

West Somerset District Local Plan – Adopted, April 2006: Policy status

With the adoption of the West Somerset Local Plan to 2032 (WSLP to 2032) a number of the policies in the previous West Somerset District Local Plan (WSDLP) will be replaced. However, as the WSLP to 2032 was originally intended to be a Core Strategy in the portfolio of Development Plan Documents (DPD's) that were to form the Local Development Framework (LDF) for the West Somerset Local Planning Authority (LPA) area, it does not contain the full suite of policies of an area-wide local plan. Appendix 3 of the adopted version of the WSLP to 2032 contains a list of the WSDLP policies that have been superseded by the new plan's policies. In order to provide a more comprehensive planning policy framework for the LPA area, a number of the policies from the original WSDLP that have no direct replacements in the WSLP to 2032, have been retained. As these policies pre-date the National Planning Policy Framework (NPPF) the issue of the status and weight that can be attributed to them arises. Where a retained WSDLP policy is inconsistent with the provisions of the NPPF, the weight that can be attributed to it when determining planning applications is significantly reduced as the NPPF (where relevant) post-dates the local plan policy concerned. Where there is no conflict between the national position, as expressed through the NPPF, and the relevant WSDLP policy, then some weight can continue to be attributed to the latter in the determination of planning applications through the Development Management process. The same can be applied to those retained WSDLP policies where there is no direct national policy position.

The Table below identifies all the policies in the WSDLP at the time of its initial adoption in April 2006.

- Column 1 provides the WSDLP Policy reference and title.
- Column 2 provides the replacement Policy reference(s) in the WSLP to 2032 (in **bold**), as appropriate.
- Column 3 provides the NPPF paragraph numbers to which the WSDLP policy is most closely related if it is not identified for replacement by a policy in the WSLP to 2032. Where there is deemed to be no national policy context in the NPPF then this is indicated with a 'none' entry and a comment is provided in Column 4.
- Column 4 provides comments for all those WSDLP policies that have a 'none' entry in Columns 2 and/or 3 plus those that were not saved beyond 1st April 2009.

Notes:

- Where a policy has been superseded by a more up to date policy through the WSLP to 2032 it is the latter that should be used for any decision-making through the Development Management process as the former no longer have any development plan status.
- Where a WSDLP was not saved beyond 1st April 2009 (shown in *italics*) or, it has now been superseded by a new policy in the WSLP to 2032, the policy reference and policy title in Column 1 have been, ~~struck-out~~.
- Where a policy in the WSDLP has not been superseded, a review of the contents of the NPPF has been undertaken to identify the relevant national policy position on the matter. The relevant paragraph references of the NPPF are given in the third column followed by a comment, in the fourth column indicating whether the original WSDLP policy is deemed to be consistent with national policy.

- In some instances, usually due to the level of detail contained within the local plan policy, there is no national policy position with which it can be compared for consistency.
- In some instances, where there is no direct NPPF linkage and the policy and/or legal context of the subject matter affected by the WSDLP policy may have changed since adoption of the plan, this has been indicated through the comments column.
- Those WSDLP policies that were not saved beyond the initial three-year period post-adoption (up to 1st April 2009) are included for completeness but have not been assessed for consistency against the NPPF. The affected policies are shown in *italics*.

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
SP/1 – Settlement Hierarchy	SC1, SC5,		
SP/2 – Development in Minehead and Rural Centres	SC2, SC5, MD1, MD2, WA1, WA2, WI1, WI2, LT1		
SP/3 – Development in Villages	SC2, SC5, SV1		
SP/4 – Development in Small Villages	SC2, SV1		
SP/5 – Development Outside Defined Settlements	OC1		
LC/1 – Exmoor National Park Periphery	NH14		
<i>LC/2 – Quantock Hills Area of Outstanding Natural Beauty</i>	NH14		<ul style="list-style-type: none"> • <i>Original policy not saved beyond 01APR09</i>
LC/3 – Landscape Character	NH5		
TW/1 – Trees and Woodland Protection	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent
TW/2 - Hedgerows	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent
NC/1 – Sites of Special Scientific Interest (SSSI's)	none	118	<ul style="list-style-type: none"> • SSSI's designated via provisions in primary legislation (Section 28 of the <u>Wildlife and Countryside Act 1981</u> [as amended]) • Policy provision consistent with NPPF and, <u>ODPM Circular 06/2005/DEFRA Circular 01/2005</u>
<i>NC/2 – Sites of International Importance</i>	<i>none</i>		<ul style="list-style-type: none"> • <i>Original policy not saved beyond 01APR09</i> • <i>Policy not required as duplicated provisions contained in international and national legislation</i>

