allocation and development of all the preferred option sites does present an opportunity for integration of renewable technologies but current housebuilding practices favoured by the volume housebuilders are unlikely to incorporate these.
SAO8	-	This option, with an uplift at Proposed Changes and the addition of 505 homes at Main Modification stage represents a significant uplift in housing from the minimum figure adopted in LP P1. Therefore there are likely to be some impacts on the built environment although these are mainly anticipated to be around assimilation of new development into the

		built environment rather than direct impacts to heritage assets. Therefore, any impacts are considered able to be mitigated with careful and sensitive design and the overall impact is likely to be relatively minimal across the district.
SAO9	-	<p>The majority of development is still directed to the five main settlements in the district, plus Midsomer Norton. These towns provide the widest variety of accessible services and are considered to be the most sustainable locations for new development in Mendip.</p> <p>However, updating shows an uplift in the rural area of 43%, increasing from 25%. The rural areas are less sustainable locations, although development is mainly focused in primary and secondary villages where a range of everyday needs can be met sustainably. Land is not put forward for allocation away from the primary and secondary settlements.</p> <p>Overall the impact is considered to be negative but not substantially.</p>
SAO10	±	Overall the anticipated impact upon this objective is considered to be neutral. Additional housing to the towns could result in extra footfall in the town centres which would have a positive impact upon this. However, some town sites have a more neutral impact due to their close proximity to the town centre.
SAO11	+	This option represents an uplift in housing from the minimum figure adopted as part of LP P1 therefore any additional housing is considered to have a positive impact on this objective. Main modifications and updating of the housing tables has resulted in delivery of or provision for additional homes, reinforcing the positive impact.
SAO12	+	The majority of the sites which will be allocated under this option are greenfield sites which are able to make provision for some open space. Therefore, the impact upon this objective is considered to be positive. Best and most versatile agricultural land is protected across the District unless other considerations outweigh the benefits.
SAO13	+	The majority of extra development under this option will be in the principal settlements plus Midsomer Norton, which are considered the most sustainable locations in the district for new development. The option also represents a 43% uplift in housing in the rural area, principally directed to the most sustainable villages which may have a positive impact upon this objective due to more potential use of village facilities.



## Conclusion

- 18 The Sustainability Appraisal (SA) process is iterative. This report updates the SA in the light of proposed Main Modifications. Additional sites and revised policies have been subject to SA.
- 19 The SA assesses the preferred option sites as sustainable, but highlights the need to incorporate mitigation measures. These are reflected in the specific policy requirements set out in allocation policies. The Council expect the mitigation measures identified to be refined and implemented through the permission and development process. Longer term impacts will be assessed through the Council's monitoring framework. This addendum also records concerns raised in principle to assessment of 'boundary' sites.
- 20 Re-assessment of the revised dwelling uplift through proposed MM has been undertaken. No significant change to the overall impacts resulting from the uplift is noted.

## Appendix 1

### Update to Results of SA - Appendix 5 (Submission Document SD12e)

#### Sites adjacent to Midsomer Norton

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>NRAD001M</b>	+	±	±	±	-	±	±	±	+	±	++	+	-
<b>Land at White Post Westfield</b>	<p>This site is relatively unconstrained and the landscape value is limited. Development is considered unlikely to have any severe impacts. Although located to the south of Westfield, the site is adjacent to new housing to the north and has relatively good access into the town centre and lies along a bus route. The site is large – able to accommodate at least 250 homes. Infrastructure requirements would need to be agreed with BaNES</p>												

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>NRAD003</b>	±	-	-	±	-	±	±	+	+	±	+	+	+
<b>Land at Underhill Farm Midsomer Norton</b>	<p>A preferred Option based on its accessibility to facilities and services. Development would need to be subject to a suitable access and careful consideration of the surrounding protected woodland. The Woodside estate (to the south of this site) includes 4 storey buildings and there may be overlooking. Infrastructure requirements would need to be agreed with BaNES</p>												

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>NRAD005</b>	±	±	-	±	±	±	±	±	+	±	+	±	-
<b>Land East of A367, Westfield</b>	<p>A preferred option in a location which has access to facilities and services in Westfield and Midsomer Norton Town Centre. The capacity of this site allocation would need to take into account the cumulative impact on local highways. There is a requirement for traffic modelling to establish capacity of the site. Access arrangements travel planning and access. Mitigation measures in relation to bats and landscape and Wider Infrastructure requirements would need to be agreed with BaNES</p>												

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>NRAD004</b>	±	±	-	±	±	±	±	±	-	±	--	-	-
Frome road, Writhlington	<p>A very small site on the very periphery of Radstock. Further investigations show a wider area of land to the south has not been promoted. The promoted site effectively would 'finish off' the development to the west and north. Due to the very small size of the site development here will not contribute greatly to the district's housing delivery. There are no expected negative impacts that are so severe it should be ruled out.</p> <p>Site could be considered but is not large enough to realistically deliver many homes.</p>												

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>NRAD006</b>	±	±	--	-	-	±	±	±	--	±	-	+	-
Land south of Withies lane	<p>A small site to the south of Withies Lane</p> <p>This site is not suitable for development as the promoted land has no access</p>												

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>NRAD007</b>	±	±	-	-	±	±	±	±	-	±	-	+	-
Land at Chilcompton Road	<p>Site has constraints and is dependent on an allocation through the BaNES local plan process. It is not considered a preferred option for allocation.</p>												

## Appendix 2

### Update to Results of SA - Appendix 5 (SD12e)

#### Sites in Primary Villages

##### Beckington

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
BK1	±	-	+	±	±	±	±	-	+	±	?	±	+
<b>Land off Great Dunns Close</b>	<p>The site is well contained visually and bordered on 3 sides by development. It is elevated above houses in Goose Street, some of which are listed, but there are areas of intervening gardens and unlisted houses. Settlement drainage capacity is being assessed but not to the extent a scheme could not come forward. Potentially suitable for allocation as within an area of search identified by LLP2 Inspector for additional housing to make the plan sound.</p>												

##### Norton St Philip

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
Part NSP1	±	--	-	±	?	±	±	--	±	±	?	++	+
<b>Laverton Triangle</b> <b>Norton St Phillip</b>	<p>Site is outside development limits at a gateway to the village. A previous appeal identified the countryside character of the site in juxtaposition to the edge of the Conservation area as important to the setting of the village. The northern edge of the site is within the Conservation Area. A bank of newly planted trees is also identified as important to the character and setting of the village and has the potential to reduce the sense of buildings being an incursion into open countryside. If the appearance of countryside at this gateway to the village can be retained this would mitigate the impact of development. The site is potentially suitable for a low density development and within an area of search identified by LLP2 Inspector for additional housing to make the plan sound.</p>												

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
Part of NSP1	±	-	-	±	?	±	±	-	+	±	?	+	+
<b>South East Fortescue Fields</b> <b>Norton St Phillip</b>	<p>Site is outside development limits extending development into open countryside. However, it is not prominent in the landscape and is geographically within easy walking distance of village facilities, (although footpath links do not currently exist). It does not affect important views and vistas within the settlement. Potentially suitable for allocation as within an area of search identified by LLP2 Inspector for additional housing to make the plan sound.</p>												

## Rode

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
RD1	±	--	--	±	±	±	±	--	+	±	?	+	+
<b>Land adjacent to the Mead Rode</b>	<p>The site is prominent from the conservation area and is important to the setting of several listed buildings, including the Grade 2* Merfield House. The field allows views out of the historic core of the village into open countryside, which forms a backdrop to the historic buildings. The LPP2 inspector has issued an Interim Note, identifying a need for 505 additional homes in the vicinity of Midsomer Norton and Radstock and possibly in the primary villages of the north east. This site was initially considered unsuitable for development, however in the light of the Inspectors note could be potentially suitable provided the heritage impacts can be satisfactorily mitigated.</p>												

**Note;** uncertain results for SA05 relate to the HRA, awaited at time of SA. Uncertain results for SA011 relate to the provision of housing numbers in excess of LPP1 requirements set out in the spatial strategy. This is assessed in table 11 above.

## Appendix 3

### Update to Results of SA - Appendix 5 (SD12e)

#### Revised site policies proposed in Main Modifications

##### GL5, Morlands

SA Objective	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>GL5</b>	<b>++</b>	<b>±</b>	<b>±</b>	<b>±</b>	<b>-</b>	<b>-</b>	<b>±</b>	<b>-</b>	<b>++</b>	<b>±</b>	<b>++</b>	<b>--</b>	<b>+</b>
<b>Morlands</b>  <b>Revised SA Travellers/ Employment</b>	<p><b>Change from Previous SA</b> - Introduction of a residential use/ revised site area now excludes flood zone 2 and more sensitive environmental areas in the north of the site</p> <p><b>Summary</b> - Site is potentially suitable subject to careful layout /design to manage impacts on the historic environment, ecology, landscape and surface water drainage. Significant mitigation measures to ensure that contamination, ground conditions and odour nuisance will be required. The extent to which odour nuisance can be mitigated in relation to residential accommodation is unknown and cannot be considered as acceptable in principle. However, there are no alternative sites in the plan process.</p>												

##### ST3, Street

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>ST3</b>	<b>±</b>	<b>-</b>	<b>-</b>	<b>±</b>	<b>--</b>	<b>±</b>	<b>±</b>	<b>±</b>	<b>+</b>	<b>±</b>	<b>++</b>	<b>++</b>	<b>±</b>
<b>Land west of Brooks Road and Future Growth Area</b>  <b>Street</b>	<p><b>Change from previous SA</b> - Site area has been revised to focus development on less environmentally sensitive parts of the site.</p> <p><b>Summary</b> - Potentially suitable for development. Measures will be required to mitigate the potential impact on ecology and landscape and to maintain a green gap between Street and Walton.</p>												

## Appendix 4 Sustainability Appraisal Objectives

Headline SA Objectives												
1	2	3	4	5	6	7	8	9	10	11	12	13
Promoting a strong, thriving and diverse local economy												
	Maintain and enhance the distinctive character of settlements											
		Protect and enhance the district's landscape										
			To avoid, reduce and manage flood risk									
				Protect, maintain and enhance biodiversity								
				Maintain & improve water quality								
						Promote renewable sources/ encourage a reduction in consumption						
							Protect and enhance the district's built environment					
								Encourage more sustainable travel patterns				
									Maintain/ enhance the vitality of town centres			
										Meeting housing need in sustainable locations		
											Access to open space	
												Access to facilities and services

SA Objective		Decision-aiding questions: Would development of the site....?
SAO1	<b>Promoting a strong, thriving and diverse local economy</b>	<ul style="list-style-type: none"> <li>Contribute to the provision of sufficient employment land to meet the district's requirements</li> <li>Encourage and support the diversification of the district's economy</li> <li>Ensure provision of sites for small start-up businesses</li> <li>Support farm diversification and rural enterprise</li> <li>Protect jobs on employment sites from loss to residential uses where appropriate</li> </ul>
SAO2	<b>Maintain and enhance the distinctive character of settlements</b>	<ul style="list-style-type: none"> <li>Adversely affect or result in the loss of features or scenes which are recognised as being distinctive</li> </ul>
SAO3	<b>Protect and enhance the district's landscape</b>	<ul style="list-style-type: none"> <li>Protect AONBs</li> <li>Protect the special landscape features of the district that contribute to local distinctiveness</li> <li>Adversely affect landscape character</li> <li>Avoid unacceptable visual impact</li> <li>Preserve and where possible enhance landscape character</li> <li>Be integrated into existing landform and landscape features</li> </ul>
SAO4	<b>To avoid, reduce and manage flood risk</b>	<ul style="list-style-type: none"> <li>Avoid inappropriate development on the floodplain</li> <li>Put properties at risk of flooding</li> <li>Promote the use of Sustainable Urban Drainage Systems</li> </ul>

SAO5	<b>Protect, maintain and where possible enhance, the district's native biodiversity</b>	<ul style="list-style-type: none"> <li>• Protect those habitats and species of international, national and local importance</li> <li>• Ensure all new development is integrated with, and makes a positive contribution to, biodiversity</li> <li>• Protect and enhance Somerset's Ecological Network, allowing for improved species migration and movement</li> </ul>
SAO6	<b>Maintain &amp; improve water quality</b>	<ul style="list-style-type: none"> <li>☐ Promote good river quality</li> <li>☐ Improve the district's water habitats</li> <li>☐ Avoid development in areas with little water available</li> </ul>
SAO7	<b>Promote renewable sources and encourage a reduction in consumption</b>	<ul style="list-style-type: none"> <li>☐ Increase the number of renewable energy projects across the district</li> <li>☐ Promote sustainable construction methods and energy efficiency</li> <li>☐ Encourage the use of more sustainable transport methods</li> </ul>
SAO8	<b>Protect and enhance the district's built environment</b>	<ul style="list-style-type: none"> <li>• Ensure good quality design that contributes positively to local distinctiveness</li> <li>• Protect and conserve listed buildings, their settings and conservation areas</li> <li>• Ensure the integrity of Local Green Spaces</li> </ul>

		<ul style="list-style-type: none"> <li>☐ Be well integrated with the existing urban form, townscape and landscape</li> <li>☐ Relate well to adjoining land uses</li> <li>☐ Contribute to improving the quality of the public realm</li> </ul>
SAO9	<b>Encourage more sustainable travel patterns</b>	<ul style="list-style-type: none"> <li>☐ Minimise the need for travel by the private car</li> <li>☐ Promote cycling, walking and use of public transport</li> </ul>
SAO10	<b>Maintain and enhance the vitality of town centres</b>	<ul style="list-style-type: none"> <li>☐ Ensure retail offer within the town centres meets local need and an improved offer is encouraged where viable</li> <li>☐ Direct leisure, retail and employment uses to town centre locations</li> </ul>
SAO11	<b>Meet housing needs whilst providing suitable housing for all in appropriate, sustainable locations</b>	<ul style="list-style-type: none"> <li>☐ Meet Local Plan Target</li> <li>☐ Provide affordable housing and a suitable mix to meet the need</li> <li>☐ Make best use of PDL</li> <li>☐ Protect best and most versatile agricultural land</li> <li>☐ Ensure housing is directed to the most sustainable locations</li> </ul>
SAO12	<b>Promoting healthy and safe communities</b>	<ul style="list-style-type: none"> <li>• Improve access to open space for future residents</li> </ul>
SAO13	<b>Improve access to facilities and services</b>	<ul style="list-style-type: none"> <li>☐ Ensure key community facilities are provided in locations easily accessible by public transport, cycling and walking</li> <li>☐ Protect the loss of rural facilities and services</li> </ul>



## Appendix 5 BaNES review of draft Sustainability Appraisal – overall comments

Richard Daone , Deputy Head of Planning (Policy), Bath & North East Somerset Council , 3<sup>rd</sup> December 2019

### Status of comments

Comments are provided on an informal basis and the Council reserves the right to raise these and/or other issues on any Sustainability Appraisal material that is formally published alongside Main Modifications to the Local Plan Part 2. In summary our main concerns are set out below.

### Site assessments:

It is not possible to assess properly and provide comprehensive feedback on the SA conclusions at this stage, because the effects on social and transport infrastructure from the potential development of these sites, particularly criteria SAO09 (encourage more sustainable travel patterns) and SAO13 (improve access to facilities and services,) are not certain until they have been assessed comprehensively as para 4.7 of the LPP1 requires. For example, there is no evidence of detailed traffic modelling to test the impact of these sites on the existing roads which are already heavily trafficked and affected by frequent traffic congestion. The comprehensive assessment required by LPP1 needs to be undertaken. The cumulative effects need to be identified (including in combination with other plans) and addressed prior to allocating any of these sites.

Whilst theoretically some sites could contribute towards meeting the Mendip Local Plan housing targets (as assessed against criterion SAO11), it remains our view that the additional '505 dwellings' included in the LPP1 is to meet the needs of the wider Mendip district and is not specific to the north/north-east of the district. Therefore, it is not considered these sites are in the most sustainable location to meet the needs of the wider district, especially as other alternative sites are already identified and allocated through the LPP2. This needs to be reflected in the Sustainability Appraisal.

### Cumulative effects with B&NES Development Plans

The SEA Regulations require an assessment of cumulative effects with other plans. One of the key strategic issues the adopted B&NES Development Plan is addressing is an imbalance between jobs and homes resulting from recent incremental housing development and a decline in the manufacturing sector and a high degree of out-commuting. The development of the sites considered here would exacerbate the recent trend of incremental housing development which the B&NES Development Plan seeks to prevent. Allocating sites adjoining Midsomer Norton, Westfield or Radstock through the Mendip LPP2 would worsen the imbalance between jobs and homes and would add cumulative impacts on key infrastructure within the town. Therefore, development of these would result in significant negative impacts when considered with the adopted B&NES Development Plan. This should be properly reflected in the Mendip Sustainability Appraisal.

As you are aware, B&NES Council is in the process of preparing our new Local Plan and it is our view, as stated in the letter of 28<sup>th</sup> November, that these sites are better considered fully as part of B&NES Local Plan preparation taking into account the infrastructure requirements fully informed by the SA and working closely with the local communities.

## Second Addendum to Sustainability Appraisal – January 2020

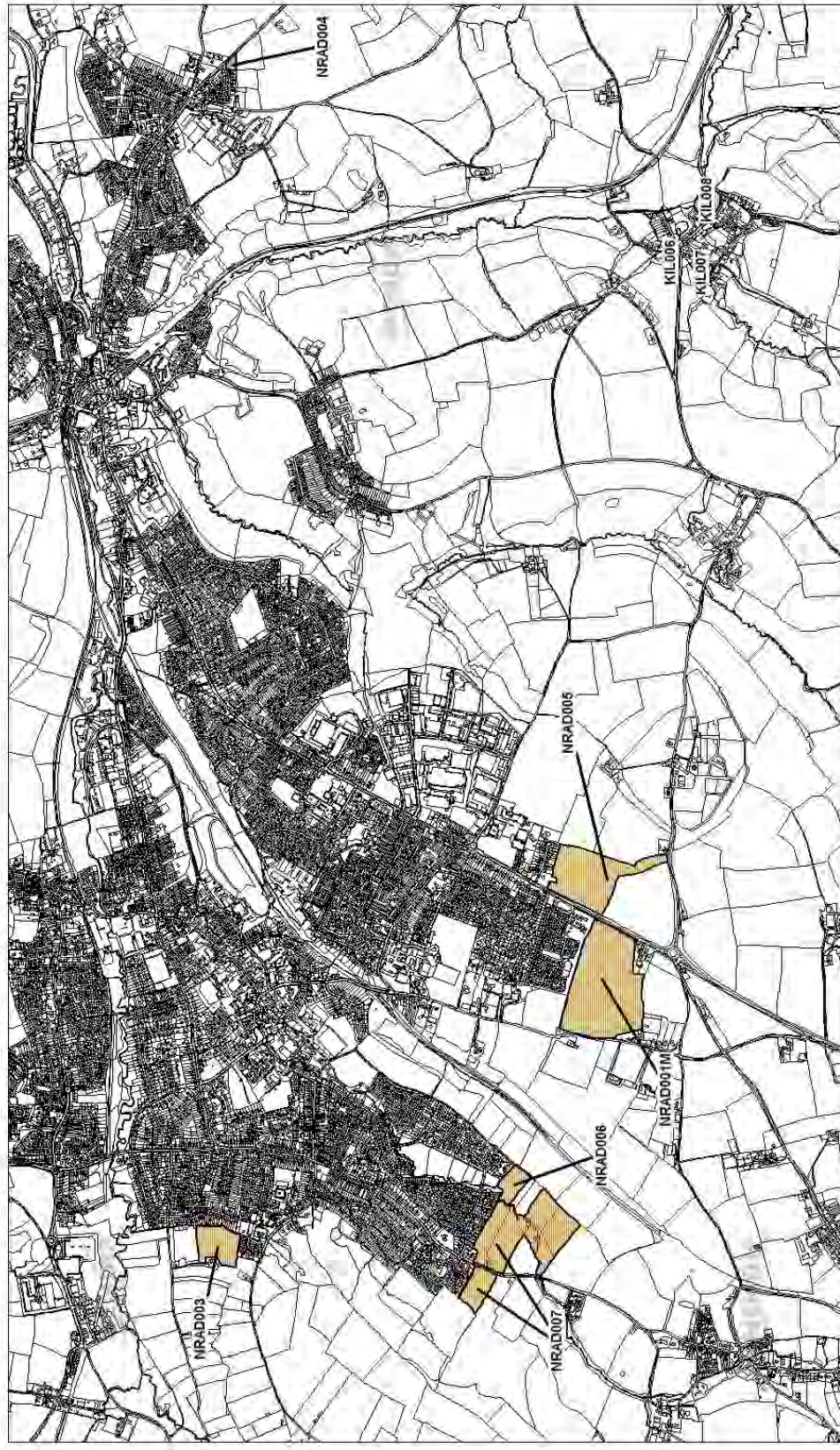
### Appendix 6 - Sustainability Appraisal – Midsomer Norton and Radstock

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# Norton Radstock - Land Promoted for Development

Scale 1:15227  
Notes:

**MENDIP**  
DISTRICT COUNCIL  
Planning & Building  
Department  
Radstock, Somerset SA4 4BT  
Tel: 01749 844444  
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<b>NRAD001M</b>	<b>Land at White Post</b>	<b>Midsomer Norton</b>	<b>Reference:</b>
Area	Parish Stratton on the Fosse / District Ward Ashwick, Chilcompton & Stratton	<b>Size (ha):</b>	12.11 ha
Review			250+ units
<b>Site Description:</b> Large single field in open countryside on the fringe of Midsomer Norton.			
<b>Matters to be addressed in any site allocation policy:</b> Possible mitigation measures in relation to bats corridors			
<b>Relevant Planning History:</b> 2016/0980/OTS – application for housing and school refused October 2016 The site was included in the 2015 issues and options but not identified in the pre-submission plan or proposed changes			
<b>Representations through Local Plan Part 2</b> Objections were made at all consultation stages. Pre-submission representations are summarised on the settlement issues and responses page <a href="https://mending.gov.uk/media/20732/37-MSN-and-Radstock/pdf/37_MSN_and_Radstock.pdf?m=636845443003770000">https://mending.gov.uk/media/20732/37-MSN-and-Radstock/pdf/37_MSN_and_Radstock.pdf?m=636845443003770000</a> Both Westfield PC and Midsomer Norton PC supported position of <u>not allocating sites</u> in the Pre-submission Plan. Discussions with BaNES is covered under published duty to co-operate arrangements. BaNES supported the non-allocation of this site.			

Suitability & Availability of the Site					Initial assessment in I&O Paper
1. Does the initial assessment raise any issues?	No	<b>Yes – but issues</b>	Yes	Neither the B&NES Local Plan or emerging NP envisage greenfield extensions to this settlement	Info found in HELAA spreadsheet
2. Is this previously developed land?	Yes	Partial	<b>No</b>	Agricultural land	Yes – it's on a road No – not on a road
3. Is there a means of access at present?	<b>Yes</b>	Unclear	No	Site has access onto Fosseway (A367) and Silver Street (B3355)	Issues might include difficult terrain, no-build-zones, pylons or pipes
4. Are there any structures, pipes, features or zones which limit the development land available?	<b>No</b>	Unclear	Yes	Local powerline runs across site	Is there a ROW on or crossing the site?
5. Would development have an impact on rights of way?	<b>No</b>	Uncertain	Yes		



6. Is there a risk of Contaminated land or issues with land stability?	<u>Low</u>	Unclear	High	EP officer did not highlight any risk in their comments relating to the application 2016/0980/OTS	
7. Is there a risk to the amenity of the site from adjacent land uses?	<u>No</u>	Unclear	Yes		
8. Could the site be at risk from poor air quality?	<u>No</u>	Unclear	Yes	No local Air Quality Management Area	
9. Is there any current activity on the site?	<u>No</u>	Limited	Yes		
10. Is the land available? Are there constraints on ownership?	<u>Available</u>	Available – but issues	Not available		
11. Are there any specific factors that would limit viability at this stage?	<u>No</u>	Potential	Yes		
Mitigation:					
12. Can any of the constraints/identified be mitigated?					

