



The Planning Inspectorate

Room 406, Kite Wing
Temple Quay House
2, The Square
Temple Quay
Bristol BS1 6PN

Direct Line 0117-372 8902
Switchboard 0117-372 8000
Fax No 0117-372 6241
GTN 1374-8902

Your Ref:

Our Ref: PINS/H3320/429/2

Date: May 2003

The Chief Executive
West Somerset District Council
Council Offices
WILLITON
Somerset
TA4 4QA

Dear Sir

PUBLIC LOCAL INQUIRY INTO OBJECTIONS TO THE WEST SOMERSET DISTRICT LOCAL PLAN

I was appointed by the First Secretary of State to hold a public inquiry into objections to the Deposit Draft of the West Somerset District Local Plan. The inquiry opened on 19 February 2002 and sat on ten days in the following period to 25 April 2002. That included a round table session on housing land availability. I subsequently attended a formal closing session on 25 February 2003 after receipt of the Council's responses to those objections that were treated as written representations.

The draft Plan was placed on deposit for the statutory period in June 1998. 1108 representations were received, comprising 867 objections and 241 expressions of support. The Council having considered the objections, Proposed Changes 1-265 were placed on deposit in November 2000. In response 704 representations were received, comprising 492 objections and 212 expressions of support. Having considered the objections to the Proposed Changes the council published 302 Revised Proposed Changes in October 2001. Of the total of 1812 representations 90 were unconditional withdrawals and 244 were conditional withdrawals. Of the objections sustained at the start of the inquiry 75 were heard in the inquiry sessions and the remainder were dealt with as written representations. I made one accompanied site inspection and various unaccompanied inspections at times during the inquiry period.

Various documents of fundamental importance to the Plan were published between the first deposit period and the opening of the inquiry. The Somerset and Exmoor National Park Joint Structure Plan Review was adopted in April 2000. Other significant changes in that period were the publication of the revised PPG12 in December 1999, the revised PPG3 in March 2000, PPG25 in 2001, and RPG10. The Council itself produced significantly relevant publications after the initial deposit period, namely the West Somerset Landscape Character Assessment in November 1999 and the Residential Urban Capacity Study in June 2001.

At the start of the inquiry it therefore fell to me to consider in this context, as well as that of the Council's formally proposed changes, all of the objections that remained outstanding from the previous deposit periods.

At the closure of the inquiry I learned that a number of representations relating to small amenity open spaces were not duly made, having been received by the council after two statutory deposit periods. However, the Council may take account of them in formulating its modifications, particularly if they refer to points of information or correction, as Paragraphs 6.31-32 of PPG12 advise. I have not included in the Report any matters which are subject only to supporting representations but I list them in respect of matters to which there are also objections

Throughout the Report I refer to the Council as the Local Planning Authority (LPA) to distinguish its planning functions from such other matters over which it exercises control.

Layout of the Plan

The arrangement of the Plan is unusual in that explanatory material precedes policies. In reporting, I have followed the textual sequence of the Plan but have found that site-specific objections in particular are often duplicated or triplicated in virtually identical objections to the explanatory text, the policy, and the proposals map in that order. That is particularly the case where housing omission sites and objections to settlement development boundaries are related. In general I have attempted to avoid duplication by cross-referencing where appropriate. I endorse the majority of the Proposed Changes which reflect the substantial work carried out by the Council between the first deposit and the inquiry. I comment below on the more salient matters which are the subject of recommendations for change. A Schedule of Recommended Changes is attached as an annex to the report.

Chapter 1 sets out the relationship of the Plan to the Structure Plan, the Review of which was not adopted at the time of the first deposit. It will be for the Council to re-establish the conformity of the Plan with the now extant Structure Plan Review.

Chapter 2 sets out 2 key aims of the Plan within the context of the 4 main issues of the natural environment, the built environment, the economy, and transport. Though it might be claimed to be subsumed in Key Aim (i) I consider that the principle of reusing previously developed land is now established to the point that I recommend it should be an additional strategic key objective of the Plan

On Chapter 3 I support as the basis of the Plan the hierarchy of development in relation to the settlement pattern, maintaining the rôle of Minehead as the main growth area with Watchet and Williton as Rural Centres while nevertheless restraining the outward growth of the town in the interest of landscape conservation. However, while the differentiation between larger and smaller villages is to be welcomed I consider the restriction of new housing in Small Villages to affordable housing only in the new Policy SP/4 imposes too stringent a control which is not supported in national, regional, or strategic policy.

On Landscape Conservation in Chapter 4 the volume of Proposed Changes bespeaks the work done by the Council after the initial deposit of the Plan to update this chapter. I particularly endorse the changes consequent on the deletion of Special Landscape Areas and the insertion of the fuller and more helpful information on Landscape Character Areas. In view of the liability to flood risk in some parts of the District I also welcome the Council's proposal to incorporate on the Proposals and Settlement Inset Maps the Environment Agency's information on land likely to be so affected.