WSDLP Policy	WSLP to 2032 Policy No./Status	NPPF (para.)	Comment
NC/3 – Sites of Local Nature Conservation and Geological Interest	NH6		
NC/4 – Species Protection	NH6		
NC/5 – Wildlife Habitats	NH6		
W/1 – Waste Water, Sewage Management & Infrastructure	CC6		
W/2 – Surface Water Protection	CC6		
W/3 – Groundwater Source Protection	CC6		
W/4 – Water Resources	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
W/5 – Surface Water Run-Off	CC6		
W/6 – Flood Plains	CC2		
W/7 – River Corridor Protection	none	109, 110, 113, 114, 117	<ul style="list-style-type: none"> Policy is consistent with the natural environment conservation and enhancement provisions of the NPPF.
CO/1 – The Coastal Zone	CC2, CC4		
CO/2 – Coastal Defences	CC3		
CO/3 – Impact of Development on Coastal Defences	CC2, CC3		
AH/1 – Nationally Important Archaeological Remains	NH1, NH2		<ul style="list-style-type: none"> Original policy not saved beyond 01APR09
AH/2 – Locally Important Archaeological Remains	NH4		
AH/3 – Areas of High Archaeological Importance	NH3		

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
LB/1 – Listed Buildings Alterations and Extensions	NH2		
LB/2 – Listed Building Demolition	NH2		
LB/3 – Historic Parks and Gardens	NH1		
CA/1 – New Development in Conservation Areas	NH2		
CA/2 – Demolition in Conservation Areas	NH2		
CA/3 – Re-development in Conservation Areas	NH2		
CA/4 – Advertisements in Conservation Areas	none	67, 68	<ul style="list-style-type: none"> • Policy is consistent with the provisions regarding good design in the NPPF. • Advertisements are also regulated through secondary legislation - <u>The Town and Country Planning (Control of advertisements) (England) Regulations 2007</u>
CA/5 – Shop-Fronts in Conservation Areas	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent • Development may also be regulated via primary legislation - <u>Planning (Listed Buildings and Conservation Areas) Act 1990</u> (as amended) and associated Regulations.
BD/1 – Local Distinctiveness	NH1		
BD/2 – Design of New Development	NH13		

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
BD/3 – Conversions, Alterations and, Extensions	none	58 - 62	<ul style="list-style-type: none"> • Policy is consistent with the provisions regarding good design in the NPPF. • Changes to secondary legislation post-NPPF inc. <u>The Town and Country Planning (Development Management Procedure) (England Order 2015</u> and, <u>The Town and Country Planning (General Permitted Development) (England) Order 2015</u>
BD/4 – Shop Frontages	none		<ul style="list-style-type: none"> • <i>Original policy not saved beyond 01APR09</i>
BD/5 – New Industrial and Commercial Buildings	NH13		
BD/6 – Agricultural Buildings	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent • Policy is indirectly consistent with the provisions regarding good design in the NPPF (paras. 58 – 62)
BD/7 – Advertisements	none	67, 68	<ul style="list-style-type: none"> • Policy is consistent with the provisions regarding good design in the NPPF. • Advertisements are also regulated through secondary legislation - <u>The Town and Country Planning (Control of advertisements) (England) Regulations 2007</u>
BD/8 – Re-Use of Existing Building Materials	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent • Policy is indirectly consistent with the provisions regarding good design in the NPPF (paras. 58 – 62)
BD/9 – Energy and Waste Conservation	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent
E/1 – Employment Land Allocations	EC2		
E/2 – Employment Development Within Settlements	EC/1		
E/3 – Employment Conversions Within Settlements	none	19, 160, 161	<ul style="list-style-type: none"> • Policy is consistent with the provisions regarding building a strong, competitive economy and, meeting business needs.

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
E/4 – Small-Scale Employment Conversions Outside Settlements	none	28, 58 - 62	<ul style="list-style-type: none"> Policy is consistent with the provisions regarding supporting a prosperous rural economy and, good design
E/5 – New Business Developments Outside Settlements	OC1		
E/6 – Expansion of Existing Businesses	none	19, 160, 161	<ul style="list-style-type: none"> Policy is consistent with the provisions regarding building a strong, competitive economy and, meeting business needs.
E/7 – Retention of Employment Use	EC5, SC6		
E/8 – Employment Use Within Residential Property	EC4, EC6		
A/1 – Farm Diversification	EC11		
A/2 – Best and Most Versatile Agricultural Land	NH8		
TO/1 – Sustainable Tourism Development Within Settlements	EC8		
TO/2 – Tourism Development in Minehead	none	23 – 25, 160, 161	<ul style="list-style-type: none"> Policy is consistent with the provisions regarding protecting the vitality and viability of town centres and, meeting business needs
TO/3 – Tourism Development in Watchet	none	23 – 25, 160, 161	<ul style="list-style-type: none"> Policy is consistent with the provisions regarding protecting the vitality and viability of town centres and, meeting business needs
TO/4 – New Tourism Accommodation in Watchet	none	23 – 25, 160, 161	<ul style="list-style-type: none"> Policy is consistent with the provisions regarding protecting the vitality and viability of town centres and, meeting business needs