Settlement character & identity: Sustainability Objective SAO2					
13. How sensitive is the settlement as a whole to additional development?	Not sensitive	Neutral	<u>Very sensitive</u>	Part of the countryside edge of Westfield - which forms part of the urban area of Midsomer Norton. The main sensitivity is the extent of peripheral development southwards along Fosseway.	<i>i.e. does LP Part I limit development for any reason e.g. size; topography etc</i>
14. Physical relationship of site with built-up area of settlement.	Good	<u>Limited</u>	None	The northern boundary of the site is adjacent to a new housing development within BaNES. Midsomer Norton Rugby Club lies to the West (protected recreation site)	
15. If in open countryside – would the site form a logical extension in terms of the overall enclosure of the settlement?	<u>Yes</u>	Unclear	No	Field lies between two main roads. There is a limited amount of existing development to the south of the site (properties on Silver Street (Norton Hall Farm) and the White Post Inn on Fosseway	<i>Where the site is in the open countryside</i>
16. Could development establish a defensible development limit with surrounding countryside?	Yes	<u>Unclear</u>	No	Building on this site would be an extension of built development in BaNES. Identifying a development limit in the Mendip Plan could be considered.	<i>i.e. would it be a reasonable boundary to put the development limit around?</i>
17. Will development of the site affect distinctive characteristics identified in the settlement?	No	<u>Unclear</u>	Yes	No broad or specific landscape, heritage, built environment or green infrastructure areas are identified in the BaNES placemaking plan in this location	
Landscape: Sustainability Objective SAO3					
18. Would the site have an impact on an AONB?	<u>No</u>	Potential	Yes		

19. Would the site have an impact on a Special Landscape Feature?	<b>No</b>	Potential	Yes	
20. Would development have wider impacts on landscape character of the area?	No	<b>Unclear</b>	<b>Yes</b>	There is well established hedge line with mature trees on the northern boundary of the site and on the eastern side (Fosseway). The wider site is not considered to be in a location of significant landscape value however, there is potential for some landscape impact.
21. Would development impact on identified settlement views and vistas?	No	<b>Unclear</b>	Yes	None identified but there is some potential for landscape impact.  <i>Is anything identified in town/village design statement, parish plans, CA appraisals etc</i>
22. Would the site impact on an OALS or result in loss of open space?	<b>No</b>	Unclear	Yes	
23. Would development have an impact on Protected Trees?	<b>No</b>	Unclear	Yes	
Other comments: Impacts upon landscape character are likely to be able to be mitigated successfully.				
<b>Water supply, flooding &amp; drainage: Sustainability Objectives SAO4 &amp; SAO6</b>				
24. Is the settlement identified as prone to flooding or drainage issues?	<b>No</b>	Potential	Yes	
25. Is the site within a Water Source Protection Zone?	<b>No</b>	Partly	1,2,3	
26. Does any part of the site fall within flood zone 2?	<b>No</b>	Partly	Yes	
27. Is there a flood risk to this site from surface water?	<b>No</b>	Unclear	Yes	<i>Info from surface water flood risk map on EA website</i>
28. Is sewage capacity sufficient to accommodate further development?	Yes	<b>Unknown</b>	No	<i>Info needed from Wessex Water</i>
29. Can this site be developed without increasing risk elsewhere? [Include comments from utilities]				
<b>Impact on Biodiversity: Sustainability Objective SAO5</b>				
30. Would development have an impact on Protected Species?	No	<b>Unclear</b>	Yes	The county ecologist identified there are potentially lesser horseshoe, brown long-eared, serotine, and common and soprano pipistrelle bats making use of the hedgerows on the site.
31. Would development have an impact on Wildlife Sites – SSSI, NNR, LNR and Local sites?	<b>Low</b>	Potential	High	
32. Would development have an impact on Ancient Woodland?	<b>No</b>	Unclear	Yes	

33. Would development have an impact on Traditional Orchards?	<b>No</b>	Unclear	Yes	
34. Would development involve the loss of other trees, woodland and hedgerows?	No	<b>Unclear</b>	Yes	This is essentially an open field but some boundary trees and hedges may need to be removed to create a site access and connectivity with the housing development to the north.
35. Would development have an impact on an area of Geological Importance (RIGS)?	<b>No</b>	Unclear	Yes	
36. Would development of the site offer opportunities to improve biodiversity?				
Impact on Heritage Assets: Sustainability Objective SAO8				
37. Risk of impact on designated Monuments and known/potential Archaeology?	Low	<b>Potential</b>	High	With ref to the 2016 planning application the SCC archaeologist commented that the archaeological evaluation and geophysical survey produced for the applicant indicated that there are a number of archaeological features on the site including prehistoric and probable medieval remains. It was recommended that the developer be required to archaeologically investigate the heritage assets on the site and produce a report on any discoveries made.
38. Relationship to Conservation Area	<b>Outside</b>	Adjacent	Within	Reference Heritage England's comments if relevant
39. Risk of impact on Listed Buildings?	<b>None</b>	LB adjacent	LB on site	
40. Impact on other locally important heritage?	No	<b>Not clear</b>	Yes	Town/village design statements; local lists etc
Site accessibility & opportunities for sustainable transport: Sustainability Objective SAO9				
41. How adequate are Public Transport services to or within the settlement?	<b>Good</b>	Limited	None	There nearest bus stop is within the adjoining housing development and the site is considered accessible by public transport to services in Westfield and Midsomer Norton town centre
43. How well is the site served by footpaths, multi-user paths and pavements	<b>Good</b>	Limited	None	There is a connecting footpath on the western boundary of the site to the White Post Inn. Silver Street is being upgraded and a footpath provided to the NW corner of the site as part of the primary school development
44. Presence & accessibility to local facilities:	<b>Good</b>			
Capacity of specific local infrastructure:				
45. Would development of the site cause particular issues with education provision?	No	<b>At capacity</b>	Yes	Site is accessible to primary/secondary provision in B&NES but remote from nearest Mendip Schools except for St Benedict's catholic primary. The site will be directly accessible to a new 6 form entry primary school under construction off Silver street. The school is being provided to meet a shortfall of capacity in Midsomer Norton and Westfield. The impact of development of

				this site on the overall school capacity position in Midsomer Norton/Westfield would need to be confirmed by BANES.
46. Would development of the site cause particular issues with GP provision?	No	At capacity	<u>Yes</u>	Development in this location is served by primary care practices in the Bath & NE Somerset CCG area. There are reported concerns about the levels of housing development in the Somer Valley and impact on practice capacity.

Policy Implications				
Suitability for a site allocation in Local Plan Part II				
47. Are there any settlement level planning constraints to be taken into account?	No	Unclear	Yes	Settlement is not identified by BaNES as an area for significant housing development within their Local Plan. The BaNES position set out in the Core Strategy and Placemaking Plan is that development in this location is unsustainable due to the peripherality of the development, highways impact and school capacity.
48. Is there a neighbourhood plan for the settlement?	No	<u>In progress</u>	Yes	The boundary of this site is within the Midsomer Norton Town Council area. Midsomer Norton have had a Neighbourhood Plan Area designated and are progressing a Plan. Development in this location would impact on traffic, facilities and services in Westfield.
49. Are there any cross-boundary issues which need to be considered?	No	Unclear	<u>Yes</u>	Westfield has a 'made' neighbourhood plan – (November 2018) The town of Midsomer Norton/ Westfield Parish does not form part of the adopted Mendip Spatial strategy. However, sites may be considered in Local Plan Part II subject to agreement with BANES on infrastructure impacts and to meet housing needs in Mendip.
50. Could there be in-combination effects from the impact of other sites?	No	Unclear	Yes	There have significant concerns highlighted in planning applications relating to this site and NRAD005 from B&NES Highways regarding the impact upon development in this area on the road network. Cumulative impact from this site, NRAD005 and the newly developed Barratt site to the north would need to be assessed.
Housing Requirement:				
51. Is there a planned settlement requirement to be met?	<u>Yes</u>	Limited	No	The Local Plan does not set out a specific housing requirement for Midsomer Norton. <b>However, Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth.</b>  The BANES plan indicates existing commitments have met the adopted Core Strategy requirement. The B&NES Placemaking Plan sets out the policy for the area of the Somer Valley which includes Midsomer Norton & Radstock. It states in para 18 of volume 4: <b>'There is already a significant number of housing commitments in the Somer Valley and a limited capacity to generate new jobs. New housing in the Somer Valley will therefore be restrained in the interest of sustainability but some additional housing is likely to come forward on brownfield sites.'</b>
52. What level of incremental or unplanned development is expected?	None	Some	High	Not applicable



53. Have any other specific local needs been identified?					Not at this stage	
54. Is the site considered to be best and most versatile agricultural land?	No (3b,4,5)	<u>Unclear</u>	Yes (1,2,3a)			
<b>Added value to the site - over and above housing delivery: Sustainability Objectives SA001,SA010,SA013</b>						
55. Would the site support delivery of Local Plan policies?	<u>Yes</u>	Limited	No	Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth		
56 Has the site been identified in need of improvement?	Yes	Not clear	No			

NRAD001 – Land at White Post - Summary of Sustainability Appraisal			
SA Objective	Overall Impact	Comments [reasons for impact]	Potential mitigation measures
SAO1	+	Promoters have indicated that a proportion of the site could be used for employment use.	
SAO2	±	Development of the site is not expected to have any negative impacts upon any identified locally distinctive features.	
SAO3	±	Aside from boundary trees and vegetation, the site does not have significant landscape value. Any impact upon landscape character is likely to be able to be mitigate.	
SAO4	±	There are no flooding issues related to the site	
SAO5	-	The comments from SCC Ecologist on the 2016 planning application indicate that there are potentially lesser horseshoe, brown long-eared, serotine, and common and soprano pipistrelle bats making use of the hedgerows on the site.	Replacement habitat/ hedgerow may be required
SAO6	±	Not considered to impact upon water quality	
SAO7	±	No specific opportunities for renewable energy production on this site	
SAO8	±	There is some existing development relatively close to all of the boundaries and the northern boundary is adjacent to the development boundary of Midsomer Norton. It is not in close proximity to any heritage assets. It is unlikely that development of this site will have significant impacts upon the built environment.	
SAO9	+	The site is located on the southern edge of Midsomer Norton and on a bus route into the town. The site has good access to services and facilities and there are public transport links to Mendip towns (Frome/ Shepton Mallet). The B&NES Placemaking Plan seeks to restrict housing development in the Somer Valley towns due to the imbalance with local jobs and potential for increased commuting.	
SAO10	±	Midsomer Norton town centre and local retail facilities in Westfield are not identified in the adopted Local Plan.	
SAO11	++	The site could accommodate 250+ homes which would make a significant contribution to the Mendip district's housing numbers and affordable housing. Due to its size it could also provide substantial affordable housing.	
SAO12	+	The site is well placed to take advantage of accessibility the countryside and subject to access there are footways through residential areas to the town centre.	Provision of connecting footpaths and cycleways
SAO13	-	Site is located on the periphery of the Midsomer Norton but will be close to a new primary school and accessible to services and facilities in Westfield. Capacity of local infrastructure will need to be tested with BaNES although a solutions has been previously agreed, but capacity issues have been highlighted in nearby planning applications.	
Overall Impact symbols: Positive ++ Slight Positive + Neutral ± Slight Negative - Severe Negative -- Uncertain?			

NRAD003	Land at Underhill Lane	Settlement:	Midsomer Norton	Reference:	NRAD003
Area	Parish : Ston Easton / District Ward: Chewton Mendip & Ston Easton			tbc	50-70 units
Review	Assessment includes changes made in response to Banes/land promoters on draft.				
Site Description					
<p>The site lies on the western edge of Midsomer Norton to the rear of residential properties at Orchard Vale and the Woodside estate to the south.</p> <p>The site is enclosed by protected woodland to the north and south. The farm is accessed through a narrow track from Underhill Lane although current promoter would seek to access the land from Orchard Vale. The Woodside estate (to the south of this site) includes 4 storey buildings and there may be overlooking issues across the site</p> <p>Note: the development site does not include surrounding woodland or land north of Underhill Lane as shown in maps associated with the issues and options consultation.</p>					
Summary of Recommendations:					
Recommendation:					
<p>Site could be considered as a Preferred Option based on its accessibility to facilities and services. Development would need to be subject to a suitable access and careful consideration of the surrounding protected woodland. The Woodside estate (to the south of this site) includes 4 storey buildings and there may be overlooking issues across the site. Infrastructure requirements would need to be agreed with B&amp;NES.</p>					
<p><b>Matters to be addressed in any site allocation policy:</b></p> <p>Points of access</p> <p>Housing Mix – potential for affordable/ specialist housing</p> <p>Infrastructure implications (to be agreed with BaNES), Highways Impact Assessment</p> <p>Relationship/ impact on surrounding woodland.</p>					
Relevant Planning History:					
<p>Site promoted through Local Plan Hearings</p> <p>Housing enabling discussions on potential of site for an exception scheme</p>					

Suitability & Availability of the Site						Initial assessment in I&O Paper
1. Does the initial assessment raise any issues?	No	Yes – but issues	<u>Yes</u>	<ul style="list-style-type: none"> <li>Development on edge of BANES district creating infrastructure pressures in adjacent areas</li> <li>Conflict with adopted BANES core strategy and place making plan</li> </ul> Local Wildlife site and protected woodland	<ul style="list-style-type: none"> <li>Development on edge of BANES district creating infrastructure pressures in adjacent areas</li> <li>Conflict with adopted BANES core strategy and place making plan</li> </ul> Local Wildlife site and protected woodland	
2. Is this previously developed land?	Yes	Partial	<u>No</u>	<ul style="list-style-type: none"> <li>Agricultural land</li> </ul>	<ul style="list-style-type: none"> <li>Agricultural land</li> </ul>	Info found in HELAA spreadsheet
3. Is there a means of access at present?	<u>Yes</u>	Unclear	No	<ul style="list-style-type: none"> <li>Promoted land could be accessed via Underhill Lane (limited width single track) and from Clapton Lane. There may be opportunities for access via Orchard Vale</li> </ul>	<ul style="list-style-type: none"> <li>Promoted land could be accessed via Underhill Lane (limited width single track) and from Clapton Lane. There may be opportunities for access via Orchard Vale</li> </ul>	Yes – it's on a road No – not on a road
4. Are there any structures, pipes, features or zones which limit the development land available?	<u>No</u>	Unclear	Yes	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	Issues might include difficult terrain, no-build-zones, pylons or pipes
5. Would development have an impact on rights of way?	<u>No</u>	Uncertain	Yes	<ul style="list-style-type: none"> <li>Underhill Lane is a right of way further to the east – no direct impact on the site itself</li> </ul>	<ul style="list-style-type: none"> <li>Underhill Lane is a right of way further to the east – no direct impact on the site itself</li> </ul>	Is there a ROW on or crossing the site?
6. Is there a risk of Contaminated land or issues with land stability?	<u>Low</u>	Unclear	High	<ul style="list-style-type: none"> <li>None known</li> </ul>	<ul style="list-style-type: none"> <li>None known</li> </ul>	
7. Is there a risk to the amenity of the site from adjacent land uses?	<u>No</u>	Unclear	Yes	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	
8. Could the site be at risk from poor air quality?	<u>No</u>	Unclear	Yes	<ul style="list-style-type: none"> <li>No</li> </ul>	<ul style="list-style-type: none"> <li>No</li> </ul>	
9. Is there any current activity on the site?	<u>No</u>	Limited	Yes	<ul style="list-style-type: none"> <li>In agricultural use</li> </ul>	<ul style="list-style-type: none"> <li>In agricultural use</li> </ul>	
10. Is the land available? Are there constraints on ownership?	<u>Available</u>	Available – but issues	Not available	<ul style="list-style-type: none"> <li>Site promoted on behalf of landowners</li> </ul>	<ul style="list-style-type: none"> <li>Site promoted on behalf of landowners</li> </ul>	
11. Are there any specific factors that would limit viability at this stage?	<u>No</u>	Potential	Yes			
Mitigation:						
12. Can any of the constraints/identified be mitigated?						
Settlement character & identity: Sustainability Objective SAO2						
13. How sensitive is the settlement as a whole to additional development?	Not sensitive	Neutral	<u>Very sensitive</u>	Part of the countryside edge of Midsomer Norton Development locations on the boundary of Mendip with Midsomer Norton fall outside the settlement hierarchy of the adopted Mendip Local Plan	Part of the countryside edge of Midsomer Norton Development locations on the boundary of Mendip with Midsomer Norton fall outside the settlement hierarchy of the adopted Mendip Local Plan	i.e. does LP Part I limit development for any reason e.g. size; topography etc

14. Physical relationship of site with built-up area of settlement.	Good	<b>Limited</b>	None	<ul style="list-style-type: none"> <li>• site abuts development on 2 sides and a farm is adjacent to the west.</li> </ul>	Where the site is in the open countryside
15. If in open countryside – would the site form a logical extension in terms of the overall enclosure of the settlement?	Yes	Unclear	No	<ul style="list-style-type: none"> <li>• Site boundaries are enclosed by residential development and woodland</li> </ul>	
16. Could development establish a defensible development limit with surrounding countryside?	Yes	Unclear	No	<ul style="list-style-type: none"> <li>• Development could be contained within surrounding woodland which would provide a clear boundary. However it is not the intent of the Local Plan to identify extensions to development limits around Midsomer Norton</li> </ul>	i.e. would it be a reasonable boundary to put the development limit around?
17. Will development of the site affect distinctive characteristics identified in the settlement?	No	Unclear	Yes	<ul style="list-style-type: none"> <li>• a strategic green infrastructure corridor adjoins the site on land within BANES</li> </ul>	Distinctive characteristics are outlined in documents such as town and village design statements, parish plans and CA appraisals
Landscape: Sustainability Objective SAO3					
18. Would the site have an impact on an AONB?	No	Potential	Yes		
19. Would the site have an impact on a Special Landscape Feature?	No	Potential	Yes		
20. Would development have wider impacts on landscape character of the area?	No	Unclear	Yes		
21. Would development impact on identified settlement views and vistas?	No	Unclear	Yes		Is anything identified in town/village design statement, parish plans, CA appraisals etc
22. Would the site impact on an OALS or result in loss of open space?	No	Unclear	Yes	Site is not designated as an OALS	
23. Would development have an impact on Protected Trees?	No	Unclear	Yes	Underhill Wood is identified as a Local Wildlife Site. The Woodland to the north of the site is subject to a Woodland TPO.	

Water supply, flooding & drainage: Sustainability Objectives SAO4 & SAO6				
24. Is the settlement identified as prone to flooding or drainage issues?	No	Potential	<u>Yes</u>	<ul style="list-style-type: none"><li>The settlement is identified as having local flooding incidents in local Flood Risk studies</li></ul>
25. Is the site within a Water Source Protection Zone?	<u>No</u>	Partly	1,2,3	
26. Does any part of the site fall within flood zone 2?	<u>No</u>	Partly	Yes	
27. Is there a flood risk to this site from surface water?	<u>No</u>	Unclear	Yes	<ul style="list-style-type: none"><li>EA maps show a some risk associated with the boundary stream</li></ul>
28. Is sewage capacity sufficient to accommodate further development?	Yes	<u>Unknown</u>	<b>No</b>	<ul style="list-style-type: none"><li>This would need to be confirmed with utility providers</li></ul>
29. Can this site be developed without increasing risk elsewhere?				
Impact on Biodiversity: Sustainability Objective SAO5				
30. Would development have an impact on Protected Species?	No	<u>Unclear</u>	Yes	<ul style="list-style-type: none"><li>SAMSEN search shows the site falls into a consideration zone of various species of Bats and Barn Owl. The open land has limited habitat suitability The woodland has significant habitat value.</li></ul>
31. Would development have an impact on Wildlife Sites – SSSI, NNR, LNR and Local sites?	Low	<b>Potential</b>	High	<ul style="list-style-type: none"><li>Underhill Wood to the west of the promoted land and Underhill Farm and Local Wildlife Site. The Underhill farm woodland is subject to a woodland TPO</li></ul>
32. Would development have an impact on Ancient Woodland?	<u>No</u>	Unclear	Yes	
33. Would development have an impact on Traditional Orchards?	<u>No</u>	Unclear	Yes	
34. Would development involve the loss of other trees, woodland and hedgerows?	No	<u>Unclear</u>	Yes	<ul style="list-style-type: none"><li>There could potentially be an impact on trees and hedgerows to establish access into the site. Any development would need to include mitigation to safeguard adjoining woodland.</li></ul>
35. Would development have an impact on an area of Geological Importance (RIGS)?	<u>No</u>	Unclear	Yes	
36. Would development of the site offer opportunities to improve biodiversity?				
Biodiversity improvements could be incorporated into any proposals."				
Impact on Heritage Assets: Sustainability Objective SAO8				

37. Risk of impact on designated Monuments and known/potential Archaeology?	<u>Low</u>	Potential	High		Reference Heritage England's comments if relevant
38. Relationship to Conservation Area	<u>Outside</u>	Adjacent	Within		
39. Risk of impact on Listed Buildings?	<u>None</u>	LB adjacent	LB on site		
40. Impact on other locally important heritage?	<u>No</u>	Not clear	Yes		Town/village design statements; local lists etc
Site accessibility & opportunities for sustainable transport: Sustainability Objective SAO13					
41. How adequate are Public Transport services to or within the settlement?	<u>Good</u>	Limited	None		There is a local bus stop and the site is considered accessible by public transport to Midsomer Norton town centre
43. How well is the site served by footpaths, multi-user paths and pavements	<u>Good</u>	<u>Limited</u>	<u>None</u>		Existing farm access is constrained but a more direct pedestrian access could be provided to Orchard Vale.
44. Presence & accessibility to local facilities:					
Detail any opportunities to improve accessibility to the site by non-car modes and comments from Highways					
Capacity of specific local infrastructure:					
45. Would development of the site cause particular issues with education provision?	<u>No</u>	At capacity	Yes		Site is accessible to primary/secondary provision in B&NES. There is a local primary school Overall school capacity position in Midsomer Norton would need to be confirmed by BANES.
46. Would development of the site cause particular issues with GP provision?	<u>No</u>	At capacity	<u>Yes</u>		Development in this location is served by primary care practices in the Bath & NE Somerset CCG area. There are reported concerns about the levels of housing development in the Somer Valley and impact on practice capacity.
Feedback from local consultation on facilities					
Stage 3: Policy Implications					
Suitability for a site allocation in Local Plan Part II					
47. Are there any settlement level planning constraints to be taken into account?	<u>No</u>	Unclear	<u>Yes</u>		Land to the north of Underhill Lane is identified in the BANES Placemaking plan as a strategic green corridor. The BANES core strategy and Placemaking Plan do not seek additional housing to be allocated in the Somer Valley and highlight an imbalance between employment opportunities and committed development in the area
					Issues related to minerals, waste, coal consultation zones, bat consultation zones etc

					Mendip Local Plan Part I (in paragraph 4.7) committed to considering allocations on the north fringe of the District in the towns of Radstock and Midsomer Norton through the Part II Local Plan	
48. Is there a neighbourhood plan for the settlement?	No	In progress	Yes		There is no neighbourhood plan for the relevant Mendip Parish area. A neighbourhood plan for Midsomer Norton is in preparation but not at consultation stage. This site lies outside the MN MP designated area.	
49. Are there any cross-boundary issues which need to be considered?	No	Unclear	Yes		The town of Midsomer Norton does not form part of the adopted Mendip Spatial strategy. However, sites may be considered in Local Plan Part II subject to agreement with BANES on infrastructure impacts and to meet housing needs in Mendip.	
50. Could there be in-combination effects from the impact of other sites?	No	Unclear	Yes		This would need to be clarified with BANES	
<b>Housing Requirement:</b>						
51. Is there a planned settlement requirement to be met?	Yes	Limited	No		The Local Plan does not set out a specific housing requirement for Midsomer Norton. The BANES plan indicates existing commitments have met the adopted Core Strategy requirement (see below). However, paragraph 4.7 of the Local Plan Part 1 confirmed that the Part II Plan would consider making specific allocations in Midsomer Norton and Radstock.  . The Inspector's note (ED20) confirms that there is a strategic expectation that allocations for development in this part of the Plan area should be considered and that it is appropriate for this additional element of 505 dwellings to be apportioned to sustainable settlements in the north-east part of the District, on sites adjacent to Midsomer Norton and Radstock.	Get residual level from monitoring
52. What level of incremental or unplanned development is expected?	None	Some	High		Not applicable	we assume this would continue?
53. Have any other specific local needs been identified?					Not at this stage	e.g. village hall [info found within village portraits]
54. Is the site considered to be best and most versatile agricultural land?	No (3b,4,5)	Unclear	Yes (1,2,3a)			
<b>Added value to the site - over and above housing delivery: Sustainability Objectives SA001,SA010,SA013</b>						
55. Would the site support delivery of Local Plan policies?	Yes	Limited	No		Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth	



56 Has the site been identified in need of improvement?	Yes	Not clear	No	
<p><b>Representations /responses through Local Plan Part 2 consultation</b></p> <p>The site was included in the 2015 issues and options but not identified in the pre-submission plan or proposed changes  Objections were made at all consultation stages. Pre-submission representations are summarised on the settlement issues and responses page  <a href="https://mendip.gov.uk/media/20732/37-MSN-and-Radstock/pdf/37_MSN_and_Radstock.pdf?m=636845443003770000">https://mendip.gov.uk/media/20732/37-MSN-and-Radstock/pdf/37_MSN_and_Radstock.pdf?m=636845443003770000</a>  Both Westfield PC and Midsomer Norton PC supported position of <u>not allocating sites in the Pre-submission Plan</u>.  Discussions with BaNES is covered under published duty to co-operate arrangements. BaNES supported the non-allocation of this site in the pre-submission draft.</p> <p><u>Local Residents</u>  Concerns raised regarding site access, impact of traffic on Northmead Road, difficulties in access to Northmead Road  Stress on local infrastructure in the town .  Concerns regarding loss of woodland. The woods are valued by local residents and make a significant contribution to the natural environment and landscape  Desirability of maintaining a long-established boundary with adjacent countryside  Site will exacerbate out-commuting and the imbalance of housing growth and local employment opportunities</p>				

NRAD003 Land at Underhill Lane - Summary of Sustainability Appraisal			
SA Objective	Overall Impact	Comments [reasons for impact]	Potential mitigation measures
SAO1	±	Development would not involve any losses or gains to employment land	
SAO2	-	The site forms part of the established countryside 'edge' of Midsomer Norton. Surrounding woodland is locally distinctive in the immediate area.	
SAO3	-	Underhill Farm is situated in the Wellow Brook Valley. Wider landscape impact can be mitigated by the screening of the surrounding woodland	
SAO4	±	Promoted land is in Flood Zone 1 with some localised surface water floodrisk (associated with the stream which runs along the eastern boundary.	Flood Risk Assessment/ Provision of SUDs and water management
SAO5	-	Development would have potential adverse direct impacts on the woodland surrounding the site which are Local Wildlife Sites. The woods have value both as a local habitat and wider value along the valley. Ecological studies would be required to investigate the impact of development and mitigation measures	
SAO6	±	Development would have no specific impacts on water quality but may require additional connecting infrastructure to water supply/drainage network	
SAO7	±	There are no specific opportunities for renewable energy production on this site	
SAO8	+	The site is adjacent to residential development at Orchard Vale and Woodside. Development could be integrated into the existing built form of the town	
SAO9	+	Site on the periphery of Midsomer Norton but accessible by cycle/ bus. Accessible to shops and services in Midsomer Norton. Bus services to Shepton (174) and Frome (184) run from the town centre .	
SAO10	±	Midsomer Norton is not identified as town centre in the adopted Local Plan Part 1.	
SAO11	+	The site is capable of delivering private and affordable housing which could meet housing need in Mendip. Some initial survey work has been undertaken which indicates there is demand from applicants on the Somerset housing register . Concerns have been raised regarding capacity of local infrastructure and services.	
SAO12	+	The site is well placed to take advantage of public footpaths into the countryside and subject to access there are footways through residential areas to the town centre.	
SAO13	+	Future residents of this site would primarily access facilities and services in Midsomer Norton. The site is some distance from the high street (1.2km) but is accessible to local primary schools and adjacent to a local community centre/hall/play area. BANES would need to confirm local highway capacity and other infrastructure is adequate.	
Overall Impact symbols: Positive ++Slight Positive + Neutral ± Slight Negative - Severe Negative -- Uncertain ?			