In Chapter 5 dealing with the Built Environment the new policy on the Reuse of Building Materials marks a notable detailed encouragement to sustainability. I support the welcome insertion advocating the conservation of energy and water. It gives local voice to up to date Regional Guidance.

Chapter 6 on the Economy reflects as well as the general question of employment the District's typical interests in agriculture and tourism. As to the last-mentioned I consider that in the light of developments in national policy on the use of private cars there is an urgent need to address the question of on-site parking at tourism-related development with a view to formulating proposals for incorporation in the Plan.

Chapter 7 deals with transport issues. The changes establish the appropriate relationship of the Plan to the Somerset Local Transport Plan, notably in respect of a transport interchange at Minehead. They also require that where off-site infrastructural access works are essential to the implementation of a proposed development it is important their availability should be ensured before the coming into use of the development.

On Chapter 8 I deal with housing sites in 3 categories: sites allocated in the Plan, omission sites inside settlement development boundaries, and omission sites outside settlement development boundaries. This includes major sites, some of which were registered as objections to Inset Maps.. I deal with minor sites in Chapter 10. Housing was the most controversial subject of objection in two respects: firstly in relation the part which the council expects to be played by windfall sites in housing provision and secondly in relation to successive changes in the Council's stance towards new residential development at Dunster Marsh and Williton. Proposals related to those localities attracted by far the largest number of objections.

On the basis of the Council's most recent experience I am satisfied that, bearing in mind the inclusion of the much reduced number of dwellings now allocated to Dunster Marsh compared with the deposit draft Plan and notwithstanding the stringent control over further residential building in Minehead, there is nevertheless adequate provision in the Plan area in the immediate period to 2006. I consider that the findings of the Residential Urban Capacity Study broadly support the Council's view on the likelihood of windfall sites coming forward. However, there will be a heavy weight on the review exercise in 2006 which will throw into focus necessary decisions on the amount and location of future development at Williton. My comment below on monitoring is highly relevant to this.

On the question of affordable housing I accept that the range of settlement types and the degree and nature of housing stress in the Plan area justify the proposed change which matches thresholds of affordable housing provision to settlement size.

While I generally support on the grounds of landscape conservation the settlement development limits of Minehead I have recommended a small modification adjoining Woodcombe Cottages. I consider that neither materially undermines the argument for maintaining the line on the Inset Map in the draft deposit Plan nor provides a relevant precedent for reconsidering other objection sites around the town, either in the near vicinity of this site or elsewhere.

So far as concerns other matters in Chapter 8 I especially note the changes referring to the precautionary principle in relation to the control of pollution and the more explicit treatment of telecommunications.

In Chapter 9 I concur with the changes which bring renewable energy sources into greater prominence.

In Chapter 10 many of the changes satisfy objections to incorrect descriptive material in the thumbnail sketches of individual villages. I deal in Chapter 8 with major omission housing sites that are the subject of objections to the Inset Maps.

Chapter 11 contains only 2 matters concerning the Proposals Map. Where they are linked to objections to the Plan text they are dealt with in the earlier chapters to avoid duplication.

Chapter 12 embraces only the recording of playing space at Danesfield School, Williton.

Omission

The Plan was deposited before the coming into force of the Town and Country Planning (Development Plan) (England) Regulations 1999 and is therefore subject to earlier statutory requirements. Nevertheless, the plan/monitor/manage approach to planning has now become prominent and is a cardinal theme in PPG12. That approach only receives acknowledgement in the Plan in the Council's response to an objection. As the approach is now fundamental to planning operations the Council may wish to consider how it may be incorporated in the Plan with a view to updating the document, indicating those features which should be regularly monitored and the terms in which they should be monitored.

In my consideration of the objections I have taken account of all of the representations made by the various objectors and the Council, and to all other material considerations, including current Planning Policy Guidance and the appropriate Circulars. I have not had regard to any changes in local planning circumstances subsequent to the closure of the inquiry and I have not received any representations thereon. The Council will need to take into account any PPG, Circular, or other Government Advice published subsequent to the completion of my report.

A complete set of documents submitted in connection with the Inquiry is held by the Regeneration & Policy Manager and may be inspected at West Somerset District Council, Council Offices, Williton, Somerset TA4 4QA.

A copy of this letter has been sent for information to the Head of the Development Plans Branch of the Government Office for the South West, 2 Rivergate, Temple Quay, Bristol BS1 6ED and to the Planning and Development Division of the Office of the Deputy Prime Minister, Eland House, Bressenden Place, London SW1E 5DU.

Finally, my thanks are due for the help and co-operation I received throughout the inquiry from Mr Trevor Shaw, the Council's Planning Policy and Rural Regeneration Officer, and other members of the Council's staff who took part. I am also indebted to the Programme Officer, Mr Peter Pritchard, in particular for his sustained and dedicated administrative assistance in dealing patiently with the various series of representations on the successive series of changes to the deposit draft Plan in the extended period leading up to the inquiry.

Yours faithfully

D L J Robins
Inspector