<b>Site Name:</b>	<b>Land at Frome Road, Writhlington</b>	<b>Settlement:</b>	<b>Midsomer Norton</b>	<b>Reference:</b>	<b>NRAD004</b>
<b>General Site Description:</b>		<b>Size (ha):</b>	0.21	<b>Capacity:</b>	6
The site lies to the south east of a much larger site that sits within B&NES and gained permission for 53 homes in May 2014. Development on the site would effectively 'fill in the gap' between the new development and the road.					
<b>Summary of Recommendations:</b>					
A very small site on the very periphery of Radstock. Further investigations show a wider area of land to the south has not been promoted. The promoted site effectively would 'finish off' the development to the west and north. Due to the very small size of the site development here will not contribute greatly to the district's housing delivery. There are no expected negative impacts that are so severe it should be ruled out.					
<b>Recommendation:</b>					
Site could be considered but is not large enough to realistically deliver many homes.					
<b>Relevant Planning History:</b>					
A planning application was refused in 2014 (2014/1587) and this was followed by a dismissed appeal.					

<b>Site/Ref:</b>					
<b>Suitability &amp; Availability of the Site</b>					
1. Does the initial assessment raise any issues?	No	Yes	Yes	Peripheral location to the town centre	Initial assessment in I&O Paper
2. Is this previously developed land?	Yes	<b>Yes – but issues</b>	<b>No</b>		Info found in HELAA spreadsheet
3. Is there a means of access at present?	<b>Yes</b>	Unclear	No	There is a means of access from orchid way through the new development in BaNES	Yes – it's on a road No – not on a road
4. Are there any structures, pipes, features or zones which limit the development land available?	<b>No</b>	Unclear	Yes		Issues might include difficult terrain, no-build-zones, pylons or pipes
5. Would development have an impact on rights of way?	<b>No</b>	Uncertain	Yes		Is there a ROW on or crossing the site?
6. Is there a risk of Contaminated land or issues with land stability?	<b>Low</b>	Unclear	High	EP made no comment on the 2014 planning application therefore it is considered there are no issues.	
7. Is there a risk to the amenity of the site from adjacent land uses?	<b>No</b>	Unclear	Yes	The site is located directly opposite established dwellings which run in linear form along the east side of Frome Rd. The development of the site could be achieved without significant detrimental impact on	

					the amenities of those residents in terms of overlooking, overshadowing and loss of privacy.	
8. Could the site be at risk from poor air quality?	<u>No</u>	Unclear	Yes			E.g site in town centre, adjacent to major road or railway line or nuisance zone
9. Is there any current activity on the site?	<u>No</u>	Limited	Yes			
10. Is the land available? Are there constraints on ownership?	<u>Available</u>	Available – but issues	Not available			
11. Are there any specific factors that would limit viability at this stage?	<u>No</u>	Potential	Yes			
Mitigation:						
12. Can any of the constraints/identified be mitigated?						

Settlement character & identity: Sustainability Objective SAO2						
13. How sensitive is the settlement as a whole to additional development?	Not sensitive	Neutral	Very sensitive	Part of the countryside edge of Radstock which includes Writhlington village The main sensitivity is the extent of peripheral development southwards along Frome Road	i.e. does LP Part I limit development for any reason e.g. size; topography etc	
14. Physical relationship of site with built-up area of settlement.	Good	<u>Limited</u>	None	The northern boundary of the site is adjacent to the housing development boundary of Radstock		
15. If in open countryside – would the site form a logical extension in terms of the overall enclosure of the settlement?	Yes	<u>Unclear</u>	No	Only in terms of a small extension to the existing estate		
16. Could development establish a defensible development limit with surrounding countryside?	<u>Yes</u>	Unclear	No	Only in terms of a small extension to the existing estate		
17. Will development of the site affect distinctive characteristics identified in the settlement?	No	<u>Unclear</u>	Yes	Need input from B&NES	Distinctive characteristics are outlined in documents such as town and village design statements,	

							parish plans and CA appraisals
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Landscape: Sustainability Objective SAO3							
18. Would the site have an impact on an AONB?	<u>No</u>	Potential	Yes				
19. Would the site have an impact on a Special Landscape Feature?	<u>No</u>	Potential	Yes				
20. Would development have wider impacts on landscape character of the area?	<u>No</u>	Unclear	Yes				Development of the site is unlikely to result in unacceptable impact upon the landscape character of the area
21. Would development impact on identified settlement views and vistas?	<u>No</u>	Unclear	Yes				No known important views/vistas identified  <i>Is anything identified in town/village design statement, parish plans, CA appraisals etc</i>
22. Would the site impact on an OALS or result in loss of open space?	<u>No</u>	Unclear	Yes				
23. Would development have an impact on Protected Trees?	<u>No</u>	Unclear	Yes				
Other comments:							

Water supply, flooding & drainage: Sustainability Objectives SAO4 & SAO6							
24. Is the settlement identified as prone to flooding or drainage issues?	<u>No</u>	Potential	Yes				
25. Is the site within a Water Source Protection Zone?	<u>No</u>	Partly	1,2,3				
26. Does any part of the site fall within flood zone 2?	<u>No</u>	Partly	Yes				
27. Is there a flood risk to this site from surface water?	<u>No</u>	Unclear	Yes				Info from surface water flood risk map on EA website
28. Is sewage capacity sufficient to accommodate further development?	Yes	<u>Unknown</u>	No				Info needed from Wessex Water
29. Can this site be developed without increasing risk elsewhere? [Include comments from utilities]							

Impact on Biodiversity: Sustainability Objective SAO5				
30. Would development have an impact on Protected Species?	No	Unclear	Yes	
31. Would development have an impact on Wildlife Sites – SSSI, NNR, LNR and Local sites?	<u>Low</u>	Potential	High	
32. Would development have an impact on Ancient Woodland?	<u>No</u>	Unclear	Yes	
33. Would development have an impact on Traditional Orchards?	<u>No</u>	Unclear	Yes	
34. Would development involve the loss of other trees, woodland and hedgerows?	No	Unclear	<u>Yes</u>	The development is likely to result in some loss of hedgerow
35. Would development have an impact on an area of Geological Importance (RIGS)?	<u>No</u>	Unclear	Yes	
36. Would development of the site offer opportunities to improve biodiversity?				

Impact on Heritage Assets: Sustainability Objective SAO8				
37. Risk of impact on designated Monuments and known/potential Archaeology?	<u>Low</u>	Potential	High	Reference Heritage England's comments if relevant
38. Relationship to Conservation Area	<u>Outside</u>	Adjacent	Within	
39. Risk of impact on Listed Buildings?	<u>None</u>	LB adjacent	LB on site	
40. Impact on other locally important heritage?	No	<u>Not clear</u>	Yes	Town/village design statements; local lists etc
Comments on possible impact on heritage assets / opportunities				

Site accessibility & opportunities for sustainable transport: Sustainability Objective SAO9			
41. How adequate are Public Transport services to or within the settlement?	<u>Good</u>	Limited	None There is a journey to work bus service (Frome Bus 424) that runs past the site on the Frome Road to Radstock & Midsomer Norton
43. How well is the site served by footpaths, multi-user paths and pavements	Good	Limited	<u>None</u>

44. Presence & accessibility to local facilities				
<i>Detail any opportunities to improve accessibility to the site by non-car modes and comments from Highways</i>				

<b>Capacity of specific local infrastructure:</b>				
45. Would development of the site cause particular issues with education provision?	No	At capacity	Yes	There are capacity issues –but impact from a small site may be limited
46. Would development of the site cause particular issues with GP provision?	No	At capacity	Yes	There are capacity issues –but impact from a small site may be limited
<i>Feedback from local consultation on facilities</i>				

<b>Stage 3: Policy Implications</b>				
<b>Suitability for a site allocation in Local Plan Part II: Sustainability Objective SAO12</b>				
47. Are there any settlement level planning constraints to be taken into account?	No	<u>Unclear</u>	Yes	Settlement not identified by B&NES in it's Core Strategy and Placemaking Plan as an area for significant development within their Local Plan  <i>Issues related to minerals, waste, coal consultation zones, bat consultation zones etc</i>
48. Is there a neighbourhood plan for the settlement?	<u>No</u>	In progress	Yes	
49. Are there are any cross-boundary issues which need to be considered?	No	Unclear	<u>Yes</u>	The site lies on the border with B&NES  <i>Cross district boundary e.g. Midsomer Norton</i>
50. Could there be in-combination effects from the impact of other sites?	No	<u>Unclear</u>	Yes	
<b>Housing Requirement:</b>				
51. Is there a planned settlement requirement to be met?	Yes	Limited	No	The Local Plan does not set out a specific housing requirement for Midsomer Norton. <b>However, Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth.</b>
52. What level of incremental or unplanned development is expected?	None	Some	High	
53. Have any other specific local needs been identified?			No	

54. Is the site considered to be best and most versatile agricultural land?	No (3b,4,5)	<u>Unclear</u>	Yes (1,2,3a)	Site Grade 3 but unknown whether 3a or 3b.	
<b>Added value to the site - over and above housing delivery: Sustainability Objectives SA001,SA010,SA013</b>					
55. Would the site support delivery of Local Plan policies?	Yes	Limited	<u>No</u>	Allocation of the site is contrary to the general spatial strategy of LPP1	<i>i.e. did developments through HELAA process offer other things from the site e.g. open space etc</i>
56 Has the site been identified in need of improvement?	Yes	<u>Not clear</u>	No		
57. Any other supporting factors?					



NRAD004 – Land at Frome Road, Writhlington - Summary of Sustainability Appraisal				Potential mitigation measures	
SA Objective	Overall Impact	Comments [reasons for impact]			
SAO1	±	Development would not involve any losses or gains to employment land			
SAO2	±	Development of the site is not expected to have any negative impacts upon any identified locally distinctive features.			
SAO3	-	The site does lie on the periphery of Radstock on a greenfield site. Development would result in some impact upon the landscape character which is generally open to the south and east. However in the context of the development that has consent immediately to the west it is likely that this impact could be mitigated.			
SAO4	±	There are no flooding issues related to the site			
SAO5	±	No known protected species or habitat found to be on the site			
SAO6	±	Not considered to impact upon water quality			
SAO7	±	No specific opportunities for renewable energy production on this site			
SAO8	±	The site is adjacent to a site with consent for housing development and there is existing development immediately to the north. Therefore development here could be assimilated into the existing built form. There are no issues relating to proximity to heritage assets etc.			
SAO9	-	The site is located on the southern edge of Radstock and on a bus route into the town. Therefore the opportunity to access employment, services and facilities is relatively good.  Although on the edge of a relatively large town Radstock does not lie within the Mendip District but within Bath & North East Somerset. The B&NES Placemaking Plan restricts development in this area due to the lack of jobs and resultant sustainability issues. Allocating this site would therefore be contrary to this approach and could impact upon sustainable travel patterns.			
SAO10	±	Radstock is not a strategic settlement in the adopted Local Plan. Additional development on the edge of Radstock is not supported by the Bath Core Strategy or Placemaking Plan			
SAO11	--	The site is small – only accommodating a potential 6 dwellings and therefore development here will not make a significant contribution to the district's housing delivery. The small size means no affordable housing will be delivered. The B&NES Placemaking Plan indicates that this area is an area of housing restraint due to sustainability issues.			
SAO12	-	The site is right on the periphery of the town and has no direct access to formal open space and is not served by any PROW.			
SAO13	-	The site is on the periphery of the town and some distance from local amenities.			
Overall Impact symbols: Positive ++ Slight Positive + Neutral ± Slight Negative - Severe Negative -- Uncertain?					

Site Assessment Framework

NRAD005	Land East of A367, Westfield	Settlement:	Midsomer Norton	Reference:
	Parish: Kilmersdon. District Ward: Ammerdown		Size (ha):	6.54 ha Capacity: 100+ dwellings
<b>Description:</b> Open field to the south of Fossefield Road and with A367 (Fosseway Road) Existing field access is from B3139 near Whitfield cottages				
<b>Recommendation:</b> The site is potentially suitable for development on the basis of access to facilities and services. However, the capacity of this site allocation would need to take into account the cumulative impact on highways				
<b>Matters to be addressed in any site allocation policy:</b> Requirement for traffic modelling to establish capacity of the site / Access arrangements travel planning measures Mitigation measures in relation to bats and landscape				
<b>Relevant Planning History:</b> 2014/0093 Refused March 2015, 2016/0736/OTA (under consideration) for 150 dwellings 2016/0736/OTA has been awaiting updated highways information since 2016				

Site/Ref: Suitability & Availability of the Site				
1. Does the initial assessment raise any issues?	No	Yes – but issues	<b>Yes</b>	<ul style="list-style-type: none"> <li>Significant infrastructure impacts outside the district and local infrastructure issues (drainage, highways, education etc)</li> <li>Peripheral location to the main town centre</li> <li>B&amp;NES LP and emerging NP do not envisage greenfield extensions to the settlement</li> </ul>
2. Is this previously developed land?	Yes	Partial	<b>No</b>	Land in active agricultural use
3. Is there a means of access at present?	<b>Yes</b>	Unclear	No	Site lies adjacent the A367
				<i>Initial assessment in I&amp;O Paper</i> Yes – it's on a road No – not on a road

4. Are there any structures, pipes, features or zones which limit the development land available?	<u>No</u>	Unclear	Yes		Issues might include difficult terrain, no-build-zones, pylons or pipes
5. Would development have an impact on rights of way?	<u>No</u>	Uncertain	Yes		Is there a ROW on or crossing the site?
6. Is there a risk of Contaminated land or issues with land stability?	<u>Low</u>	Unclear	High		EP made no comment on the 2014 planning application therefore it is considered there are no issues.
7. Is there a risk to the amenity of the site from adjacent land uses?	<u>No</u>	Unclear	Yes		
8. Could the site be at risk from poor air quality?	<u>No</u>	Unclear	Yes		E.g site in town centre, adjacent to major road or railway line or nuisance zone
9. Is there any current activity on the site?	<u>No</u>	Limited	Yes		
10. Is the land available? Are there constraints on ownership?	<u>Available</u>	Available – but issues	Not available		
11. Are there any specific factors that would limit viability at this stage?	<u>No</u>	Potential	Yes		
Mitigation:					
12. Can any of the constraints/identified be mitigated?					

Settlement character & identity: Sustainability Objective SAO2					
13. How sensitive is the settlement as a whole to additional development?	Not sensitive	Neutral	<u>Very sensitive</u>	Part of the countryside edge of Westfield - which is contiguous with the urban area of Midsomer Norton. The main sensitivity is the extent of peripheral development southwards along Fosseway.	i.e. does LP Part I limit development for any reason e.g. size; topography etc
14. Physical relationship of site with built-up area of settlement.	Good	<u>Limited</u>	None	The northern and western boundaries of the site are adjacent to the housing development boundary of Midsomer Norton.	
15. If in open countryside – would the site form a logical extension in terms of the overall enclosure of the settlement?	<u>Yes</u>	Unclear	No	The eastern boundary of the site lies opposite new housing development within BaNES.	Where the site is in the open countryside

16. Could development establish a defensible development limit with surrounding countryside?	Yes	<u>Unclear</u>	No	Building on this site would be an extension of built development in BANES. Identifying a development limit in the Mendip Plan could be considered.	<i>i.e. would it be a reasonable boundary to put the development limit around?</i>
17. Will development of the site affect distinctive characteristics identified in the settlement?	<u>No</u>	<u>Unclear</u>	Yes	No broad or specific landscape, heritage, built environment or green infrastructure areas are identified in the BANES placemaking plan in this vicinity within the BANES boundary	<i>Distinctive characteristics are outlined in documents such as town and village design statements, parish plans and CA appraisals</i>

Landscape: Sustainability Objective SAO3					
18. Would the site have an impact on an AONB?	<u>No</u>	Potential	Yes		
19. Would the site have an impact on a Special Landscape Feature?	<u>No</u>	Potential	Yes		
20. Would development have wider impacts on landscape character of the area?	<u>No</u>	Unclear	Yes	Development of the site is unlikely to result in unacceptable impact upon the landscape character of the area. Any landscape impact is likely to be able to be mitigated against.	
21. Would development impact on identified settlement views and vistas?	No	Unclear	Yes	No known important views/vistas identified. Development would be visible on the urban edge of Midsomer Norton and would affect views from the Kilmersdon Road.	<i>Is anything identified in town/village design statement, parish plans, CA appraisals etc</i>
22. Would the site impact on an OALS or result in loss of open space?	<u>No</u>	Unclear	Yes		
23. Would development have an impact on Protected Trees?	<u>No</u>	Unclear	Yes		
Other comments:					

Water supply, flooding & drainage: Sustainability Objectives SAO4 & SAO6				
24. Is the settlement identified as prone to flooding or drainage issues?	<u>No</u>	Potential	<u>Yes</u>	Parts of central MSN are prone to flooding.
25. Is the site within a Water Source Protection Zone?	<u>No</u>	Partly	1,2,3	

26. Does any part of the site fall within flood zone 2?	<u>No</u>	Partly	Yes	
27. Is there a flood risk to this site from surface water?	<u>No</u>	Unclear	Yes	Info from surface water flood risk map on EA website
28. Is sewage capacity sufficient to accommodate further development?	Yes	<u>Unknown</u>	No	Info needed from Wessex Water
29. Can this site be developed without increasing risk elsewhere? [Include comments from utilities]				
Impact on Biodiversity: Sustainability Objective SAO5				
30. Would development have an impact on Protected Species?	No	<u>Unclear</u>	Yes	No comments were made from the county ecologist on the 2014 and 2016 application. The hedgerows may have potential for Bats foraging
31. Would development have an impact on Wildlife Sites – SSSI, NNR, LNR and Local sites?	<u>Low</u>	Potential	High	
32. Would development have an impact on Ancient Woodland?	<u>No</u>	Unclear	Yes	
33. Would development have an impact on Traditional Orchards?	<u>No</u>	Unclear	Yes	
34. Would development involve the loss of other trees, woodland and hedgerows?	No	<u>Unclear</u>	<b>Yes</b>	This is essentially an open field but some boundary trees and hedges may need to be removed to create a site access and connectivity with adjoining housing developments"
35. Would development have an impact on an area of Geological Importance (RIGS)?	<u>No</u>	Unclear	Yes	
36. Would development of the site offer opportunities to improve biodiversity?				

Impact on Heritage Assets: Sustainability Objective SAO8				
37. Risk of impact on designated Monuments and known/potential Archaeology?	<u>Low</u>	Potential	High	Reference Heritage England's comments if relevant
38. Relationship to Conservation Area	<u>Outside</u>	Adjacent	Within	
39. Risk of impact on Listed Buildings?	<u>None</u>	LB adjacent	LB on site	
40. Impact on other locally important heritage?	No	<b>Not clear</b>	Yes	Town/village design statements; local lists etc
Comments on possible impact on heritage assets / opportunities				

Site accessibility & opportunities for sustainable transport: Sustainability Objective SAO9

41. How adequate are Public Transport services to or within the settlement?	<b>Good</b>	Limited	None	There nearest bus stop is within the adjoining housing development and the site is considered accessible by public transport to services in Westfield and Midsomer Norton town centre	<i>Details regarding public transport opportunities at a village/town level</i>
43. How well is the site served by footpaths, multi-user paths and pavements	Good	Limited	<b>None</b>	There are no footways connecting the site on the western side of Fosseway	
44. Presence & accessibility to local facilities:	Good				
<i>Detail any opportunities to improve accessibility to the site by non-car modes and comments from Highways</i>					

<b>Capacity of specific local infrastructure:</b>					
45. Would development of the site cause particular issues with education provision?	No	At capacity	Yes	Site is accessible to primary/secondary provision in B&NES. The site will potentially be within walking distance of 6 form entry primary school under construction off Silver street (although crossing A367 is required) and close to catholic primary school. The new school is being provided to meet a shortfall of capacity in Midsomer Norton and Westfield. The impact of development of this site on the overall school capacity position in Midsomer Norton/Westfield would need to be confirmed by BANES.	
46. Would development of the site cause particular issues with GP provision?	No	At capacity	Yes	Development in this location is served by primary care practices in the Bath & NE Somerset CCG area. There are reported concerns about the levels of housing development in the Somer Valley and impact on practice capacity.	
<i>Feedback from local consultation on facilities</i>					

<b>Policy Implications</b>					
<b>Suitability for a site allocation in Local Plan Part II</b>					
47. Are there any settlement level planning constraints to be taken into account?	No	Unclear	<b>Yes</b>	Settlement is not identified by BaNES in the core strategy and place making plan as an area for significant housing development within their Local Plan. The BaNES position that development in this location is unsustainable due to the peripherally of the development, highways impact and school capacity.	
48. Is there a neighbourhood plan for the settlement?	No	<b>In progress</b>	<b>Yes</b>	The boundary of this site is with the Midsomer Norton Town Council area Midsomer Norton have had a Neighbourhood Plan Area designated and are progressing a Plan. Development in this location would impact on traffic, facilities and services in Westfield. Westfield had a made neighbourhood plan – (November 2018)	
49. Are there are any cross-boundary issues which need to be considered?	No	Unclear	<b>Yes</b>	The town of Midsomer Norton/ Westfield Parish does not form part of the adopted Mendip Spatial strategy. However, sites may be considered in Local Plan Part II subject to agreement with BANES on infrastructure impacts and to meet housing needs in Mendip.	<i>Cross district boundary e.g. Midsomer Norton</i>

50. Could there be in-combination effects from the impact of other sites?	No	Unclear	<u>Yes</u>	There have been concerns highlighted in planning applications relating to this site and NRAD001M from B&NES Highways regarding the impact upon development in this area on the road network. Cumulative impact from this site, NRAD005 and the newly developed Barratt site to the north would need to be assessed.	Yes - this site would result in cumulative impacts alongside adjacent site(s) that already have planning permission
<b>Housing Requirement:</b>					
51. Is there a planned settlement requirement to be met?	Yes	Limited	No	The Local Plan does not set out a specific housing requirement for Midsomer Norton. <b>However, Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth.</b>  The BANES plan indicates existing commitments have met the adopted Core Strategy requirement. The B&NES Placemaking Plan sets out the policy for the area of the Somer Valley which includes Midsomer Norton & Radstock. It states in para 18 of volume 4: <b>'There is already a significant number of housing commitments in the Somer Valley and a limited capacity to generate new jobs. New housing in the Somer Valley will therefore be restrained in the interest of sustainability but some additional housing is likely to come forward on brownfield sites.'</b>	
52. What level of incremental or unplanned development is expected?	None	Some	High	Not applicable	
53. Have any other specific local needs been identified?				Not at this stage	
54. Is the site considered to be best and most versatile agricultural land?	No (3b,4,5)	<u>Unclear</u>	Yes (1,2,3a)	Site Grade 3 but unknown whether 3a or 3b.	
<b>Added value to the site - over and above housing delivery: Sustainability Objectives SA001,SA010,SA013</b>					
55. Would the site support delivery of Local Plan policies?	Yes	Limited	No	Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth	
56 Has the site been identified in need of improvement?	Yes	Not clear	<u>No</u>		
57. Any other supporting factors?					



NRAD005 - Land east of A367 , Westfield Summary of Sustainability Appraisal				Potential mitigation measures	
SA Objective	Overall Impact	Comments [reasons for impact]			
SAO1	±	No loss of employment land or provision made.			
SAO2	±	Development of the site is not expected to have any negative impacts upon any identified locally distinctive features.			
SAO3	-	The site is a greenfield site on the edge of the town and will have some degree of impact upon the landscape character and long distance views . However it is not a protected landscape			
SAO4	±	There are no flooding issues related to the site			
SAO5	±	No known protected species or habitat found to be on the site			
SAO6	±	Not considered to impact upon water quality			
SAO7	±	No specific opportunities for renewable energy production on this site			
SAO8	±	There is some existing development relatively close to all of the boundaries and the northern boundary is adjacent to the development boundary of Midsomer Norton. It is not in close proximity to any heritage assets. It is unlikely that development of this site will have significant impacts upon the built environment.			
SAO9	+	The site is located on the southern edge of Midsomer Norton and on bus route into the town. The site can access services and facilities and there are public transport links to Mendip towns (Frome/ Shepton Mallet). The B&NES Placemaking Plan seeks to restrict housing development in the Somer Valley towns due to the imbalance with local jobs and potential for increased commuting.			
SAO10	±	Midsomer Norton is not a strategic settlement in the adopted Local Plan. Additional development on the edge of Midsomer Norton is not supported by the Bath Core Strategy or Placemaking Plan			
SAO11	+	The site could accommodate up to 100 – 150 homes which would make a contribution to the district's housing numbers and provide affordable housing.			
SAO12	±				
SAO13	-	Site is located on the periphery of the town with a range of services and facilities. <b>Significant concerns are highlighted in the planning application relating to this site and from B&amp;NES Highways regarding the impact upon development in this area on the road network. Cumulative impact from this site, NRAD001M and the newly developed Barratt site to the east would need to be assessed.</b>			
Overall Impact symbols: Positive ++Slight Positive + Neutral ± Slight Negative - Severe Negative -- Uncertain?					



<b>NRAD007</b>	<b>Land at Chilcompton Road</b>	<b>Settlement:</b>	<b>Midsomer Norton</b>	<b>Reference:</b>	
Parish: Chilcompton/ District Ward: Ashwick, Chilcompton & Stratton		<b>Size (ha):</b>		9.83ha	<b>Capacity (Mendip)</b>
<b>General Site Description:</b>					
The site being assessed forms the southern part of a larger site, the majority of which lies within B&NES. The area within Mendip equates to 20 homes of the total 120 homes. The area within Mendip is also expected to contain new public open space.					
<b>Recommendations:</b>					
Site has constraints and is dependent on an allocation through the BaNES local plan process. It is not considered a preferred option for allocation.					

Site/Ref: Suitability & Availability of the Site					
1. Does the initial assessment raise any issues?	No	<b>Yes – but issues</b>	Yes	Peripheral location to the town centre	Initial assessment in I&O Paper
2. Is this previously developed land?	Yes	Partial	<b>No</b>		Info found in HELAA spreadsheet
3. Is there a means of access at present?	<b>Yes</b>	Unclear	No	Access could be achieved off Chilcompton Road	Yes – it's on a road No – not on a road
4. Are there any structures, pipes, features or zones which limit the development land available?	<b>No</b>	Unclear	Yes		Issues might include difficult terrain, no-build-zones, pylons or pipes
5. Would development have an impact on rights of way?	<b>No</b>	Uncertain	Yes		Is there a ROW on or crossing the site?
6. Is there a risk of Contaminated land or issues with land stability?	<b>Low</b>	Unclear	High		
7. Is there a risk to the amenity of the site from adjacent land uses?	<b>No</b>	Unclear	Yes		
8. Could the site be at risk from poor air quality?	<b>No</b>	Unclear	Yes		
9. Is there any current activity on the site?	<b>No</b>	Limited	Yes		
10. Is the land available? Are there constraints on ownership?	<b>Available</b>	Available – but issues	Not available		

11. Are there any specific factors that would limit viability at this stage?	<b>No</b>	Potential	Yes	
Mitigation:				
12. Can any of the constraints/identified be mitigated?				

Settlement character & identity: Sustainability Objective SAO2					
13. How sensitive is the settlement as a whole to additional development?	Not sensitive	Neutral	<u>Very sensitive</u>	Part of the countryside edge of Midsomer Norton Site adjoins land in BaNES identified of value for a strategic green infrastructure corridor	<i>i.e. does LP Part I limit development for any reason e.g. size; topography etc</i>
14. Physical relationship of site with built-up area of settlement.	Good	Limited	<u>None</u>	In isolation the area of the site lying within Mendip is separate from the development boundary of Midsomer Norton.  If looked at in conjunction with the land to the north that falls within B&NES the northern boundary is adjacent to the development boundary.	<b>None:</b> No relationship with settlement (maybe screened out already?)  <i>Where the site is in the open countryside</i>
15. If in open countryside – would the site form a logical extension in terms of the overall enclosure of the settlement?	Yes	<u>Unclear</u>	No		
16. Could development establish a defensible development limit with surrounding countryside?	Yes	<u>Unclear</u>	No		<i>i.e. would it be a reasonable boundary to put the development limit around?</i>
17. Will development of the site affect distinctive characteristics identified in the settlement?	No	<u>Unclear</u>	Yes	Need input from B&NES	

Landscape: Sustainability Objective SAO3				
18. Would the site have an impact on an AONB?	<b>No</b>	Potential	Yes	
19. Would the site have an impact on a Special Landscape Feature?	<b>No</b>	Potential	Yes	
20. Would development have wider impacts on landscape character of the area?	<b>No</b>	Unclear	Yes	Development of the site is unlikely to result in unacceptable impact upon the landscape character of the area if development in conjunction with the northern part within B&NES.
21. Would development impact on identified settlement views and vistas?	<b>No</b>	Unclear	Yes	No known important views/vistas identified  <i>Is anything identified in town/village design statement,</i>

						parish plans, CA appraisals etc
22. Would the site impact on an OALS or result in loss of open space?	<u>No</u>	Unclear	Yes			
23. Would development have an impact on Protected Trees?	<u>No</u>	Unclear	Yes			
Other comments:						

Water supply, flooding & drainage: Sustainability Objectives SAO4 & SAO6					
24. Is the settlement identified as prone to flooding or drainage issues?	<u>No</u>	Potential	Yes		
25. Is the site within a Water Source Protection Zone?	<u>No</u>	Partly	1,2,3		
26. Does any part of the site fall within flood zone 2?	No	Partly	<u>Yes</u>	A band of FZ 2&3 runs across the northern part of the site.	
27. Is there a flood risk to this site from surface water?	<u>No</u>	Unclear	Yes		Info from surface water flood risk map on EA website
28. Is sewage capacity sufficient to accommodate further development?	Yes	<u>Unknown</u>	No		Info needed from Wessex Water
29. Can this site be developed without increasing risk elsewhere? [Include comments from utilities] Not clear at this stage					
Impact on Biodiversity: Sustainability Objective SAO5					
30. Would development have an impact on Protected Species?	<u>No</u>	Unclear	Yes		
31. Would development have an impact on Wildlife Sites – SSSI, NNR, LNR and Local sites?	<u>Low</u>	Potential	High		
32. Would development have an impact on Ancient Woodland?	<u>No</u>	Unclear	Yes		
33. Would development have an impact on Traditional Orchards?	<u>No</u>	Unclear	Yes		
34. Would development involve the loss of other trees, woodland and hedgerows?	No	<u>Unclear</u>	Yes	The development may result in some loss of hedgerow	
35. Would development have an impact on an area of Geological Importance (RIGS)?	<u>No</u>	Unclear	Yes		
36. Would development of the site offer opportunities to improve biodiversity?					

Impact on Heritage Assets: Sustainability Objective SAO8					
37. Risk of impact on designated Monuments and known/potential Archaeology?	<u>Low</u>	Potential	High		Reference Heritage England's comments if relevant
38. Relationship to Conservation Area	<u>Outside</u>	Adjacent	Within		
39. Risk of impact on Listed Buildings?	<u>None</u>	LB adjacent	LB on site		
40. Impact on other locally important heritage?	No	<u>Not clear</u>	Yes		Town/village design statements; local lists etc
Site accessibility & opportunities for sustainable transport: Sustainability Objective SAO9					
41. How adequate are Public Transport services to or within the settlement?	<u>Good</u>	Limited	None	The site lies on a bus route into the town. There are journey to work bus services to the town and further on to Bath	Details regarding public transport opportunities at a village/town level
43. How well is the site served by footpaths, multi-user paths and pavements	<u>Good</u>	Limited	None	2 ROW cross the site	Use Helen's work
44. Presence & accessibility to local facilities		Limited			
Capacity of specific local infrastructure:					
45. Would development of the site cause particular issues with education provision?	No	At capacity	Yes	Nearest school (Longvernal) is 1.3km from site and remote from schools in Mendip.	
46. Would development of the site cause particular issues with GP provision?	No	At capacity	Yes	Development in this location is served by primary care practices in the Bath & NE Somerset CCG area. There are reported concerns about the levels of housing development in the Somer Valley and impact on practice capacity.	
Stage 3: Policy Implications					
Suitability for a site allocation in Local Plan Part II: Sustainability Objective SAO12					
47. Are there any settlement level planning constraints to be taken into account?	No	Unclear	<u>Yes</u>	Settlement not identified by B&NES as an area for significant development within their Local Plan	
48. Is there a neighbourhood plan for the settlement?	No	<u>In progress</u>	Yes	Midsomer Norton have had a Neighbourhood Plan Area designated and are progressing a Plan.	

49. Are there are any cross-boundary issues which need to be considered?	No	Unclear	<u>Yes</u>	The site lies on the border with B&NES	Cross district boundary e.g. Midsomer Norton
50. Could there be in-combination effects from the impact of other sites?	No	<u>Unclear</u>	Yes	Adjacent land has been promoted for development	
<b>Housing Requirement:</b>					
51. Is there a planned settlement requirement to be met?	<u>Yes</u>	Limited	No	The Local Plan does not set out a specific housing requirement for Midsomer Norton. <b>However, Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth.</b>	
52. What level of incremental or unplanned development is expected?	None	Some	High		
53. Have any other specific local needs been identified?				No	
54. Is the site considered to be best and most versatile agricultural land?	No (3b,4,5)	<u>Unclear</u>	Yes (1,2,3a)	Site Grade 3 but unknown whether 3a or 3b.	
<b>Added value to the site - over and above housing delivery: Sustainability Objectives SA001, SA010, SA013</b>					
55. Would the site support delivery of Local Plan policies?	Yes	<u>Limited</u>	No	Site could make a contribution to housing needs in Mendip but delivery is dependent on land to the north (in BaNES) coming forward	
56. Has the site been identified in need of improvement?	Yes	<b>Not clear</b>	<u>No</u>	The site is not in need of improvement	
57. Any other supporting factors?					

<b>NRAD007 – Land at Chilcompton Road - Summary of Sustainability Appraisal</b>					
SA Objective	Overall Impact	Comments [reasons for impact]		Potential mitigation measures	
SAO1	±	Development would not involve any losses or gains to employment land			
SAO2	±	Development of the site is not expected to have any negative impacts upon any identified locally distinctive features.			
SAO3	-	The site does lie on the periphery of Midsomer Norton on a greenfield site. Development would result in some impact upon the landscape character which is generally open.			
SAO4	-	A band of flood zone 2&3 runs across the site. This would limit the amount of developable land. However this is reflected in the number of houses expected to be delivered on the site. The promoters are proposing that an area of open space and an area for tree planting is located on this part of the wider site.			
SAO5	±	No known protected species or habitat found to be on the site			
SAO6	±	Not considered to impact upon water quality			
SAO7	±	No specific opportunities for renewable energy production on this site			

SAO8	±	If the site is allocated along with the area to the north in the district of B&NES then collectively it is expected that the site could be relatively easily assimilated into the existing built form and any impact would be minimal.	
SAO9	-	There are no heritage assets in close proximity to the site within the Mendip district. The site is located on the southern edge of Midsomer Norton and on a bus route into the town. Therefore the opportunity to access employment, services and facilities is relatively good. Although on the edge of a relatively large town Midsomer Norton does not lie within the Mendip District but within Bath & North East Somerset. The B&NES Placemaking Plan restricts development in this area due to the lack of jobs and resultant sustainability issues. Allocating this site would therefore be contrary to this approach and could impact upon sustainable travel patterns.	
SAO10	±	Midsomer Norton is not a strategic settlement in the adopted Local Plan. Additional development on the edge of Midsomer Norton is not supported by the Bath Core Strategy or Placemaking Plan	
SAO11	-	The developable area of the site is relatively small – only accommodating a potential 20 dwellings and therefore development here will not make a significant contribution to the district's housing delivery. Although the site is part of a larger site the remaining 100 homes will count towards the B&NES housing target as they are within the B&NES district. It is unclear whether any affordable homes that result from the wider development would be provided within Mendip.  The B&NES Placemaking Plan indicates that this area is an area of housing restraint due to sustainability issues.	
SAO12	+	The site has two PROW running through it. The site would be expected to provide an area of open space to serve both this site and the wider site to the north.	
SAO13	-	The site is on the periphery of the town and some distance from local amenities.	
Overall Impact symbols: Positive ++ Slight Positive + Neutral ± Slight Negative - Severe Negative -- Uncertain?		BANES would need to confirm local highway capacity and other infrastructure is adequate.	

<b>NRAD006</b>	<b>Land south of Withies Lane</b>	<b>Settlement:</b>	<b>Midsomer Norton</b>	<b>Reference:</b>	
Parish: Chilcompton/ District Ward: Ashwick, Chilcompton & Stratton		<b>Size (ha):</b>		<b>Capacity:</b>	20-30
<b>General Site Description:</b>					
Greenfield land to the south of Midsomer Norton adjacent to the Staddlestones housing estate					
<b>Summary of Recommendations:</b>					
A small site to the south of Withies Lane This site is not suitable for development as the promoted land has no access					
<b>Relevant Planning History:</b>					
None					

<b>Site/Ref:</b>					
<b>Suitability &amp; Availability of the Site</b>					
<b>1. Does the initial assessment raise any issues?</b>	<u>No</u>	Yes	Yes	Site promoted post issues and options stage	<i>Initial assessment in I&amp;O Paper</i>
<b>2. Is this previously developed land?</b>	Yes	Partial	<u>No</u>		Info found in HELAA spreadsheet
<b>3. Is there a means of access at present?</b>	Yes	<b>Unclear</b>	<u>No</u>	No clear means of access demonstrate. Landowner states access could be achieved from Withies Lane or from Riverside Gardens, although access from the latter does not seem to be currently available. Withies lane is unsuitable	Yes – it's on a road No – not on a road
<b>4. Are there any structures, pipes, features or zones which limit the development land available?</b>	<u>No</u>	Unclear	Yes		Issues might include difficult terrain, no-build-zones, pylons or pipes
<b>5. Would development have an impact on rights of way?</b>	<u>No</u>	Uncertain	Yes		Is there a ROW on or crossing the site?
<b>6. Is there a risk of Contaminated land or issues with land stability?</b>	<u>Low</u>	Unclear	High		
<b>7. Is there a risk to the amenity of the site from adjacent land uses?</b>	<u>No</u>	Unclear	Yes		
<b>8. Could the site be at risk from poor air quality?</b>	<u>No</u>	Unclear	Yes		E.g site in town centre, adjacent to major road or

						railway line or nuisance zone
9. Is there any current activity on the site?	<u>No</u>	Limited	Yes			
10. Is the land available? Are there constraints on ownership?	<u>Available</u>	Available – but issues	Not available			
11. Are there any specific factors that would limit viability at this stage?	No	Potential	Yes	No means of access		
Mitigation:						
12. Can any of the constraints/identified be mitigated?						

Settlement character & identity: Sustainability Objective SAO2						
13. How sensitive is the settlement as a whole to additional development?	Not sensitive	Neutral	<u>Very sensitive</u>	Part of the countryside edge of Midsomer Norton The site appears to be a continuation of land considered in the BaNES placemaking plan to be important to the landscape setting and of value for Green Infrastructure		
14. Physical relationship of site with built-up area of settlement.	Good	<u>Limited</u>	None	The northern boundary of the site is adjacent to the Straddlestones estate.		
15. If in open countryside – would the site form a logical extension in terms of the overall enclosure of the settlement?	<u>Yes</u>	Unclear	No	Where the site is in the open countryside		
16. Could development establish a defensible development limit with surrounding countryside?	Yes	<u>Unclear</u>	No	Only if developed with adjacent land. The field does have a degree of self-containment.		
17. Will development of the site affect distinctive characteristics identified in the settlement?	No	<u>Unclear</u>	Yes	Need input from B&NES		

Landscape: Sustainability Objective SAO3				
18. Would the site have an impact on an AONB?	<u>No</u>	Potential	Yes	
19. Would the site have an impact on a Special Landscape Feature?	<u>No</u>	Potential	Yes	



20. Would development have wider impacts on landscape character of the area?	No	Unclear	<u>Yes</u>	Land represents a continuation of land identified of value to local landscape setting and green infrastructure links
21. Would development impact on identified settlement views and vistas?	<u>No</u>	Unclear	Yes	No known important views/vistas identified
22. Would the site impact on an OALS or result in loss of open space?	<u>No</u>	Unclear	Yes	
23. Would development have an impact on Protected Trees?	<u>No</u>	Unclear	Yes	
Other comments:				

Water supply, flooding & drainage: Sustainability Objectives SAO4 & SAO6				
24. Is the settlement identified as prone to flooding or drainage issues?	No	Potential	<u>Yes</u>	An area of FZ 3 to the west of the site along the river corridor. This would affect the developable area of the site.
25. Is the site within a Water Source Protection Zone?	<u>No</u>	Partly	1,2,3	
26. Does any part of the site fall within flood zone 2?	<u>No</u>	Partly	Yes	
27. Is there a flood risk to this site from surface water?	<u>No</u>	Unclear	Yes	Info from surface water flood risk map on EA website
28. Is sewage capacity sufficient to accommodate further development?	Yes	<u>Unknown</u>	No	Info needed from Wessex Water
29. Can this site be developed without increasing risk elsewhere? [Include comments from utilities]				

Impact on Biodiversity: Sustainability Objective SAO5				
30. Would development have an impact on Protected Species?	<u>No</u>	<u>Unclear</u>	Yes	
31. Would development have an impact on Wildlife Sites – SSSI, NNR, LNR and Local sites?	<u>Low</u>	Potential	High	
32. Would development have an impact on Ancient Woodland?	<u>No</u>	Unclear	Yes	
33. Would development have an impact on Traditional Orchards?	<u>No</u>	Unclear	Yes	

34. Would development involve the loss of other trees, woodland and hedgerows?	No	<u>Unclear</u>	Yes	
35. Would development have an impact on an area of Geological Importance (RIGS)?	<u>No</u>	Unclear	Yes	
36. Would development of the site offer opportunities to improve biodiversity?				

Impact on Heritage Assets: Sustainability Objective SAO8				
37. Risk of impact on designated Monuments and known/potential Archaeology?	<u>Low</u>	Potential	High	Reference Heritage England's comments if relevant
38. Relationship to Conservation Area	<u>Outside</u>	Adjacent	Within	
39. Risk of impact on Listed Buildings?	<u>None</u>	LB adjacent	LB on site	
40. Impact on other locally important heritage?	No	<u>Not clear</u>	Yes	Town/village design statements; local lists etc
Comments on possible impact on heritage assets / opportunities				

Site accessibility & opportunities for sustainable transport: Sustainability Objective SAO9				
41. How adequate are Public Transport services to or within the settlement?	Good	<u>Limited</u>	None	Location appears isolated from bus stops - but would require access to Riverside Gardens.  Details regarding public transport opportunities at a village/town level  Use Helen's work
43. How well is the site served by footpaths, multi-user paths and pavements	Good	Limited	<u>None</u>	Two PROW extend from the site down to the south
44. Presence & accessibility to local facilities		Limited		

Capacity of specific local infrastructure:			
45. Would development of the site cause particular issues with education provision?	No	At capacity	Yes Nearest school (Longvernal) is 1.3km from site and remote from schools in Mendip.

46. Would development of the site cause particular issues with GP provision?	No	At capacity	Yes	Development in this location is served by primary care practices in the Bath & NE Somerset CCG area. There are reported concerns about the levels of housing development in the Somer Valley and impact on practice capacity.
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Suitability for a site allocation in Local Plan Part II:				
47. Are there any settlement level planning constraints to be taken into account?	No	Unclear	<u>Yes</u>	Rural location of landscape and potential green links
48. Is there a neighbourhood plan for the settlement?	No	<u>In progress</u>	Yes	Midsomer Norton have had a Neighbourhood Plan Area designated and are progressing a Plan.
49. Are there are any cross-boundary issues which need to be considered?	No	Unclear	<u>Yes</u>	The site lies on the border with B&NES  <i>Cross district boundary e.g. Midsomer Norton</i>
50. Could there be in-combination effects from the impact of other sites?	No	<u>Unclear</u>	Yes	Adjacentl and promoted for development
Housing Requirement:				
51. Is there a planned settlement requirement to be met?	<u>Yes</u>	Limited	No	The Local Plan does not set out a specific housing requirement for Midsomer Norton. <b>However, Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth.</b>
52. What level of incremental or unplanned development is expected?	None	Some	High	Not known – to be considered with BaNES
53. Have any other specific local needs been identified?				No
54. Is the site considered to be best and most versatile agricultural land?	No (3b,4,5)	<u>Unclear</u>	Yes (1,2,3a)	Site Grade 3 but unknown whether 3a or 3b.
Added value to the site - over and above housing delivery: Sustainability Objectives SA001, SA010, SA013				
55. Would the site support delivery of Local Plan policies?	<u>Yes</u>	Limited	No	Midsomer Norton identified by Local Plan Part 2 Inspector as location to be explored for additional housing growth
56. Has the site been identified in need of improvement?	Yes	Not clear	No	
57. Any other supporting factors?				

NRAD006 – land south of Withies Lane - Summary of Sustainability Appraisal			
SA Objective	Overall Impact	Comments [reasons for impact]	Potential mitigation measures
SAO1	±	No loss of employment land or provision made.	
SAO2	±	Not clear if development would impact on identified locally distinctive features.	
SAO3	--	Area is adjacent to location identified of value to the setting of the town.	
SAO4	-	An area of FZ 3 to the west of the site along the river corridor. This would affect the developable area of the site.	
SAO5	-	Continuation of a green corridor/ green infrastructure link	
SAO6	±	Not considered to impact upon water quality	
SAO7	±	No specific opportunities for renewable energy production on this site	
SAO8	±	The site is not in close proximity to any heritage assets and unlikely that development of this site will have significant impacts upon the built environment.	
SAO9	--	A suitable means of access has not been demonstrated	
SAO10	±	Midsomer Norton town centre is not identified in the adopted Local Plan.	
SAO11	-	If deliverable, the site could accommodate approximately 20 homes which would make a small contribution to the district's housing numbers.	
SAO12	+	There are 2 ROW which extend from the southern edge of the site southwards. There is also an area of open space to the north including a playing field.	
SAO13	-	Very peripheral location with some accessible services.	
Overall Impact symbols: Positive ++Slight Positive + Neutral ± Slight Negative - Severe Negative -- Uncertain?			

## Appendix 6b

### BaNES 'informal' comments on draft SA - Sites adjacent to Midsomer Norton

Site	SAO	Issue summary	Changes sought to the SA	MDC response
general comments				
All	SAO9, SAO13, all SAOs	It is not possible to assess environmental impacts as detailed assessment of the impacts on social and transport infrastructure have not been carried out. There is no evidence of detailed traffic modelling.	Comprehensive assessment required by LPP1 should be carried out.	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.
All	SAO9, SAO13, all SAOs	Cumulative impacts should be assessed.	Comprehensive assessment required by LPP1 should be carried out.	The SA template includes sections on cross boundary and in-combination effects. No change to the SA required.
All	All	The additional 505 homes is to meet need in the wider Mendip area and is not specific to the North/North East. Therefore these sites are not the most sustainable locations to meet need.	Reflect the relationship of the location to need in the rest of the District in the SA.	Each site specific SA systematically assesses the characteristics of the site and its locality. The SA also includes an overall assessment of option 2, which looks at the pattern of growth. There is no need to include reference to other Mendip towns in the site specific SA. No change to the SA required.
All	All	The SA should include cumulative impacts when considered alongside other plans. The BANES planning framework identifies an imbalance between jobs and homes, which the allocation of these sites will worsen. This should be reflected in the SA.	Reflect the negative impacts of cumulative development as identified in the BANES plan, including the imbalance between homes and jobs.	The site is assessed with reference to facilities and social infrastructure in Mendip. No change to the SA required.

All	All	These sites are better considered as part of the BANES local plan process, with fully informed SA and local community participation.	Consider sites as part of the BANES local plan process.	The sites are in Mendip and the Mendip Local Plan Inspector has identified the edge of Midsomer Norton and Radstock as a potential location for 505 homes. Input has been requested from BANES.
SA Summary and Conclusions				
SA Summary and conclusions	NRAD001M, NRAD003, NRAD005	Disagree with conclusion that these sites have the most potential for allocation because assessment of cumulative impact on highway and social infrastructure has not been properly undertaken or demonstrated.	Revise conclusion that NRAD001M, NRAD003 and NRAD005 have the most potential for allocation	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.
As above	NRAD001M	SAO1 should be -	change summary of SAO1 to -	SAO1 is about promoting a strong, thriving and diverse economy. The proposed allocation does not result in the loss of any employment land or provision and is appropriately scored as neutral. No change to the SA.
As above	NRAD001M	SAO9 should be ?	Change summary of SAO9 to ?	The site has good public transport links and although on the edge of the town is within walking and cycling distance of the town centres. It is appropriately scored as a single positive. No change to the SA.
As above	NRAD001M	SAO11 should be + and ?	Change summary of SAO11 to + and ?	Mendip Local Plan Inspector has identified the edge of Midsomer Norton and Radstock as a potential location for 505 homes. The allocation would meet housing need in the area identified by the Inspector. The SA template does not allow for 2 scores to be attributed. No change to the SA.

As above	NRAD001M	SAO13 should be - and ?	SAO13 should be - and ?	Change summary of SAO13 to - and ?	The site is close to some facilities and is accessible to others by cycling and public transport. A neutral score is appropriate on balance. The SA template does not allow for 2 scores to be attributed. No change to the SA.
As above	NRAD001M	change recommendation to "Site could be considered as a Preferred Option subject to assessing the cumulative impact on local infrastructure. These sites are better considered fully as part of B&NES Local Plan preparation taking into account the infrastructure requirements and working closely with the local communities."	change recommendation as set out.	Change recommendation as set out.	The site is assessed with reference to facilities and social infrastructure in Mendip. The site is within Mendip and is included in the Mendip Local Plan process. No change to the SA required.
As above	NRAD003	? Should be added to the summary to be consistent with other assessments	Add ? To SAO9	Add ? To SAO9	The site has good public transport links and although on the edge of the town is within walking and cycling distance of the town centres. It is appropriately scored as a single positive. No change to the SA.
As above	NRAD003	SAO11 summary should be + and ?	Change SAO11 to + and ?	Change SAO11 to + and ?	Mendip Local Plan Inspector has identified the edge of Midsomer Norton and Radstock as a potential location for 505 homes. The allocation would meet housing need in the area identified by the Inspector. The SA template does not allow for 2 scores to be attributed. No change to the SA.
As above	NRAD003	SAO13 summary should be - and ?	Change SAO13 to - and ?	Change SAO13 to - and ?	The site is close to some facilities and is accessible to others by cycling and public transport. A neutral score is appropriate on balance. The SA template does not allow for 2 scores to be attributed. No change to the SA.
As above	NRAD005	? Should be added to the summary to be consistent with other assessments	Add ? To SAO9	Add ? To SAO9	The site has good public transport links and although on the edge of the town is within walking and cycling distance of the town centres. It is appropriately scored as a single positive. No change to the SA.

As above	NRAD005	SAO11 summary should be + and ?	Change SAO11 to + and ?	Mendip Local Plan Inspector has identified the edge of Midsomer Norton and Radstock as a potential location for 505 homes. The allocation would meet housing need in the area identified by the Inspector. The SA template does not allow for 2 scores to be attributed. No change to the SA.
As above	NRAD007	SAO13 summary should be ' - ' and ' ?'	Change SAO13 to ' - ' and ' ?'	The site is close to some facilities and is accessible to others by cycling and public transport. A neutral score is appropriate on balance. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD001M				
NRAD001M	matters to be addressed in any allocation	Disagree with this conclusion because assessment of cumulative impact on highway and social infrastructure has not been properly undertaken or demonstrated.	Assess cumulative impacts	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD001M	SAO2 point 16	Potential for a defensible development limit with the surrounding countryside should be rated as uncertain	record SAO2, 16 as uncertain	This point is rated as unclear. No change required.
NRAD001M	SAO3 point 20	impact on landscape character should be recorded as uncertain. Not based on evidence	record SAO3, 20 as uncertain	Planning application 2016/0980/OTS provided information on landscape impact and indicated potential for landscape impact from the Silver Street direction. <b>Amend the SA to record the potential for landscape impact at point 20. Retain the scoring as unclear.</b>
NRAD001M	SAO3, point 21	Impact on settlement views and vistas should be uncertain. Not based on evidence	record SAO3, 21 as uncertain	Planning application 2016/0980/OTS provided information on landscape impact and indicated potential for landscape impact from the Silver Street direction. <b>Amend the SA to record the potential for impact on views and visas at point 21. Retain the scoring as unclear.</b>



NRAD001M	SAO5, point 28	Assessment of sewerage capacity is unknown	record SAO5, 28 as no or unknown	Point 28 is scored as unknown. No change to the SA required.
NRAD001M	SAO9, point 41	Availability of public transport should be 'Limited' or 'no' taking into account the links to Mendip towns until the cumulative impact on the infrastructure in MN town centre is identified.	record SAO9, 41 as limited or no and refer only to transport to Mendip towns until impact on MSN infrastructure has been assessed.	It would be expected that future residents would use public transport to the nearest facilities available. Facilities are available in MSN and Radstock, and these options should not be excluded from the assessment. No change to the SA required.
NRAD001M	SAO13, point 44	Accessibility of local facilities has not been assessed.	Assess accessibility of local facilities	<b>Complete assessment of local facilities.</b> All facilities are available in the settlements.
NRAD001M	SAO13, point 45	Impact on education provisions should be recorded as 'Yes' taking into account the existing and future requirements meeting the B&NES needs.	Assess potential for impact on education as yes	Education need is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD001M	Policy Implications, point 47	It is also contrary to the adopted Spatial Strategy set out in the Core Strategy and Placemaking Plan.	Reference the Spatial Strategy	<b>Directly reference the BANES Core Strategy and Placemaking Plan. Retain scoring of "yes"</b>
NRAD001M	Policy Implications, point 50	In-combination effects should be recorded as Yes. It needs to be assessed comprehensively with other development sites in the Somer Vally.	Record point 50 as yes	The point is scored as "yes" and potential in-combination effects noted. No change to the SA required.
NRAD001M	Housing requirements, point 52	If the LPP2 allocate this site, then this allocation forms part of incremental and unplanned development not expected as part of the Spatial Strategy for the Somer Valley set out in the B&NES Development Plan. This is the significant issue for B&NES.	consider the allocation to be unplanned in the context of BaNES planning policy	The land is put forward as planned development within the Mendip Local Plan. No change to the SA required.

NRAD001M	representations/LPP2 consultation	B&NES supported the submitted LPP2 not allocating this site.	note that BANES supported the non-allocation of this site	Note that BANES supported the non-allocation of this site.
NRAD001M	Summary SAO9	Should be recorded as - and ? To take highways impact into account	Record summary of SAO9 as - and ?	The site has good public transport links and although on the edge of the town is within walking and cycling distance of the town centres. It is appropriately scored as a single positive. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD001M	Summary SAO11	Should be recorded as minus and ?' as it is not best use of PDL and considered the most sustainable location in the B&NES Core Strategy. It is not the most sustainable location to meet the needs of the Mendip District.	Record summary of SAO11 as - and ?	Mendip Local Plan Inspector has identified the edge of Midsomer Norton and Radstock as a potential location for 505 homes. The allocation would meet housing need in the area identified by the Inspector. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD001M	Summary SAO13	Should be recorded s minus and ? no engagement to assess the local infrastructure capacities including the primary school capacity. There is no school capacity available taking into account the requirements for existing and future growth within the B&NES.	Record summary of SAO13 as - and ?	The site is close to some facilities and is accessible to others by cycling and public transport. A neutral score is appropriate on balance. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD003				
NRAD003	matters to be addressed in any allocation	Disagree with this conclusion because assessment of cumulative impact on highway and social infrastructure has not been properly undertaken or demonstrated.	Assess cumulative impacts	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD003	SAO2 point 16	Potential for a defensible development limit with surrounding countryside should be recorded as uncertain	Record point 16 as uncertain	The site has clearly defined boundaries and the scoring of "yes" is appropriate. No change to the SA required.
NRAD003	SAO3, point 20	Impact on landscape character should be recorded as uncertain. Not based on evidence	Record point 20 as uncertain	The site has been assessed by Mendip Council officers for it's likely landscape impact. No change to the SA required.

NRAD003	SAO3, point 21	Impact on settlement views and vistas should be uncertain. Not based on evidence	Record point 21 as uncertain	The site has been assessed by Mendip Council officers for likely impact on views and vistas. No change to the SA required.
NRAD003	SAO9, point 41	Availability of public transport should be 'limited' or 'no' taking into account the links to Mendip towns until the cumulative impact on the infrastructure in MN town centre is identified.	Record SAO9, 41 as limited or no and refer only to transport to Mendip towns until impact on MSN infrastructure has been assessed.	It would be expected that future residents would use public transport to the nearest facilities available. Facilities are available in MSN and Radstock, and these options should not be excluded from the assessment. No change to the SA required.
NRAD003	SAO13, point 44	Accessibility of local facilities has not been assessed.	Assess accessibility of local facilities	<b>Complete assessment of local facilities. All facilities are available in the settlements.</b>
NRAD003	SAO13, point 45	Impact on education provisions should be recorded as 'Yes' taking into account the existing and future requirements meeting the B&NES needs.	Assess potential for impact on education as yes	Education need is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD003	Policy Implications, point 47	It is also contrary to the adopted Spatial Strategy set out in the Core Strategy and Placemaking Plan.	Reference the Spatial Strategy	<b>Directly reference the BANES Core Strategy and Placemaking Plan. Retain scoring of "yes"</b>
NRAD003	Policy Implications, point 50	In-combination effects should be recorded as Yes. It needs to be assessed comprehensively with other development sites in the Somer Vally.	Record point 50 as yes	The site is appropriately scored as "unclear". The site is at some distance from others being promoted and in-combination effects need to be clarified. No change to the SA required.
NRAD003	Housing requirements, point 52	If the LPP2 allocate this site, then this allocation forms part of incremental and unplanned development not expected as part of the Spatial Strategy for the Somer Valley set out in the B&NES Development Plan. This is the significant issue for B&NES.	consider the allocation to be unplanned in the context of BaNES planning policy	The land is put forward as planned development within the Mendip Local Plan. No change to the SA required.
NRAD003	representations/LPP2 consultation	B&NES supported the submitted LPP2 not allocating this site.	note that BANES supported the non-allocation of this site	<b>Note that BANES supported the non-allocation of this site.</b>

NRAD003	Summary SAO9	Should be recorded as - and ? To take highways impact into account	Record summary of SAO9 as - and ?	The site has good public transport links and although on the edge of the town is within walking and cycling distance of the town centres. It is appropriately scored as a single positive. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD003	Summary SAO11	Should be recorded as minus and ?' as it is not best use of PDL and considered the most sustainable location in the B&NES Core Strategy. It is not the most sustainable location to meet the needs of the Mendip District.	Record summary of SAO11 as - and ?	Mendip Local Plan Inspector has identified the edge of Midsomer Norton and Radstock as a potential location for 505 homes. The allocation would meet housing need in the area identified by the Inspector. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD003	Summary SAO13	Should be recorded as minus and ? no engagement to assess the local infrastructure capacities including the primary school capacity. There is no school capacity available taking into account the requirements for existing and future growth within the B&NES.	Record summary of SAO13 as - and ?	The site is close to some facilities and is accessible to others by cycling and public transport. A neutral score is appropriate on balance. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD005				
NRAD005	matters to be addressed in any allocation	Disagree with this conclusion because assessment of cumulative impact on highway and social infrastructure has not been properly undertaken or demonstrated.	Assess cumulative impacts	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD005	SAO2, point 13	Delete "which forms part of the urban area of Midsomer Norton" from the commentary	Delete "which forms part of the urban area of Midsomer Norton" from the commentary	Agree that Westfield is not strictly part of Midsomer Norton. Delete "which forms part of the urban area of MSN" and replace with "which is contiguous with the urban area of MSN"
NRAD005	SAO2, point 16	Record as No, as no robust measures are introduced to create a defensible development limit	Record point 16 as no	The site is clearly delineated by field boundaries. No change to the SA is required.

NRAD005	SAO2, point 17	Add "as the site is outside the BANES boundary" to the commentary on identified characteristics	Add "as the site is outside the BANES administrative area" to the commentary.	Amend "in this location" to read "in this vicinity" to make clear that BANES would not be expected to identify landscape value on the site.
NRAD005	SAO3, point 20	Wider impacts on the landscape should be recorded as unclear, as it is not clear that the impact can be mitigated	Record point 20 as unclear	The site has been assessed by Mendip Officers and the need for mitigation should be reflected in the proposed policy. No change to the SA required.
NRAD005	SAO4 and 6, point 24	MSN is subject to flooding	Record that MSN is subject to flooding	Record that parts of central MSN are prone to flooding. Amend scoring to "yes".
NRAD005	SAO9, point 41	Availability of public transport should be 'Limited' or 'no' taking into account the links to Mendip towns until the cumulative impact on the infrastructure in MN town centre is identified.	Record SAO9, 41 as limited or no and refer only to transport to Mendip towns until impact on MSN infrastructure has been assessed.	It would be expected that future residents would use public transport to the nearest facilities available. Facilities are available in MSN and Radstock, and these options should not be excluded from the assessment. No change to the SA required.
NRAD005	SAO13, point 45	Impact on education provisions should be recorded as 'Yes' taking into account the existing and future requirements meeting the B&NES needs.	Assess potential for impact on education as yes	Education need is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD005	Policy Implications, point 47	It is also contrary to the adopted Spatial Strategy set out in the Core Strategy and Placemaking Plan.	Reference the Spatial Strategy	Directly reference the BANES Core Strategy and Placemaking Plan. Retain scoring of "yes"
NRAD005	Policy Implications, point 51	Should be recorded as no, as there is no planned settlement requirements specific to this part of the district in LPP1.	Record point 51 as no	The local Plan Inspector has identified a need to allocate housing in the vicinity of MSN and Radstock. No change to the SA.
NRAD005	Summary SAO9	Should be recorded as - and ? To take highways impact into account	Record summary of SAO9 as - and ?	The site has good public transport links and although on the edge of the town is within walking and cycling distance of the town centres. It is appropriately scored as a single positive. The SA template does

					not allow for 2 scores to be attributed. No change to the SA.
NRAD005	Summary SAO11	Should be recorded as minus and '?' as it is not best use of PDL and considered the most sustainable location in the B&NES Core Strategy. It is not the most sustainable location to meet the needs of the Mendip District.	Record summary of SAO11 as - and ?		Mendip Local Plan Inspector has identified the edge of Midsomer Norton and Radstock as a potential location for 505 homes. The allocation would meet housing need in the area identified by the Inspector. The SA template does not allow for 2 scores to be attributed. No change to the SA.
NRAD005	Summary SAO13	Should be recorded as minus and ? no engagement to assess the local infrastructure capacities including the primary school capacity. There is no school capacity available taking into account the requirements for existing and future growth within the B&NES.	Record summary of SAO13 as - and ?		The site is close to some facilities and is accessible to others by cycling and public transport. A neutral score is appropriate on balance. The SA template does not allow for 2 scores to be attributed. No change to the SA
NRAD004					
NRAD004	matters to be addressed in any allocation	Disagree with this conclusion because assessment of cumulative impact on highway and social infrastructure has not been properly undertaken or demonstrated.	Assess cumulative impacts		The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD004	suitability and availability of site, point 1	Assessment of issues should be recorded as 'Yes'. Significant infrastructure impacts outside the district and local infrastructure issues (drainage, highways, education etc) Peripheral location to the main town centre. (To be consistent with NRAD005)	Refer to significant infrastructure impacts outside the district and peripheral location		NRAD004 is only capable of delivering 6 homes. It is not therefore suitable for allocation.
NRAD004	SAO2, point 16	Should be No. A small extension to the existing built up area but does not establish a defensible development limit with surrounding countryside.	Record point 16 as no		The site is defined by field boundaries. No change to the SA required.
NRAD004	SAO3, point 20	Impact on landscape character should be recorded as uncertain. Not based on evidence	Record point 20 as uncertain		The site has been assessed by Mendip Officers for it's impact on landscape character. No change to the SA required.

NRAD004	SAO3, point 21	Impact on settlement views and vistas should be uncertain. Not based on evidence	Record point 21 as uncertain	The site has been assessed by Mendip officers for its impact on views and vistas. No change to the SA is required.
NRAD004	SAO3, point 30	This point has not been addressed	Address point 30	The site is not of sufficient size for allocation. For sites otherwise suitable an HRA will be carried out.
NRAD004	SAO9, point 41	Availability of public transport should be 'Limited' or 'no' taking into account the links to Mendip towns until the cumulative impact on the infrastructure in MN town centre is identified.	Record SAO9, 41 as limited or no and refer only to transport to Mendip towns until impact on MSN infrastructure has been assessed.	It would be expected that future residents would use public transport to the nearest facilities available. Facilities are available in MSN and Radstock, and these options should not be excluded from the assessment. No change to the SA required.
NRAD004	SAO13, point 44	Accessibility of local facilities has not been assessed.	Assess accessibility of local facilities	Complete assessment of local facilities. All facilities are available in the settlements.
NRAD004	SAO13, point 45	Impact on education provisions should be recorded as 'Yes' taking into account the existing and future requirements meeting the B&NES needs.	Assess potential for impact on education as yes	Education need is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD004	Policy Implications, point 47	It is also contrary to the adopted Spatial Strategy set out in the Core Strategy and Placemaking Plan.	Reference the Spatial Strategy	Directly reference the BANES Core Strategy and Placemaking Plan. Retain scoring of "yes"
NRAD004	Policy Implications, point 50	In-combination effects should be recorded as Yes. It needs to be assessed comprehensively with other development sites in the Somer Valley.	Record point 50 as yes	The site is at some distance from other potential allocations and is only capable of providing 6 homes. It is appropriately recorded as "no". No change to the SA required.
NRAD004	Policy Implications, point 51	Should be recorded as no, as there is no planned settlement requirements specific to this part of the district in LPP1.	Record point 51 as no	The local Plan Inspector has identified a need to allocate housing in the vicinity of MSN and Radstock. No change to the SA.
NRAD004	Policy implications, point 54	Should be yes	Record point 54 as yes	Site is grade 3 agricultural land, without a distinction between a and b. No change to the SA required.

NRAD006					
NRAD006	matters to be addressed in any allocation	Disagree with this conclusion because assessment of cumulative impact on highway and social infrastructure has not been properly undertaken or demonstrated.	Assess cumulative impacts	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.	
NRAD006	suitability and availability of site, point 1	Assessment of issues should be recorded as 'Yes'. Significant infrastructure impacts outside the district and local infrastructure issues (drainage, highways, education etc) Peripheral location to the main town centre. (To be consistent with NRAD005)	Refer to significant infrastructure impacts outside the district and peripheral location	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.	
NRAD007					
NRAD007	matters to be addressed in any allocation	Disagree with this conclusion because assessment of cumulative impact on highway and social infrastructure has not been properly undertaken or demonstrated.	Assess cumulative impacts	The need for traffic modelling should be addressed in proposed policies. Social infrastructure, such as education is assessed with reference to facilities in Mendip. No change to the SA required.	
NRAD007	suitability and availability of site, point 2	highlighted but no comments		No change required.	
NRAD007	SAO3, point 20	Impact on landscape character should be recorded as uncertain. Not based on evidence	Record point 20 as uncertain	The site has been assessed by Mendip Officers for its impact on landscape character. No change to the SA required.	
NRAD007	SAO3, point 21	Impact on settlement views and vistas should be uncertain. Not based on evidence	Record point 21 as uncertain	The site has been assessed by Mendip officers for its impact on views and vistas. No change to the SA is required.	



NRAD007	SAO9, point 41	Availability of public transport should be 'Limited' or 'no' taking into account the links to Mendip towns until the cumulative impact on the infrastructure in MN town centre is identified.	Record SAO9, 41 as limited or no and refer only to transport to Mendip towns until impact on MSN infrastructure has been assessed.	It would be expected that future residents would use public transport to the nearest facilities available. Facilities are available in MSN and Radstock, and these options should not be excluded from the assessment. No change to the SA required.
NRAD007	SAO13, point 45	Impact on education provision should be recorded as 'Yes' taking into account the existing and future requirements meeting the B&NES needs.	Assess potential for impact on education as yes	Education need is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD007	SAO13, point 46	Impact on GP provision should be recorded as 'Yes' taking into account the existing and future requirements meeting the B&NES needs.	Assess potential for impact on GP provision as yes	Social infrastructure, such as GP provision is assessed with reference to facilities in Mendip. No change to the SA required.
NRAD007	SAO13, point 56	Question whether the extent that the site is in need of improvement should be recorded as limited	Record point 56 as no	Agreed, record point 56 as "no" .

## Appendix 6c

### Promoter comments on draft SA - Sites adjacent to Midsomer Norton

Site	SAO	Issue summary	Changes sought to the SA	MDC response
Comments on draft SA from land promoters				
Barton Willmore				
NRAD003	Relevant planning history	Application in 1980 was probably withdrawn	amend reference to 1980s application	remove reference to 1980s application which does not add relevant information
NRAD003	Suitability and availability of site	Should refer at point 1 to the inspectors note and the need to deliver 505 homes in this part of the District	Refer to the LPP2 Inspectors note	Reference to the Inspector's note is unnecessary in this section which addresses the suitability and availability of the site.
NRAD003	SAO2	Should refer to the inspectors note and the need to deliver 505 homes in this part of the District	Refer to the LPP2 Inspectors note	Reference to the Inspector's note is unnecessary in this section which addresses the settlements character and identity
NRAD003	SAO2	Should alter the site description to refer to development on 3 sides	Refer to site being enclosed on 3 sides	Amend point 14 to read "site abuts development on 2 sides and a farm is adjacent to the west."
NRAD003	SAO2	SA should not refer to the "strategic green infrastructure corridor", which is designated by the BANES placemaking Plan and does not include land in Mendip.	Remove reference to the "strategic green infrastructure corridor"	Amend point 17 to read "a strategic green infrastructure corridor adjoins the site on land within BANES".
NRAD003	SAO3	The other comments section should refer to the potential need for HRA.	amend reference to include "may be required"	There is no need to refer to HRA in this section as it is dealt with in SAO5. Remove reference in its entirety.
NRAD003	SAO4 and 6	Sewerage capacity is unknown. It is not known that it is insufficient.	Amend point 28 to unknown	Amend point 28 to unknown
NRAD003	SAO5	Refer in point 32 to the land owner's ecologist advice that a 5-15m buffer would mitigate any impact on the adjoining woodland	add reference to ecologists advice	Whilst the woodland is valuable, it is not designated as ancient woodland. Point 32 deals with ancient woodland.

NRAD003	SAO5	in Point 36 refer to measure to improve biodiversity being incorporated into the proposals	add reference to incorporating biodiversity improvements into proposals	Amend point 36 to read "Biodiversity improvements could be incorporated into any proposals."
NRAD003	policy implications	Delete section of point 47 concerning the strategic green corridor designated by the BANES placemaking plan. Also delete reference to BANES placemaking plan not seeking additional housing in the Somer Valley. Replace with reference to LPP1 and the need for consideration of allocations on the northern fringe of the District.	Delete reference to BANES placemaking plan and replace with reference to LPP1	Retain section on BANES planning to provide context and add reference to LPP1 para 4.7.
NRAD003	Policy implications	Refer to commitment to consider allocation in MSN and Radstock set out in para 4.7 of LPP1. Also refer to the LPP2 Inspectors note confirming that there is a strategic expectation that allocation of land will be considered on sites adjacent to MSN/Radstock.	Add to point 51 a reference to LPP1 and the LPP2 Inspector's note regarding allocations in the north east adjacent to MSN and Radstock	Include references to LPP1 and LPP2 Inspector's note.
Lichfields				
NRAD005	Recommendation	Summary of the main transport issues is now provided	None	No change needed
NRAD005	Relevant planning history	2016/0736/OTA has been awaiting updated highways information since 2016" Comment is made that if the site is allocated highways information will be provided.	None	No change needed
NRAD005	Suitability and availability of site	No drainage objection was made in to application 2016/0736/OTA and FRA demonstrated that surface water could be dealt with on site	remove reference to drainage	It is appropriate to highlight drainage issues as they will need to be addressed, even though a solution was prepared in relation to the previous planning application.
NRAD005	Suitability and availability of site	A short note on connectivity is provided and a summary of the highways issues	remove reference to transport	It is appropriate to highlight transport issues as they will need to be addressed.
NRAD005	Suitability and availability of site	A primary school is proposed west of the site and will provide additional capacity	remove reference to education capacity	It is appropriate to highlight education capacity as this issues will need to be explored, taking the new school into account.

NRAD005	Suitability and availability of site	Footpath links are proposed to improve connectivity to the town centre	remove reference to peripheral location	It is appropriate to highlight the peripheral location as connectivity issues will need to be addressed.
NRAD005	Suitability and availability of site	The BANES planning documents are not relevant as the site is in Mendip	Remove reference to BANES planning documents	The planning framework on land adjoining the site is relevant.
NRAD005	SAO2	The site will be seen in the context of urban development in Westfield and is surrounded on 2 sides by development. It is not particularly sensitive in landscape terms. Site could be viewed as infill	score point 13 as neutral	The site is on the edge of Westfield and peripheral to the urban area, extending into open countryside. Point 13 refers to the sensitivity of the settlement as a whole to development. It is appropriate to note the sensitivity of the location as a development site.
NRAD005	SAO2	A boundary can be established by amending the development limits in the plan.	amend the scoring to "yes"	There are no physical boundaries that would prevent development expanding into open countryside is future. The scoring is appropriate.
NRAD005	SAO2	At point 17 no distinctive characteristics of the town have been identified.	amend the scoring to "no"	Agreed, no distinctive characteristics have been designated. Amend the scoring to "no".
NRAD005	SAO3	At point 21, remove reference to views from the Kilmersdon Road, as there are no viewpoints and these views are not protected.	Remove reference to views	The point is scored as unclear and views from Kilmersdon Road will need to be considered.
NRAD005	SAO4 & SAO6	Wessex Water have not objected to a previous planning application and there is no indication of capacity issues	score as yes, as there is no indication of sewerage capacity constraints	Additional information is needed from Wessex Water to confirm sewerage capacity. The scoring on unknown is appropriate.
NRAD005	SAO5	At point 34, assessment is inconsistent with assessment for NRAD001M. Both sites are agricultural fields with no trees, bordered with hedgerows.	A neutral scoring would reflect the potential for biodiversity gain.	Amend scoring of point 34 to "unclear" and to read "This is essentially an open field but some boundary trees and hedges may need to be removed to create a site access and connectivity with adjoining housing developments" to be consistent with SA of NRAD001M.
NRAD005	SAO13	This site should be scored the same for this SAO as he sites are adjacent to each other and very similar in terms of peripheral location and connectivity	Amend scoring for SAO13 to neutral	Agree that NRAD005 and NRAD001M are similar in terms of their accessibility profile and peripheral location. Amend NRAD001M to score - for SAO13
NRAD003	Recommendation	Consider that the site is not deliverable as no details have been provided to show how access to the site may be achieved and there is currently no suitable access.	Amend recommendation to site not deliverable	It is likely that access can be achieved to the site and there is opportunity to finalise access arrangements as proposals progress.

NRAD003	Suitability and availability of site	At point 3 it should be noted that there is currently no access to the site and this will delay delivery.	amend scoring to No, as there is no current access	It is likely that access can be achieved to the site and there is opportunity to finalise access arrangements as proposals progress.
NRAD003	Suitability and availability of site	At point 11 note that there is no access to the site currently and this will limit viability.	amend scoring to yes	It is likely that access can be achieved to the site and there is opportunity to finalise access arrangements as proposals progress.
NRAD003	policy implications	At point 49 note that site's potential access points are in BANES and highway improvements will need to be negotiated with both authorities, delaying the delivery of the site	Note that access points are in BANES	It is likely that access can be achieved to the site and there is opportunity to finalise access arrangements as proposals progress.
NRAD003	SAO8	Site NRAD005 should score the same as this site as they both have development on 2 sides.	Amend scoring for SAO8 for NRAD005 to positive.	This site is significantly better integrated with built form than NRAD005
NRAD003	SAO12	Site NRAD005 should score the same as this site as they are both within walking distance of the town centre and open countryside.	Amend scoring for SAO12 for NRAD005 to positive.	This site is better integrated and more walkable than NRAD005.
NRAD003	SAO13	Site NRAD005 should score the same as this site as they are both within walking distance of the town centre and open countryside. Further consideration of impacts on infrastructure will be required.	Amend scoring to neutral	This site is better integrated with the built form than NRAD005.
NRAD006		There is no access to this site, which precludes it from development	note that the site is not developable	The SA notes that the site is not developable.
NRAD007		This site would require an allocation in both Mendip and BANES local plans to bring it forward and any housing development would be principally in BANES. The deliverability of the site is questionable.	note that the deliverability of the site is questionable	The SA notes the site constraints and it is not a preferred option.
Tetlow King				
NRAD001M	Suitability and availability of site	Point 1 should not refer to BANES local plan as the site is in Mendip. The neighbourhood plan is not well advanced.	Remove reference to BANES planning documents and emerging NP	It is appropriate to acknowledge cross boundary issues and the BANES planning framework.
NRAD001M	SAO2	At point 14 score positively as site has good connectivity	Score as good	The site is in a peripheral location and the scoring of Limits is appropriate

NRAD001M	SAO4 & 6	At point 28 score as yes, as there is drainage capacity created at the adjoining site.	score as yes,	sewerage capacity has not yet been confirmed by Wessex Water and should remain "unknown"
NRAD001M	SAO4 & 6	At point 30 remove SCC ecologist advice and refer to ecology study provided with planning applications which confirmed an absence of bat roosts.	remove reference to SCC ecologist advice and replace with planning application ecology report advice	It is appropriate to reference advice from SCC ecologist. Site will be subject to HRA screening.
NRAD001M	SAO5	At point 34 refer to potential to retain majority of trees and hedgerows. Remove reference to need to remove some trees to provide connections.	Remove reference to need to remove trees and add potential to retain trees and for mitigation	Retain reference to potential that trees will need to be removed. Mitigation may be required as a result of policy development.
NRAD001M	SAO8	At point 37 remove reference to SCC archaeologist advice and refer instead to low potential for archaeological finds	Remove reference to SCC archaeologist's advice	It is appropriate to refer to the SCC archaeologist's advice
NRAD001M	SAO8	At point 40 Score as no as there are no listed buildings in the vicinity	score as no	It is not known if there is local heritage. This point does not refer to listed buildings.
NRAD001M	capacity of facilities	At point 45 replace comments on school capacity with a note that a new school is being built and will be operational by the time the site is developed.	Remove reference to school capacity in Mendip and note the new school is under construction. Score point as no.	School capacity will remain an issue to be addressed and it cannot be assumed that the new school will provide all the capacity required. The school provision will in any case be the responsibility of SCC.
NRAD001M	capacity of facilities	At point 46 refer only to the presence of 3 surgeries in BANES. Remove noted concerns about capacity	remove reference to concerns about GP capacity, note there are 3 surgeries nearby and score as yes	It is appropriate to consider GP capacity.
NRAD001M	policy implications	At point 47 remove reference to BANES planning policy and note that the site is a sustainable extension to MSN	Score as no and remove reference to BANES local plan	It is appropriate to refer to cross boundary planning policy.

Mendip District Council

Local Plan Part II (Sites & Policies)

## **505 Dwellings - Background Paper**



January 2020

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### Website Documents

References to examination documents 'EDxx' can be found on the Mendip Local Plan II examination page <https://mendip.gov.uk/localplanexamination>



## **Mendip Local Plan Part 2 – Proposed Main Modifications**

### **505 Dwellings Background Paper**

#### **Introduction**

1. Following examination hearings, the Local Plan Inspector has identified a need for the Council to consider additional housing sites with a capacity of 505 dwellings to make the Local Plan Part 2 (LPP2) capable of being considered sound.
2. This paper explains the approach the Council has followed to identifying the sites published in Proposed Main Modifications. The paper covers:
  - policy background in Local Plan Part 1 (LPP1) and recommendations for modifications
  - how the council have interpreted what 505 dwellings means in practice
  - how the council have identified suitable settlements and sites

#### **Requirement for Main Modifications**

3. The need for additional allocations is set out in the Inspector's Interim Note containing post-hearing advice – Examination Document ED20.
4. ED20 Para 17 advises that the Mendip Local Plan Part 2 has not addressed a strategic expectation to consider allocations for housing development to provide '505' dwellings as specified in Local Plan Core Policy 2. This level of dwellings form part of the overall Local Plan Part 1 requirement (of 9,635 dwellings) but which were not allocated to any specific settlement on adoption. Core Policy 2 and supporting linked paragraphs in the adopted Local Plan Part 1 (LPP1) is shown in Appendix 1.
5. A draft schedule of main modifications requested by the Inspector is summarised in the appendix to the Interim Note ED20. The requirement for 505 dwellings to be identified as additional allocations is MM5

<b>MM5</b>
<b>"Allocation of 505 additional dwellings (with reference to the table in core policy CP2 and para 4.21 of the supporting text) in the north-east of the District, at sites adjacent to Midsomer Norton and Radstock, and on sustainable sites at primary and secondary villages within this part of the District. All the sites considered for possible allocations, including those identified in Note IQ-3, will be subject to Sustainability Appraisal."</b>

6. There is further advice in MM11 that sites identified are included in the overall housing totals for the plan.

<b>MM11</b>
<b>Updated Table 4, to include additional rows to cover (a) the new allocations in the north-east of the District; and (b) overall totals for Mendip.</b>

7. The requirement for post-hearing modifications means that changes are being proposed to Local Plan Part II which were not supported by the Council in the Pre-submission plan. For context, the Council submissions on the issue of '505 dwellings' can be found in examination document IQ7. Other relevant statements submitted by other parties to the examination are referenced below and can be viewed on the examination page of the Mendip website

Curo	PS01-2, PS03-02
Waddeton Park	PS01-8, PS02-4, PS02-5, PS03-11, PS03-12,
Lochailort	PS03-13, ED13
Norton St Phillip PC	FWR-07, ED21

8. It should also be acknowledged that the ED20 is an interim note and that the smaller allocations proposed in the submission plan/ proposed changes are still subject to the recommendations in the Inspector's final report. This includes some village allocations within the 'area of search'.

## **Local Plan Part 1 Core Policy 2**

9. Core Policy 2 (CP2) of LPP1 does not list the settlements where the additional 505 dwellings should be located. It cross-references to LPP1 Para 4.21 which states that *"Allocations are likely to focus on sustainable locations in accordance with the plan's overall spatial strategy in Core Policy 1 and may include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton in accordance with para 4.7"*
10. Both LPP1 Para 4.21 and Para 4.7 were a result of post-hearing modifications made through the LPP1 examination process. The Inspector's report to LPP1 is a submission document (SD34) and deals with Midsomer Norton and Radstock in paras 21 – 35. It is also covered in the LPP1 modification MM16 (See SD34 para 92). This refers to the allocation of *land in the north east of the district in the vicinity of Radstock and Midsomer Norton*.
11. It is clear from the LPP1 Inspectors report that the Council should consider land in the vicinity of these towns. However, neither the Local Plan Part 1 Inspector nor the advice contained in the adopted plan at Para 4.7 and 4.21 refer to development specifically in other settlements. It should be noted that the modifications in LPP1 were made to address the lack of consideration of sites around Midsomer Norton/Radstock and not based on specific evidence of housing need in this particular location at the time.
12. ED20 Para 17 advises that the 505 dwellings are apportioned to sustainable settlements in the **north-east part of the district**, both on sites adjacent to Midsomer Norton and Radstock

and possibly within other settlements which lie within the district which could lead to other sustainable benefits. A specific reference is made for example where a local school could be supported by local development by providing additional pupils. The inspectors request is reflected in Main Modification MM5.

13. ED20 Para 18 makes it clear that it is the remit of the Council to identify additional sites. However, the Council did seek clarification from the Inspector on the 'area of search.' The Inspectors response is set out in his 'informal' letter of 25<sup>th</sup> September 2019 (See ED26) which comments:

*"I do not want to be over-prescriptive in relation to the LPP1 guidance, but in my view, the area of search should include the edges of the two towns of Midsomer Norton and Radstock (within Mendip), as well as considering the possibility of land for new homes within the primary villages which are located to the north of Frome".*

14. The Council have not explicitly followed the Inspectors views ,but adopted a much broader approach to the 'area of search' in identifying additional suitable locations and sites/

## **Council Approach to the '505' Dwellings**

### **Quantum of dwellings**

15. ED20 indicates to the Council that the Inspector considers the '505' dwellings to be a specific requirement to be addressed in Local Plan Part 2 and a matter of soundness. It is also understood that the additional provision above 9,635 dwellings made in the sites proposed in the submitted plan cannot be discounted against this requirement. The Council have therefore sought to identify sites through main modifications which have the capacity to deliver around 505 dwellings. This is treated as a more or less exact level of development not a 'minimum' or a 'minimum figure with a percentage buffer'. The Council have also noted that '505' dwellings should be in addition to existing commitments/allocations made in the examined plan and not discounted through windfall approvals or speculative applications.
16. **Should any new sites be considered?**  
Only sites promoted through the Local Plan Part 2 process and already known on the promoted land register (HELAA) have been considered. This includes any land promoted through the 2014 'call for sites' and land promoted through the informal and formal consultation stages. This includes sites promoted to the Council up to October 2018 (following the Pre-submission consultation).
17. The Council have excluded new housing sites not previously known or promoted to the Council. It was also not considered necessary or appropriate to hold a fresh 'call for sites'. This would considerably delay the modifications consultation. In any case, a call for sites will be programmed as part of the review of Local Plan Part 1. In addition, new sites promoted speculatively will not be considered as suitable for allocation.

**18. Time-period for delivery**

The Council consider sites must be deliverable within the remaining plan period from 2020 – 2029. Sites which have an existing policy constraint in the adopted Local Plan Part 1 or may not be available in the first five years of the remaining plan period (2020-2025) will not be considered for inclusion. For example, sites identified as *open areas of local significance* in LPP1 (under policy DP2) are considered to be excluded as any review of such designations would not be adopted until 2024

**19. Alternatives to identifying site-specific allocations**

The Council have considered MM5 as a requirement to proposed specific allocations which would be additional policies in the plan. It does not consider alternative policy approaches such as a 'criteria' policy or identification of broad locations is appropriate. The identification of development land without identifying a site - such as an extension of development limits - is also considered to be unsuitable. These approaches would mean that Local Plan Part II would be unable to specify development and infrastructure requirements. It would be difficult to justify that a site had a prospect of coming forward.

**Alternatives to MM5 - deferral to the next Local Plan Review**

20. During the preparation of modifications, post-hearing responses were made to the Council and the Inspector suggesting that the 505 dwellings should be considered for deferral to the next Mendip Local Plan Review – See joint letter ED21 from the Parish Councils of Rode, Beckington and Norton St Phillip. There have been circumstances in other development plans examination where 'early review' has provided a route to overcome specific issues of soundness and this is also covered in Para 6.21 of PINS practice guidance – *available on Main Modifications page*. The proposed Main Modifications also include a specific policy commitment to undertake full review of LPP1 (see Main Modification MM01).
21. The Council have noted that the Inspector in response to ED21 has clarified that representations referring to this approach could only be considered in the light of all responses received to proposed Main Modifications. See Interim Note 2 - ED23 and ED25. It is therefore clear that the Council do not have the option - aside from withdrawing the Local Plan entirely from examination - to defer the identification of additional housing sites in the Main Modifications.
22. While judgements on soundness are a matter for the Inspector, also it is worth highlighting that LPP2 is a 'transitional' plan being examined under the 2012 NPPF. The new LPP1 review will be prepared under the revised 2019 NPPF using Local Housing Need as its starting point. The deferral of housing requirements would therefore need careful consideration to be justified as a sound approach.

**Consultation and Duty to Co-operate**

23. LPP1 Para 47 makes specific reference to the need for consultation with BaNES and local communities where allocations in the vicinity of Midsomer Norton and Radstock are considered. It should be noted that some of the proposed sites were included in the

Council's issues and options consultation and that representations were also made on these sites at subsequent stages, even if these sites were not specifically identified.<sup>1</sup>

24. Given that sites are being added at a late stage in the plan process, the principal opportunity for consultation will be full public consultation on main modifications with representations being submitted to the Local Plan Inspector. All individuals and organisations on the Council's contact database will be notified, including those raising concerns on development in this location at any of the earlier stages of preparing LPP2.
25. Details of approach and activities between Mendip and BaNES under the Duty to Co-operate (DTC) are set out in a separate statement submitted to the examination (SD6). Additional post-information is set out in the Council's response IQ1 which includes discussions related to previous speculative planning applications on some of the boundary sites.
26. In relation to Main Modifications, a DTC (duty to co-operate) meeting was held in November and BaNES formal concerns have been provided to the Inspector in advance of Proposed Main Modifications. A response letter is included at Appendix 2 which states they will object to both the interim note and the site allocations. In summary, the B&NES position is that the 505 dwellings;  
(a) is to meet the needs for the wider Mendip District;  
(b) is not specific to the north/north-east of the District, and  
(c) would be better met at more sustainable locations in accordance with the LPP1 Policy 1.

## **Area of search and Settlement Assessments**

### **Sites located around Midsomer Norton and Radstock**

27. During the examination hearings, the Inspector highlighted that sites in this area and promoted through Mendip Local Plan Part 2 had not been subject to Sustainability Appraisal (SA). It was highlighted at examination, this area had been unreasonably discounted from consideration after the issues and options consultation. The failure to assess this location was signalled as an issue of soundness and legal compliance.
28. To address this concern, the Council submitted a statement of common ground with hearing participants to the examination and agreed to undertake this SA. The statement of common ground was published as a post-hearing response by the Council (IQ-3).
29. IQ-3 identifies six specific sites adjacent to Midsomer Norton and Radstock for assessment promoted through the Local Plan Part 2 process. The location of the six sites are shown on the map below
30. A draft SA was prepared by the Council and detailed assessment provided to both BaNES and land promoters in accordance with the IQ3.

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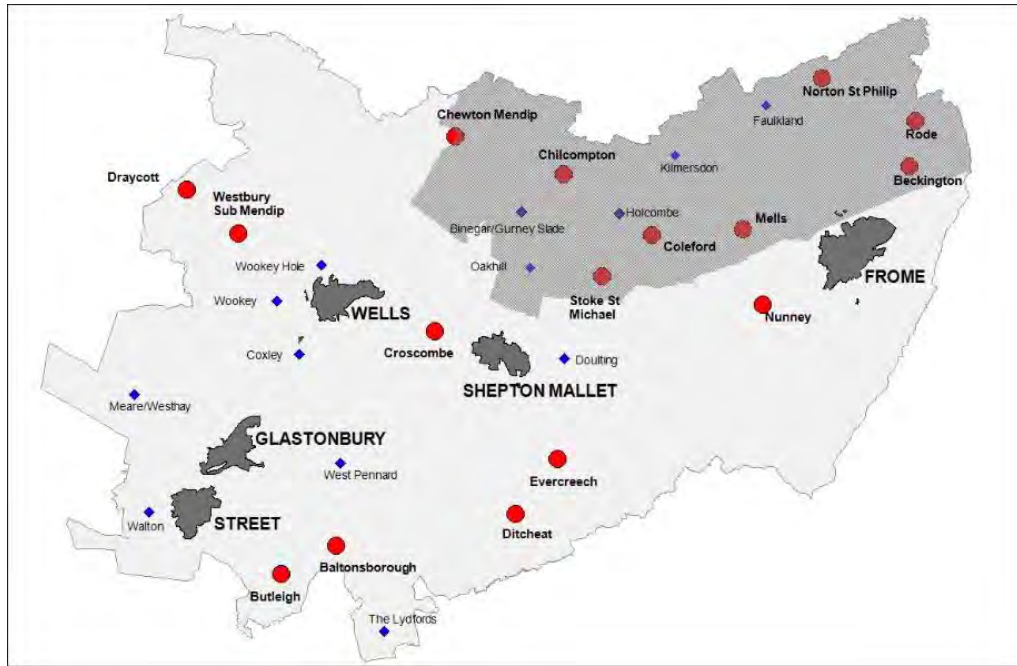
<sup>1</sup> See Issues and options page - [https://www.mendip.gov.uk/media/10824/HELAA-Midsomer-Norton/pdf/Norton-Radstock-2HELAA\\_sites.pdf?m=635774984656270000](https://www.mendip.gov.uk/media/10824/HELAA-Midsomer-Norton/pdf/Norton-Radstock-2HELAA_sites.pdf?m=635774984656270000)

31. A summary of the Sustainability Appraisals prepared by the Council for these sites is published as Appendix 1 the document 'Second Addendum to the Sustainability Appraisal – Jan 2020'. This is a Main Modification consultation document. Comments received from BaNES and land promoters to the draft SA are set out in Appendix 5. Appendix 1 of the SA Addendum identifies three sites as suitable for development and three which are not considered sustainable options .
32. For the purposes of assessing sites around Midsomer Norton and Radstock, the site options were therefore considered to be among the six locations identified in the sustainability appraisal. Only one of these is on the periphery of Radstock and a small extension to a site already development in BaNES. This site was not considered suitable for allocation.
33. Of the three sites considered suitable, additional clarification has been sought on the capacity and deliverability of these sites. This has been reflected in the draft policy requirements in the Main Modifications.

## Sites in the North and Northeast of the District

34. The Council's approach is that the area of search should as a starting point include all primary and secondary villages in the northeast quadrant of Mendip. This is broadly based on the following District Wards as set out in table 1 below and does not rely on any particular interpretation of LPP1/2 Inspectors.

Table 1	
District Ward	Settlements & status
Chewton Mendip & Ston Easton (excluding the AONB)	Chewton Mendip (Primary)
Ashwick, Chilcompton & Stratton	Chilcompton (Primary) Binegar & Gurney Slade (Secondary) Oakhill (Secondary)
Coleford and Holcombe	Stoke St Michael (Primary) Coleford (Primary) Holcombe (secondary)
Ammerdown	Kilmersdon (Secondary) Mells (Primary) Faulkland (Secondary)
Rode & Norton St Phillip	Rode (Primary) Norton St Phillip (Primary)
Beckington & Selwood	Beckington (Primary)



35. The Council have taken a combined approach to assessing possible allocations to address the 505 dwelling requirement. These include

- An overall assessment has been made of the suitability of settlement for additional growth to meet the 505 dwellings
- Consideration of the sites promoted through Local Plan Part II and assessed as part of the Sustainability Appraisal

36. The starting point for the settlement level assessment is whether they are classed as a primary or secondary village in Policy CP1. LPP1 paras 4.31 to 4.32 explains the principles underpinning this classification. Consideration has also been given to:

- Location and relationships - essentially whether the village is specifically in the NE of Mendip geographically and whether there is a functional link with Midsomer Norton or Radstock.
- The relative size of the settlement
- School capacity ( which is referenced by the LPP2 inspector in ED20 para 17)
- Infrastructure or other heritage constraints at a settlement level
- Recent delivery of affordable housing and open market housing affordability
- Extent of recent growth relative to housing stock (proportionate growth)
- Whether growth aligns with a Neighbourhood or other relevant village plans

37. These attributes have been used to come to a judgement of whether the settlement should be considered in principle as a suitable to accommodate part of the 505 requirement.



38. The Council has also assessed land/sites promoted as available through the local plan Part II process. In particular, the Council have considered:
- Potential suitability as assessed in the sustainability appraisal prepared at pre-submission stage.
  - Potential for affordable housing or other community benefits.
  - Deliverability issues and constraints
39. Summary SA assessments were included in Appendix 5 to the Pre-submission sustainability appraisal (submission document SD12e) where an allocation in the submission plan was required. Assessments for other villages are set out in Appendix 4 to this document.

### **Site and Settlement Assessment (Appendix 3)**

40. The assessment of settlements and sites in NE Mendip is set out in Appendix 3 to this paper and summarised on p 12. The Council have inevitably had some regard to the informal advice of the Inspector (see Para 13) but have not followed this as a direction and sought to assess a range of locations outside the geographical NE of the district.
41. The summary table highlights settlements under consideration vary considerably in size based on dwelling stock. It also shows that there is no straightforward alignment between settlement suitability, site availability, school capacity and other constraints. Overall, these assessments do not show a clear set of alternative options when compared with settlements outside the NE of the district.
42. The villages proposed for allocation have all seen significant additional growth above plan targets and there are infrastructure constraints to be taken into account. This is recognised in the draft policy requirements in the MM.
43. In submitting the draft MM, the Council have sought to highlight concerns from BaNES and Parish Councils with draft allocations. The Council has requested the Inspector consider carefully the representations made by all parties (See ED24).

## **Summary and Conclusions**

To meet the recommendations of ED20 Para 17 and MM5, the Council have:

- Interpreted this as focused and not district-wide site allocation exercise
- Assessed the sites adjacent to Midsomer Norton/Radstock which were not addressed in the plan process to date'
- Adopted a broad 'area of search' and considerations in terms of settlements in the north/northeast part of the district.
- The assessment of settlements has sought to take account of their overall suitability to take additional growth and sustainability of individual sites promoted through the LPP2.

The assessment has resulted in identified six additional allocations (summarised below) which are included in Main Modifications. **Overall, the sites identified through this assessment and included in the proposed Main Modifications provide 536 dwellings, slightly in excess of the 505 dwelling requirement.**

**Preferred Options included in Main Modifications**

Site	LPP2		Minumum Dwellings
	Policy Ref	HELAA Site Ref	
Land at White Post, Nr Westfield	MN1	NRAD001M	250
Land at Underhill Lane , Midsomer Norton	MN2	NRAD002	60
Land east of the A367, Nr Westfield	MN3	NRAD005	145
Land off The Mead, Rode	RD1	RODE017a	26
Land off Mackley Lane, Norton St Phillip	NSP1	NSP13/16	27
Land off Great Dunns Close, Beckington	BK1	BECK023	28
<b>Total identified in Main Modifications</b>			<b>536</b>

## 505 Dwellings - Summary of settlement and site suitability

[illegible]

## Appendix 1

### Adopted Local Plan Part 1 – Core Policy 2

#### Core Policy 2: Supporting the Provision of New Housing

1. Provision for a minimum of 9,635 additional dwellings will be made in line with the table below over the plan period from 2006 to 2029.

	Settlement	New homes 2006-2029	Annual target provision	% of the district requirement
Towns	Frome	2,300	105	25%
	Glastonbury	1,000	45	11%
	Shepton Mallet	1,300	60	14%
	Street	1,300	60	14%
	Wells	1,450	65	16%
Villages	16 Primary Villages, 13 Secondary and other Villages	1,780	80	20%
District	Additional requirement 2011 to 2029 as per 4.21 of the supporting text	505		
Total	Mendip District	9,635	420	100%

2. Delivery of housing will be secured from:

- a. Infill, conversions and redevelopments within Development Limits defined on the Policies Map subject to compliance with national planning policy and specific policies within the Local Plan, particularly matters relating to design, local distinctiveness and identity and amenity.
- b. Strategic Sites identified on the Key Diagrams for each town associated with Core Policies 6-10. On the Policies Map, detailed extents of Housing Allocations within the Strategic Sites are shown which are capable of delivering housing to 2029 as identified in Table 7.

Strategic Sites for Frome, Shepton Mallet, Street and Wells include Future Growth Areas shown on the Policies Map. Areas of land within these Future Growth Areas will, where necessary, be released for development through a formal Site Allocation process or where:

- i) the Council otherwise determines in the light of evidence that the rate or volume of housing provision should be increased in the relevant town; or
- ii) the release of land is needed to logically contribute to a better pattern of development in the release of sites allocated for development.

All Strategic Sites will be the subject of Development Briefs, Masterplans or other agreed pre-application processes (to be prepared from the outset in dialogue with the local community) which will then, if necessary, be adopted as Supplementary Planning Documents (SPD) prior to the granting of any planning permission for new housing or mixed use development. Where adjacent Future Growth Areas are identified, Development Briefs will be expected to indicate a broad provisional form of subsequent development areas including substantive infrastructure or community facilities.

- c. Other allocations of land for housing and, where appropriate, mixed use development, outside of Development Limits through the Site Allocations process in line with:
  - i) the principle of the proportionate growth in rural settlements guided by the requirements identified within supporting text above
  - ii) informed views of the local community

- iii) the contribution of development since 2006 towards identified requirements in each place, development with planning consent and capacity within existing Development Limits.

All allocations made will be the subject of an appropriately detailed Masterplan or other agreed pre-application process prepared with the relevant community and, if necessary, adopted as a Supplementary Planning Document prior to the granting of planning permission.

Housing developments will make contributions towards the delivery of affordable housing in line with Development Policies 11 or 12.

**Local Plan Part 1 - Paragraph 4.21**

The Review of Housing Requirements (2013) and the rolling forward of the plan period to 2029 will result in an additional requirement for 505 dwellings in the District. This will be addressed in Local Plan Part II: Site Allocations which will include a review of the Future Growth Areas identified in this plan. The Site Allocations document will also be able to take account of issues in emerging Neighbourhood Plans, updated housing delivery, revised housing market areas and housing needs identified through cross boundary working. Allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton in accordance with paragraph 4.7 above.

**Local Plan Part 1 - Paragraph 4.7**

The towns of Radstock and Midsomer Norton lie on the northern fringe of Mendip district. The main built extent of these towns lie in Bath and North East Somerset; but some built development exists within Mendip and other built and permitted development immediately abuts the administrative boundary. This Local Plan, whilst taking into account development opportunities on land abutting the towns, does not make any specific allocations for development, particularly for housing. The Council will consider making specific allocations as part of the Local Plan Part II Site Allocations to meet the development needs of Mendip which have not been specifically allocated to any particular location in this Part I Local Plan. In the event that such allocations are considered, this will be undertaken in consultation with B&NES and local communities. Any impact on infrastructure in B&NES such as education, transport or community facilities, will be addressed either through s.106 contributions or through CIL arising from new development in Mendip.

# Appendix 2

**Response from Bath & NE Somerset Council (BaNES)**  
**28<sup>th</sup> Nov 2019**

## **Notes**

**This letter was sent to the inspector as information to consider the draft modifications (See ED24) before publication. It is published with agreement of BaNES and without prejudice to additional detailed representations which will be made to the Main Modifications Consultation**

Mr Andre Sestini  
Principal Officer  
Planning Policy Team  
Mendip District Council

SENT BY EMAIL

Dear Mr Sestini

## Re: Mendip Local Plan Part 2 – Potential Main Modifications

I am writing to you further to the meeting on 6<sup>th</sup> November 2019 with B&NES Officers and in response to your update on the Mendip District Local Plan Part 2 Examination.

B&NES understands that, following the hearings and in light of the Inspector's Interim Note ED 20, Mendip District Council is considering making a Main Modification to the Part 2 Local Plan to allocate housing sites on the edge of Midsomer Norton and Westfield to meet the housing needs of Mendip.

Whilst Mendip is not yet formally consulting on any proposed modifications, B&NES has considered the Inspector's Interim Note and, under the Duty to Co-operate, the B&NES position is set out in this letter. This position has been informally agreed by Cllr Tim Ball, Cabinet Member for Housing, Planning and Economic Development.

### The 505 dwellings

You explained that the need for additional allocations is set out in the Inspector's Interim Note ED 20. Para 17 of ED20 advises that the Part 2 Plan has not addressed a strategic expectation to consider allocations for housing development to provide '505 dwellings' as specified in Local Plan Part 1 (LLP1) Core Policy 2. ED20 also indicates that the Inspector considers the 505 dwellings to be a separate element from the overall plan requirement of **9,635 dwellings**. It is also considered to be separate and additional to the higher level of provision already made through allocations in Local Plan Part 2 (LPP2). The submitted LPP2 makes provision for **10,987 dwellings** (Revised Table 3 Proposed Modification PC10) which is **1,352 dwellings** more than the LPP1 target. Therefore ED20 indicates LPP2 should make provision for 11,492 dwellings which is 1,857 dwellings more than the LPP1 target.

Our understanding of the '505 dwellings' requirement is that this originally resulted from an updated housing review and rolling forward the LLP1 to 2029. Para 4.21 of the LPP1 says that *'allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may (emphasis added) include land in the north/north-east of the District primarily adjacent to the towns of Radstock and Midsomer Norton.'* The land in the north/north-east of Mendip was not assessed nor allocated in the submitted draft LPP2 because Mendip District Council has undertaken further assessments and was able to find more sustainable locations in accordance with the Plan's overall spatial strategy (LPP1 Policy 1) to meet Mendip's needs, including these rolled forward '505 dwellings'. Therefore in responding to consultation on the pre-submission Draft LLP2 B&NES Council supported the approach taken by Mendip District Council.

## **LPP2 Inspector's Interim Note**

In ED20 the Inspector refers to 'the 505 dwellings to address the housing needs of the north-eastern part of the District' and concludes that it is appropriate for this to be apportioned to sustainable settlements in the north-east part of the District. This is based on the Inspector's reading of the LPP1 Inspector's Report and LPP1 itself, and from the discussion at the Hearing sessions. Our understanding of the LPP1 Inspector's Report and LPP1 itself is that this 505 dwellings contributed to the needs for the wider District as a shortfall at the time of the LPP1 housing numbers review, which was not specific to the north-eastern part of the District. We were not party to the discussion at the LLP2 Examination Hearing sessions as B&NES Council did not object to the submitted Plan. We would appreciate it if the Inspector could clarify how the matter of additional and separate housing needs for the north-eastern part of the District has been identified and why he has concluded that this 'rolled forward 505 dwellings' has to be allocated to this specific part of Mendip District.

## **Land to the North-East of Mendip District**

As referenced above our understanding is that Mendip District Council did not assess and consider these sites as they could identify better places to fulfil the district's housing needs in accordance with Policy 1 of the spatial strategy. B&NES Council agree with this approach as Policy 1 sets out the Mendip District Spatial Strategy to meet the District's needs. The sites/land adjacent to Midsomer Norton, Westfield and Radstock are clearly linked to and serve the communities in these places. The integration of new housing with existing local communities and associated opportunities and constraints/impacts on the environment and infrastructure such as education, transport and community facilities need to be comprehensively addressed as para 4.7 of the LPP1 requires.

One of the key strategic issues the B&NES Core Strategy and Placemaking Plan is addressing is an imbalance between jobs and homes resulting from recent incremental housing development and a decline in the manufacturing sector and a high degree of out-commuting. Therefore, the Core Strategy/Placemaking Plan facilitates more employment including allocating the Somer Valley Enterprise Zone and only facilitates some additional housing primarily reflecting already committed sites (either permitted or allocated in the previous Local Plan).

Therefore, allocating sites adjoining Midsomer Norton, Westfield or Radstock through the Mendip LPP2 is contrary to the adopted B&NES Development Plan and would worsen the imbalance between jobs and homes and would add cumulative impacts on key infrastructure. We are in the process of preparing our new Local Plan and it is our view that these sites are better considered fully as part of B&NES Local Plan preparation taking into account the infrastructure requirements and working closely with the local communities. The B&NES Local Plan preparation will be undertaken with the active and on-going engagement of Mendip District Council, through the Duty to Co-operate, and will need to assess the suitability and sustainability of sites adjoining the town, on land within both B&NES and Mendip District. This process will need to consider the contribution of sites to both authorities' strategic housing requirements and how to mitigate the impacts of development on infrastructure and the associated role of developer contributions across the two authorities.

However, the LPP2 Inspector's view is that the sites adjoining Midsomer Norton, Westfield or Radstock should have been assessed and considered as part of the Mendip LPP2 allocations. The process of considering these sites by Mendip District Council involves and will be reported through a Sustainability Assessment. We will provide comments on the draft Sustainability Assessments for the sites based on latest available evidence in due course. However, at this stage we would raise our concern that only opportunities on the edge of Midsomer Norton, Westfield or Radstock appear to have been considered. In order to determine the most appropriate solution to meeting the needs of Mendip a comparative sustainability assessment of all relevant opportunities should be undertaken. Even based on LLP2 Inspector's interim conclusions (ID20) this would need to comprise an assessment of sites at other settlements within the north-east of Mendip District.



## Conclusion

The B&NES position is therefore that the 505 dwellings;

- (a) is to meet the needs for the wider Mendip District;
- (b) is not specific to the north/north-east of the District, and
- (c) would be better met at more sustainable locations in accordance with the LPP1 Policy 1.

The reasons are not clear as to why the Part 1 Local Plan is now being interpreted as warranting allocations on the edge of the B&NES Somer Valley towns. As the sites adjoining these places were not proposed for allocation in the submitted LPP2, B&NES Council and the communities within B&NES have not had sufficient opportunity to participate in or respond to the consideration of these sites if they are to be proposed to be allocated at this late stage of the LPP2 process. B&NES' previous submissions on the Mendip Part 1 and Part 2 Local Plans are annexed for your reference. It is clear that B&NES has taken a consistent approach throughout the preparation of the Mendip Local Plans

For the avoidance of doubt, should sites adjoining Midsomer Norton, Westfield or Radstock be proposed to be allocated through main modifications to the LLP2 B&NES Council is highly likely to object for the reasons set out in this letter and consistent with our comments on the LPP1. The sites/land adjoining Midsomer Norton in the North-East of Mendip District will be better considered comprehensively as part of preparing the B&NES Local Plan.

B&NES will continue to liaise and cooperate with Mendip Councils on cross boundary issues in accordance with the Duty to Co-operate.

Yours sincerely

Lisa Bartlett  
(B&NES Director of Development and Public Protection)

*Annex1: B&NES submissions on Mendip Part 1 Local Plan*

*Annex2: B&NES submissions on Mendip Part 2 Local Plan Issues and Options*

# **505 Dwellings – Background Paper**

## **Appendix 3 Settlement and site assessments**

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## Maps of promoted sites / constraints summaries

The majority of HELAA sites referenced in the assessment are shown in LPP2 issues and options consultation document in the settlement maps – see <https://www.mendip.gov.uk/article/7763/Issues-and-Options>

## 505 Dwellings - Summary of settlement and site suitability

[illegible]

<b>Beckington - Settlement level assessment</b>	
LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	No
Geographical north east	Yes
Available school capacity/ constraints	The school cannot be expanded and previously s106 contributions have been secured for transport to alternative schools. However, SCC advise the Number On Roll is starting to fall – predicted to be 79 in 2023 for a Net Capacity of 88. Later in the plan period the school would be able to accommodate the yield from the preferred option allocation of 28 dwellings.
Growth in housing stock 2006-2019	30.6% - significantly in excess of proportional growth in LPP1 (15%)
Known affordability issue – number of affordable homes built in plan period	Good recent level of affordable housing delivery House prices v. median values for district = very high
Specific settlement constraints	Sewerage and drainage issues capacity, Highways capacity at A36 – <i>see Frome highways policy</i> Grade 1 agricultural land
Heritage constraints	Conservation Area /heritage assets
Neighbourhood Plan	No
<b>Suitable promoted sites in SA Assessment</b>	<b>Yes</b>
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	BECK005 a, b & c Tower Hill Farm BECK022 Land adj the recreation ground BECK023 land at Great Dunn's Close BECK024 land east of Shephards Way
Site with potential for development in SA	BECK022 land adj Recreation Ground BECK023 land at Great Dunns Close BECK024 land east of Shephards Way
<b>Suitable sustainable settlement to meet the 505 dwellings?</b>	<b>Yes - village in the Geographical NE of the district.</b>

<b>Beckington - Deliverable Sites</b>	
BECK023	<p>Site promoted through the examination process. A detailed scheme – which is likely to be re-submitted was dismissed at appeal (2017/0278/FUL) An up to date spatial strategy in LPP1 was given significant weight in dismissing the appeal. This now has reduced significance given the change in the Council's five year supply position.</p> <p>The site is adjacent to conservation area although the appeal Inspector also identified less than substantial harm to the setting of heritage assets, to be weighed against the public benefits of the proposal. The site is considered deliverable subject to mitigation measures to protect heritage assets and to ensure that concerns regarding affordable housing,</p>

	education provision, sewerage and surface water drainage are addressed. It is noted that a drainage solution was agreed with Wessex Water during the course of the appeal
BECK022	Potentially suitable for development but is only suitable for 1 or 2 homes and is not therefore suitable for allocation.
BECK024	An extensive site and development here is considered disproportionate to the needs of the village and the LPP1 spatial strategy. Unlike BECK023 where an application has established mitigation measures, the infrastructure requirements and mitigation measures are unclear would still need to be established.
<b>Conclusions</b>	<b>BECK023 is included in Proposed Main Modifications as a preferred option subject to mitigation and infrastructure requirements as set out in the draft policy.</b>

<b>Chewton Mendip – Settlement level assessment</b>	
Settlement level constraints	
LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	No
Geographical north east	No
Available school capacity/ constraints	Village school has short-term capacity
Growth in housing stock 2006-2019	6.2% - below proportional growth in LPP1 (15%)
Known affordability issue – number of affordable homes built in plan period	Limited affordable housing delivery House prices v. median values for district = slightly below
Specific settlement constraints	Ground Water Source protection area zone 1
Heritage constraints	Conservation Area, AONB setting
Neighbourhood Plan	No
Suitable promoted sites in SA Assessment	No
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	CHEW001 CHEW008 CHEW009 CHEW014 CHEW016
Suitable sustainable settlement to meet the 505 dwellings?	<b>No</b> - while a primary village (with a shop and school), this is a small and sensitive settlement in landscape terms on the edge of the AONB.

## Chilcompton – Settlement level assessment

LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	Yes
Geographical north east	No
Available school capacity/ constraints	St Vigor and St John is full and is forecast to remain so until the end of the forecast period. However, a feasibility study has shown that the school can be increased by a 1 form entry. This school
Growth in housing stock 2006-2019	21.4%- above proportional growth in LPP1 (15%)
Known affordability issue – number of affordable homes built in plan period	Good level of affordable housing delivery House prices v. median values for district = slightly above
known settlement level constraints (water supply/drainage , highways, landscape)	Service provision overlaps with Midsomer Norton (doctors, schools).
Neighbourhood Plan	No
Suitable promoted sites in SA Assessment	Yes – but deliverability unclear – see below
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	CHIL002 Stockhill Road CHIL003 Parsonage Lane CHIL005 The Street/Bowden Hill CHIL006 Somer Lea CHIL007 White Hayes Cottage CHIL008 Greenditch Cottage CHIL009 The Vicarage CHIL011 N of Parsonage Lane CHIL017 Land adj 30/32 Stockhill Lane CHIL045 N of Parsonage Lane CHIL046 The Parsonage
Sites with potential for development in SA	CHIL002 Stockhill Road CHIL017 30/32 Stockhill Lane
Suitable sustainable settlement to meet the 505 dwellings?	<b>Yes</b> - one of the larger villages in Mendip. However Infrastructure pressures would have to be considered carefully given the proximity of proposed site allocations adjacent to Midsomer Norton

## Chilcompton – Deliverable Sites

Deliverability of sites	Neither CHIL002 nor CHIL017 have been actively promoted by a developer through the local plan process. No representations were made at pre-submission stage.
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## Coleford– Settlement level assessment

LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	Yes
Geographical north east	No
Available school capacity/ constraints	Bishop Henderson School is exceeding capacity (163 on roll for a capacity of 150) and numbers are forecast to increase to the end of the forecast period (182 by 2023). The school does have a 6 <sup>th</sup> classroom and this will bring their capacity into line with forecast – capacity will increase to 180.
Growth in housing stock 2006-2019	9.8% - compared to LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	Good level of recent affordable housing delivery House prices v. median values for district = slightly below
known settlement level constraints (water supply/drainage , highways, landscape)	Relative isolation of village from main roads
Neighbourhood Plan	
Suitable promoted sites in Assessment	Yes - but deliverability issues See Appendix 5 of Pre-submission SA (document SD12e)
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	<b>A site is already allocated in the Pre-Submission Plan</b>  COLE012 Colbury House COLE014 East of Anchor road COLE021 Springers Hill COLE023 Ropewalk Farm COLE028 Ashill House, Church Street COLE029 4 Rope Walk
Site with potential for development in SA	COLE023 Ropewalk Farm
Suitable sustainable settlement to meet the 505 dwellings?	Yes

## Coleford - Deliverable Sites

COLE023	A new dwelling has been constructed on adjoining land, further narrowing the entrance to site COLE023. The site has not been promoted through the Pre-submission or Examination stages of plan preparation.
COLE014	A speculative planning application has been received at site COLE014 but the LPP2 SA indicates that the site is not suitable for allocation.



## Mells– Settlement level assessment

LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	No
Geographical north east	No
Available school capacity/ constraints	Local Primary school has sufficient capacity
Growth in housing stock 2006-2019	2.2% - below LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	No affordable housing delivery House prices v. median values for district = high
Specific settlement constraints	Close to Mells Valley SAC Minerals protection area / Quarries
Heritage constraints	Historic village with extensive Conservation area, listed buildings and registered parks and gardens.
Neighbourhood Plan	No
Suitable promoted sites in SA Assessment	None
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	Site in SA allocated in Pre-submission Plan
Suitable sustainable settlement to meet the 505 dwellings?	<b>No</b> - village does not have strong relationship with Geographical NE of district or Norton/Radstock. No potentially suitable sites

## Norton St Philip – Settlement level assessment

LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	No
Geographical north east	Yes
Available school capacity/ constraints	Rode and Norton St Philip have federated and YR & Y1 are taught at NSP and Y2, Y3 & Y4 are taught at Rode. The Net Capacities and Numbers On Role should be combined. This means they have a net capacity of 150 and currently have 133 on roll. However the roll at NSP is expected to fall from 55 to 34 by 2023. The roll of both schools is expected to fall (a combined F/C of 110 for a capacity of 150).
Growth in housing stock 2006-2019	34.4%- significantly in excess of proportional growth in LPP1 (15%)
Known affordability issue – number of affordable homes built in plan period	Moderate level of affordable housing delivery House prices v. median values for district = very high
known settlement level constraints (water supply/drainage , highways, landscape)	Heritage assets, there are 46 listed buildings, including 2 grade II* and 1 Grade 1, Green belt to the north
Neighbourhood Plan	Yes – examined and agreed by council to proceed to referendum. Referendum stopped by legal injunction prior to Judicial Review. Proposals for allocations do not align with policies as aspirations of the NP.
Suitable promoted sites in SA Assessment	Yes
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	NSP014 Shepherds Mead NSP001 land off Vicarage lane NSP010 land north of Farleigh Road NSP013 Land off Mackley Lane (Laverton Triangle) NSP012 West of Fortescue Fields NSP016 South East of Fortescue Fields
Site with potential for development in SA	NSP013 potentially suitable for low density development NSP016 South East of Fortescue Fields
Suitable sustainable settlement to meet the 505 dwellings?	<b>Yes</b> - village in the Geographical NE of the district.

## Norton St Phillip - Deliverable Sites

NSP013	<p>NSP013 and NSP016 have been promoted through examination</p> <p>Laverton Triangle has previously been the subject of an appeal for a scheme for 20 homes (application 2013/2052). The appeal was dismissed on the grounds that the site gives an impression of countryside right up to the junction of Mackley Lane and Townsend. Development would be visible above the hedge lines and give the impression of an incursion into open countryside. The scheme did not allow for the planting of a tree belt required by a previous planning approval for Fortescue Fields. This tree belt would provide for a soft edge between the development and the countryside and in the Inspector's view remained necessary. He also identified less than substantial harm to the setting of the Conservation Area. In weighing the less than substantial harm to the Conservation Area against the public benefits of the scheme, the Inspector dismissed the appeal.</p> <p>A lower density scheme, which maintains the tree belt, retains the impression of open countryside up to the junction of Townsend and Mackley Lane and which does not cause harm to the Conservation Area would be deliverable.</p>
<b>Conclusions</b>	<p><b>NSP013 and NSP016 are included in Proposed Main Modifications as a preferred option subject to mitigation and infrastructure requirements as set out in the draft policy.</b></p>

## Rode – Settlement level assessment

LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	No
Geographical north east	Yes
Available school capacity/ constraints	Rode and Norton St Philip have federated and YR & Y1 are taught at NSP and Y2, Y3 & Y4 are taught at Rode. The Net Capacities and Numbers On Role should be combined. This means they have a net capacity of 150 and currently have 133 on roll. However the roll at NSP is expected to fall from 55 to 34 by 2023. The roll of both schools is expected to fall (a combined F/C of 110 for a capacity of 150).
Growth in housing stock 2006-2019	18.5% - slightly above LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	No recent affordable housing delivery House prices v. median values for district = very high
Known settlement level constraints (water supply/drainage , highways, landscape)	Highways impact - See Infrastructure Policy
Heritage constraints	Heritage assets (around 60 listed buildings in the village, including 6 grade 2*)
Neighbourhood Plan	Yes Neighbourhood Plan (NP) identifies a need for housing to meet the needs of older people
Suitable promoted sites in SA Assessment	No – but potential opportunity location in NP
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	RODE003 land at Cley Lane RODE013 land adj Church Lane RODE014 Land adj 41a Church Lane RODE015 Parsonage Farm RODE017 Land adj The Mead
Site with potential for development in SA	The Rode neighbourhood Plan includes Policy 2 which proposes development in the vicinity of Merfield House, but does not allocate a site.
Suitable sustainable settlement to meet the 505 dwellings?	<b>Yes</b> - village in the Geographical NE of the district.

## Rode – Deliverable Sites

RODE017	<p>An SA was carried out of site (aka Land at The Mead) and the site was considered unsuitable due to the potential for impact on the adjoining Conservation Area and a number of Listed Buildings. The Rode Neighbourhood Plan was “made” in 2017 and identifies a need for housing for the elderly. It includes a policy allocating</p> <p><i>“Merfield House and grounds for limited development of housing for the elderly, subject to meeting policy requirements in this plan and those of the Local Planning Authority. The latter will include respecting its status as a listed building. “</i></p> <p>Whilst policy 2 of the plan directs development to the house and outbuildings, the text makes reference to the grounds.</p> <p>Site RODE17 is within the grounds of Merfield House and an allocation here would deliver the aspirations of the Neighbourhood Plan to provide housing for elderly people in this location. The SA noted concerns about the impact on the Conservation Area, which adjoins the site, and nearby listed buildings. The landowner has provided indicative plans which show that these concerns can be overcome. The site scored well in the SA on other criteria and would be deliverable.</p>
<b>Conclusions</b>	<b>RODE17 is included in Proposed Main Modifications as a preferred option subject to mitigation and infrastructure requirements as set out in the draft policy.</b>

## Stoke St Michael – Settlement level assessment

LPP1 settlement status	Primary
Strong relationship to Norton/Radstock?	No
Geographical north east	No
Available school capacity/ constraints	Village school close to capacity and forecast to have a deficit of places.
Growth in housing stock 2006-2019	11.6% - below LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	No recent affordable housing delivery House prices v. median values for district = slightly above
Specific settlement constraints	Ground water source protection area - zone 1 Quarries/ Mineral consultation area Mells Valley SAC/ Local SSSI to village Relative isolation from main roads
Neighbourhood Plan	No
Potentially suitable sites in SA Assessment	Yes – but see deliverability comment See Appendix 5 of Pre-submission SA (document SD12e)
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	SSM007 Coal Pit Lane SSM008 West of Frog lane
Site with potential for development in SA	SSM008 West of Frog Lane ( <i>previously allocated in pre-submission plan but replaced with an alternative site promoted by the village in Proposed Changes</i> )
Suitable sustainable settlement to meet the 505 dwellings	<b>No</b> – village has functional links to Shepton/ Wells rather than NE of the district/ Norton Radstock

## Stoke St Michael – Deliverable Sites

SSM008	Unclear - although land West of Frog Lane promoted through Examination – it may not come forward in addition to the allocated site - SS1a
<b>Conclusions</b>	<b>No requirement for allocations given assessment of the village</b> <b>A site is allocated through Proposed Changes (SSM009) in this settlement</b>

## Binegar/Gurney Slade – Settlement level assessment

LPP1 settlement status	Secondary
Strong relationship to Norton/Radstock?	No
Geographical north east	No
Available school capacity/ constraints	The closest school, at Oakhill, is exceeding capacity and is forecast to do so until the end of the forecast period. It is a restricted site and expansion is not possible. However, a small amount of development of 20/25 dwellings (if built out slowly over a few years) could possibly be accommodated.
Growth in housing stock 2006-2019	18.9% - above LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	No affordable housing delivery House prices v. median values for district = above
Known settlement level constraints (water supply/drainage , highways, landscape)	Ground water source protection area zone 1, no mains sewerage in Binegar, mineral safeguarding, impact of major working quarry at Gurney Slade
Neighbourhood Plan	No
Suitable promoted sites in SA Assessment	No – See SD12e Pre submission SA -Appendix 5
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	BIN001/001a Flowerstone BIN002 Rear of Holy Trinity Church BIN002b land off Station Road BIN005 Greenacres BIN009 land opposite Dalleston BIN010 Station Road, SE Binegar Green BIN011 Off Turners Court Lane BIN012 Equestrian Yard, Station Road GS004 Land at Tellis Lane GS005 land at Moors Farm GS011 land off Tape Lane
Suitable sustainable settlement to meet the 505 dwellings?	<b>No</b> – secondary village with no local school and capacity constraints

## Holcombe – Settlement level assessment

LPP1 settlement status	Secondary
Strong relationship to Norton/Radstock?	Yes
Geographical north east	No
Available school capacity/ constraints	Nearest school is Coleford - which has no existing capacity
Growth in housing stock 2006-2019	11.5% - below LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	Moderate recent affordable housing delivery House prices v. median values for district = above
Known settlement level constraints (water supply/drainage , highways, landscape)	Relative isolation from Main road network
Heritage Constraints	None
Neighbourhood Plan	No
Suitable promoted sites in SA Assessment	None
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	HOL003 Brewery Lane HOL023 Land at Edford Hill
Suitable sustainable settlement to meet the 505 dwellings?	<b>No</b> - Holcombe is one of the larger secondary villages. It does have links to Norton/Radstock but is relatively isolated. There is no local school and no capacity in the nearest school at Coleford
Deliverability of sites	None suitable



<b>Kilmersdon – Settlement level assessment</b>	
LPP1 settlement status	Secondary
Strong relationship to Norton or Radstock?	Yes
Geographical north east	No
Available school capacity/ constraints	Not Known
Growth in housing stock 2006-2019 (compared to growth)	15.1% close to LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	Low recent level of affordable housing delivery House prices v. median values for district = above
Specific settlement constraints	
Heritage constraints	Extensive Conservation Area Heritage assets (22 listed buildings, including 4 grade 2* and 1 grade1)
Suitable promoted sites in SA Assessment	None
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	KIL006 Land north of Kilmersdon Hill KIL007 Land west of Silver Street KIL008 Land north of B3139
Suitable sustainable settlement to meet the 505 dwellings?	Yes but no suitable or deliverable sites
Deliverability of sites	None suitable

## Faulkland – Settlement level assessment

LPP1 settlement status	Secondary
Strong relationship to Norton/Radstock?	Yes
Geographical north east	Yes
Available school capacity/ constraints	Nearest primary school is Hemington which is close to capacity Secondary provision is at Writhlington in Radstock
Growth in housing stock 2006-2019	30% - significantly above LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	Some recent level of affordable housing delivery House prices v. median values for district = very high
Specific settlement constraints	None
Heritage constraints	Significant number of listed buildings
Neighbourhood Plan	No
Suitable promoted sites in SA Assessment	None
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	FAUK004 NE of Grove Lane
Suitable sustainable settlement to meet the 505 dwellings?	<b>No</b> – While the village as links to NE District and Norton/Radstock, it is relatively small village (120 dwellings) which has already experienced a significant recent housing growth
Deliverability of sites	None suitable

## Oakhill – Settlement level assessment

LPP1 settlement status	Secondary
Strong relationship to Norton/Radstock?	No
Geographical north east	No
Available school capacity/ constraints	Oakhill school is exceeding capacity and is forecast to do so until the end of the forecast period. It is a restricted site and expansion is not possible. However, a limited amount of development of 20/25 dwellings combined with a slow build-out could possibly be accommodated.
Growth in housing stock 2006-2019	18.8% - above LPP1 spatial strategy 15% growth
Known affordability issue – number of affordable homes built in plan period	No recent affordable housing delivery House prices v. median values for district = above
Specific settlement constraints	Groundwater Source Protection Area Sensitive wildlife areas / Bat SAC zone
Heritage constraints	Extensive Conservation Area and listed buildings
Potentially suitable promoted sites in SA Assessment	Yes
Promoted land at I&O, pre-submission or proposed changes (other than allocated sites)	OAK001 Greenlands Farm OAK002 Land at Fosse Road OAK003 Land between Sunnymead and Chapelfield OAK013 Land adj Meadow House OAK015 Land South of Pound Lane OAK016 Land East of The Elms OAK017 Oakhill Manor
Site with potential for development in SA	OAK003 land between Sunnymead and Chapelfield
Suitable sustainable settlement to meet the 505 dwellings?	<b>No</b> – functionally related to Shepton rather than NE district No primary school capacity
Deliverability of sites	OAK003 promoted at Examination

**Table 1 - Growth in Housing Stock & Plan Minimums**

<b>GROWTH TO HOUSING STOCK OVER PLAN PERIOD 2006-2019</b>					
	Housing Stock 2006*	Completions 2006-2019**	Commitments (not started or under construction at 01/04/19**	Local Plan Part 2 Allocations	Percentage Housing Stock Growth since 01/04/2006***
<b>PRIMARY VILLAGES</b>					
Beckington	353	99	9	0	30.6%
Chewton Mendip	97	4	2	0	6.2%
Chilcompton	762	146	17	0	21.4%
Coleford	926	64	7	20	9.8%
Croscombe	246	6	10	0	6.5%
Mells	223	5	0	0	2.2%
Norton St Phillip	305	88	17	0	34.4%
Nunney	358	2	1	70	20.4%
Rode	426	22	57	0	18.5%
Stoke St Michael	303	14	4	17	11.6%
<b>SECONDARY VILLAGES</b>					
Binegar	74	2	1	11	18.9%
Gurney Slade	264	8	2	0	3.8%
Faulkland	120	26	10	0	30.0%
Holcombe	390	39	6	0	11.5%
Kilmersdon	106	14	2	0	15.1%
Oakhill	272	47	4	0	18.8%
* 2010 household stock determined from 2010 figures in LP1 rural settlement paper and subtracting development delivered between 01/04/2006-31/03/2010					
** Completions and commitments 01/04/2006-31/03/2019 from 2019 Housing Land Availability Monitoring					
***Completions plus commitments divided by housing stock					

<b>GROWTH OVER PLAN MINIMUMS</b>					
	Local Plan Part 1 Minimum	Completions 2006-2019**	Commitments (not started or under construction at 01/04/19**	Local Plan Part 2 Allocations	Percentage over minimum since 01/04/2006***
<b>PRIMARY VILLAGES</b>					
Beckington	55	99	9	0	196.4%
Chewton Mendip	15	4	2	0	40.0%
Chilcompton	70	146	17	0	232.9%
Coleford	70	64	7	20	130.0%
Mells	10	5	0	0	50.0%
Norton St Phillip	45	88	17	0	233.3%
Nunney	55	2	1	70	132.7%
Rode	65	22	57	0	121.5%
Stoke St Michael	45	14	4	17	77.8%
<b>SECONDARY VILLAGES</b>					
Binegar / Gurney Slade	40	10	3	11	60.0%
Faulkland	20	26	10	0	180.0%
Holcombe	40	39	6	0	112.5%
Kilmersdon	15	14	2	0	106.7%
Oakhill	40	47	4	0	127.5%
** Completions and commitments 01/04/2006-31/03/2019 from 2019 Housing Land Availability Monitoring					
***Completions plus commitments divided by housing stock					

**Table 2****Villages with Functional Relationship to Radstock or Midsomer Norton**

Settlement	Secondary school catchment	Drive time to MSN/Radstock	Drive time to nearest other town	Bus time to MSN or Radstock	Bus time to nearest other town	Nearest GP practice	Functional relationship with town
Beckington	Frome	18 mins	8 mins	55 mins	8 mins	Beckington	Frome
Chewton Mendip	Wells	12 mins	18 mins	28 mins	15 mins	Chilcompton	Wells
Chilcompton	Wells (but parish Plan shows 1/3 go to MSN/R)	5 mins	13 mins	12 mins	30 mins	Chilcompton	MSN/R
Coleford	Writhlington	13 mins	15 mins	17 mins	24 mins	Coleford	MSN/R
Mells	Frome	12 mins	9 mins	34 mins	24 mins	Coleford	Frome
Norton St Philip	Frome	14 mins	18 mins	51 mins	25 mins	Beckington	Frome
Rode	Frome	21 mins	13 mins	1hr 29 mins	20 mins	Beckington	Frome
Stoke St Michael	Shepton	15 mins	10 mins	44 mins	20 mins	Oakhill	Shepton
<b>Secondary villages</b>							
Binegar/Gurney Slade	Shepton	12 mins	13 mins	24 mins	22 mins	Oakhill	Shepton
Holcombe	Writhlington	10 mins	14 mins	18 mins	36 mins	Coleford	MSN/R
Kilmersdon	Writhlington	7 mins	16 mins	10 mins	29 mins	Radstock	MSN/R
Faulkland	Writhlington	8 mins	15 mins	20 mins	48 mins	Radstock	MSN/R
Oakhill	Shepton	15 mins	7 mins	23 mins	10 mins	Oakhill	Shepton

**Table 3**

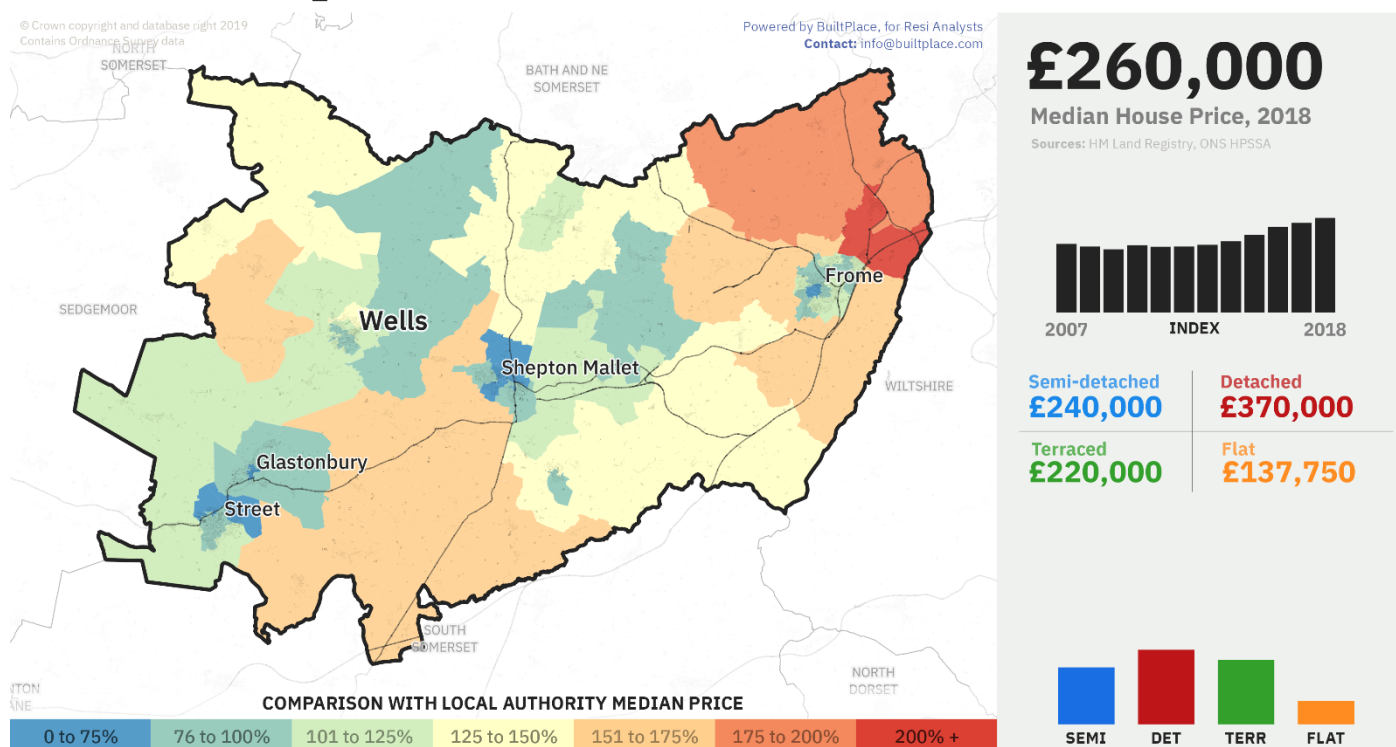
**Delivery of Affordable Housing over the Plan Period**

<b>AFFORDABLE HOMES - GROWTH STOCK OVER PLAN PERIOD 2006-2019 + ALLOCATED SITES</b>					
	Housing Stock 2006*	Affordable Completions 2006-2019**	Commitments (not started or under construction at 01/04/19**	Local Plan Part 2 Allocations	Percentage Housing Stock Growth since 01/04/2006***
<b>PRIMARY VILLAGES</b>					
Beckington	353	22	0	0	6.2%
Chewton Mendip	97	0	0	0	0.0%
Chilcompton	762	50	0	0	6.6%
Coleford	926	28	0	6	3.7%
Mells	223	0	0	0	0.0%
Norton St Phillip	305	8	0	0	2.6%
Nunney	358	0	0	21	5.9%
Rode	426	0	13	0	3.1%
Stoke St Michael	303	0	0	5	1.7%
<b>SECONDARY VILLAGES</b>					
Binegar / Gurney Slade	338	0	0	3	0.9%
Faulkland	120	5	0	0	4.2%
Holcombe	390	8	0	0	2.1%
Kilmersdon	106	1	0	0	0.9%
Oakhill	272	0	0	0	0.0%
* 2010 household stock determined from 2010 figures in LP1 rural settlement paper and subtracting development delivered between 01/04/2006-31/03/2010					
** Completions and commitments 01/04/2006-31/03/2019 from 2019 Housing Land Availability Monitoring					
***Completions plus commitments divided by housing stock					

## Map 1

### 2018 House Prices.

# Mendip



This graphic shows the value and type of residential properties sold in **Mendip** in 2018. The median house price in 2018 was **£260,000**, compared to **£187,500** in 2007 (not inflation-adjusted). There were a total of **2,219** properties sold during 2018: 24.2% were semi-detached, 31.6% detached, 27.4% terraced, and 10.0% flats. The total value of these transactions was **£0.70** billion. The map above shows how house prices in small areas (LSOAs) compare to the median value for the area.

## Appendix 4: Additional SA in Mendip villages

This appendix shows all those sites subject to SA in the villages of Beckington, Norton St Philip and Rode which are not proposed for allocation in response to Inspectors note ED20. All sites have been put forward during the plan preparation process.

These sites have been considered as alternatives to the sites proposed for allocation in Main Modifications but are not preferred options.

### Beckington

#### BECK005a, Tower Hill Farm

	1	2	3	4	5	6	7	8	9	10	11	12	13
BECK005a	±	--	--	±	-	±	±	--	+	±	?	+	+
Tower Hill Farm	This is a prominent hilltop site, overlooking the Frome Valley. It is also immediately adjoining 2 listed buildings, which overlook the site. Whilst the site is close to the village hall and recreation ground it is not well related to the built form of the village, representing a significant extension into open countryside. The site is not suitable for allocation.												

#### BECK005b, Tower Hill Farm

	1	2	3	4	5	6	7	8	9	10	11	12	13
BECK005b	±	-	--	±	±	±	±	--	+	±	?	±	+
Tower Hill Farm	This is a prominent hilltop site, overlooking the Frome Valley. Whilst the site is close to the village hall and recreation ground it is not well related to the built form of the village, representing a significant extension into open countryside. The site is not suitable for allocation.												



**BECK005c, Tower Hill Farm**

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>BECK005c</b>	±	--	--	±	-	±	±	--	+	±	?	+	+
<b>Tower Hill Farm</b>	Site is in a prominent and elevated location and is behind and above a number of listed buildings. The land is important to the setting of these listed buildings and the Conservation Area. It would also impact on the landscape setting of the village. Site should not be allocated for development.												

**BECK024, Land between Warminster Road and the by-pass**

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>BECK024</b>	±	+	+	-	±	±	±	±	±	±	?	±	+
<b>Land between Warminster Road and the by-pass</b>	The site is well contained visually and bordered by development and by Warminster Road and the Bypass. There is an area of woodland to the north, but it is unclear whether this is included in the site. Sewage capacity is unknown and further work would be needed to establish the capacity. There is also an area of surface water flood risk that requires further investigation. The site has some development potential. However, there is no residual requirement for additional housing in Beckington and the village has already provided for development significantly above minimum. The site should not be allocated as the scale of development would exceed that which is proportionate to the scale, needs and limitation of the settlement.												

**BECK025, land north of Travel Lodge**

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>BECK025</b>	±	-	-	-	±	±	±	--	±	±	-	++	+
<b>Land north of Travel Lodge</b>	The site is visually contained in long range views although it will be quite prominent in short range views as a feature at the entrance to the village. The site is grade 1 agricultural land. The site extends into open countryside, and is not adjacent to the current development limits. The site's indicative capacity is around 60 homes, which is not proportionate to the scale, needs and limitations of the settlement. Highways England have indicated that there are capacity issues at the adjacent roundabout and further investigation of highway capacity would be required. Further information is also awaited regarding sewer capacity within the village. The impact of the adjacent A36 would also require further investigation to establish whether impacts on the amenity of potential residents would be likely. The site is not suitable for allocation for housing												

## Norton St Philip

### NSP001, Land off Vicarage lane

	1	2	3	4	5	6	7	8	9	10	11	12	13
NSP001	±	--	--	±	?	±	±	-	-	±	±	++	+
Land off Vicarage Lane	Site is in use as the school playground and is constrained by heritage assets. It is not suitable for allocation as a development site.												

### NSP010, Land north of Farleigh Road

	1	2	3	4	5	6	7	8	9	10	11	12	13
NSP010	±	--	--	±	?	±	±	--	±	±	?	-	+
Land north of Farleigh Road	Site extends into open countryside and is within the green belt. It is open land which is elevated and a prominent part of the open countryside. It is not suitable for allocation as a development site.												

### NSP012, Fortescue Fields West

	1	2	3	4	5	6	7	8	9	10	11	12	13
NSP012	±	--	-	±	?	±	±	--	±	±	?	++	+
Fortescue Fields West	The site is important to the character and landscape setting of the village and is an important part of the iconic views across Church Mead, most particularly from the grade 1 listed George Inn. It is important to the character of the Conservation Area. It is not suitable for allocation as a development site.												

### NSP014, Shepherd's Mead

	1	2	3	4	5	6	7	8	9	10	11	12	13
NSP014	±	--	-	±	±	±	±	--	±	±	?	+	+
Shepherd's Mead	The site is important to the character and landscape setting of the village and is well used and valued for informal recreation, being crossed by footpaths. It is not suitable for allocation as a development site.												

## Rode

### RODE003, Land off Cley lane

	1	2	3	4	5	6	7	8	9	10	11	12	13
RODE003	±	--	--	±	±	±	±	--	±	±	?	+	+
Land off Cley lane	The site is important to the landscape setting of the village, and is a defining feature of the settlement, forming a large open space at the centre of the 3 clusters of building that make up Rode. Much of the site is elevated and affords long range views of the surrounding countryside, and part of the site has been designated as LGS in Rode Neighbourhood Plan. The openness of the area is essential to the rural character of the village, and this includes those parts of the site not designated as LGS. The site is not suitable for allocation.												

### RODE013, Land off Church lane

	1	2	3	4	5	6	7	8	9	10	11	12	13
RODE013	±	--	--	±	±	±	±	--	±	±	?	+	+
Land off Church lane	The site is important to the landscape setting of the village, and forms part of a green wedge separating the 3 clusters of building that make up Rode. Its openness is important to the rural character of the village. The site is not suitable for allocation.												

**RODE014, Land adj 41a Church lane**

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>RODE014</b>	±	--	--	±	±	±	±	--	±	±	?	+	+
Land adj 41a Church lane	: The site is important to the landscape setting of the village, and forms part of a green wedge separating the 3 clusters of building that make up Rode. Its openness is important to the rural character of the village. The site is not suitable for allocation.												

**RODE015, Land between Parsonage Farm and 6 Frome Road**

	1	2	3	4	5	6	7	8	9	10	11	12	13
<b>RODE015</b>	±	--	--	±	±	±	±	--	--	±	?	-	-
Land between parsonage Farm and 6 Frome Road	This site is isolated from the rest of the village and from village facilities as it is east of Frome Road. It would extend built development into an area that currently appears as open countryside, all-be-it with a scatter of rural buildings, and extend the edge of the village beyond the Frome Road. The site is not suitable for allocation.												