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TO/5 – Caravan and Camping Sites in the Countryside	EC9		
TO/6 – Cafes, Tea Rooms and Restaurants	EC/9		
TO/7 – Extension to Existing Holiday Parks	EC/9		
SH/1 – Retail Development in Minehead Town Centre	EC12		
SH/2 – Type of Retail Use in Minehead Prime Shopping Area	EC12		
SH/3 – Retail Development Outside of Minehead Town Centre	none	23, 26, 27	<ul style="list-style-type: none"> Policy is consistent with the provisions of the sequential test for protecting the vitality and viability of existing centres and associated provisions.
SH/4 – Retail Development in Watchet and Williton	EC12		
SH/5 – Retail Development in Villages	SC6		
SH/6 – Retail Development Outside Settlements	OC1		
<i>T/1 – Safeguarded Road Proposals</i>	<i>none</i>	<i>none</i>	<ul style="list-style-type: none"> <i>Original policy not saved beyond 01APR09</i> <i>Schemes not included in subsequent Local and Future Transport Plans</i>
<i>T/2 – Traffic Management and Calming</i>	<i>none</i>	<i>none</i>	<ul style="list-style-type: none"> <i>Original policy not saved beyond 01APR09</i> <i>No direct national policy equivalent</i>
T/3 – Transport Requirements of New Development	ID1		

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
T/4 – Private Signs and Directional Advertisements	<i>none</i>		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • Advertisements are also regulated through secondary legislation - <u>The Town and Country Planning (Control of advertisements) (England) Regulations 2007</u> plus other related traffic and transport legislation
T/5 – Loss of Public Car Parking Provision	none	40, 41	<ul style="list-style-type: none"> • Policy is consistent with national requirements regarding safeguarding car-parking provision.
T/6 – Public and Communal Car Parking in Villages	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent
T/7 – Non-Residential Development Car Parking	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent
T/8 – Residential Car Parking	none	32, 34 - 39	<ul style="list-style-type: none"> • Policy is consistent with national requirements regarding parking provision and promoting sustainable transport
T/9 – Existing Footpaths	none	35	<ul style="list-style-type: none"> • Policy is consistent with national requirements regarding promoting sustainable transport alternatives
T/10 – Non-Car Accessibility	<i>none</i>		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09
T/11 – Cycling	<i>none</i>		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09
T/12 – West Somerset Railway	<i>none</i>		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • No direct national policy equivalent
T/13 – Bus Facilities and Infrastructure	none	34 - 41	<ul style="list-style-type: none"> • Policy is consistent with national requirements regarding promoting sustainable transport alternatives
T/14 – Harbour Facilities at Minehead and Watchet	none	33	<ul style="list-style-type: none"> • Policy is consistent with national policy on small ports not covered by the National Policy Statement
T/15 – Transport Infrastructure and Developer Contributions	ID1		
H/1 – Housing Land Allocations	SC/2		
H/2 – Agricultural and Forestry Workers Accommodation	OC1		

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
H/3 – Removal of Agricultural and Forestry Occupancy Conditions	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
H/4 – Affordable Housing	SC/4		
H/5 – Affordable Housing on Rural Exception Sites	none	54, 55	<ul style="list-style-type: none"> Policy is consistent with national policy in respect of exception site development in rural areas
H/6 – Conversion to Residential of Holiday Accommodation Outside Settlements	none	28, 54, 55	<ul style="list-style-type: none"> Policy is consistent with national provisions regarding supporting a prosperous rural economy and, in respect of exception site development in rural areas
H/7 – New Protected Buildings	none		<ul style="list-style-type: none"> <i>Original policy not saved beyond 01APR09</i> <i>No direct national policy equivalent</i>
H/8 – Gypsy and Travellers Non-Permanent accommodation	GT1		<ul style="list-style-type: none"> <i>Original policy not saved beyond 01APR09</i> <i>Policy revised post-Submission as a result of revised national policy – <u>Planning Policy for Traveller Sites, August 2015</u></i>
R/1 – Formal Sports Facilities	CF1		
R/2 – Dual-Use Facilities	none		<ul style="list-style-type: none"> <i>Original policy not saved beyond 01APR09</i>
R/3 – Outdoor Play Space	CF1		
R/4 – Playing Pitch Improvements	CF1		
R/5 – Public Open Space and Large Developments	none	69, 73, 74	<ul style="list-style-type: none"> Policy consistent with national provisions regarding promoting healthy communities
R/6 – Public Open Space and Small Developments	none	69, 73, 74	<ul style="list-style-type: none"> Policy consistent with national provisions regarding promoting healthy communities
R/7 – Amenity Open Space	none	73, 74	<ul style="list-style-type: none"> Policy consistent with national provisions regarding promoting healthy communities
R/8 - Allotments	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
R/9 – Water Sports	none	none	<ul style="list-style-type: none"> No direct national policy equivalent

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R/10 – Equestrian Establishments	OC1		
R/11 – Golf Courses and Driving Ranges	none	none	<ul style="list-style-type: none"> • No direct national policy equivalent
R/12 – Informal Recreation Facilities	none	69, 73, 74	<ul style="list-style-type: none"> • Policy consistent with national provisions regarding promoting healthy communities
<i>R/13 – Provision of Art in New Development</i>	<i>none</i>		<ul style="list-style-type: none"> • <i>Original policy not saved beyond 01APR09</i> • <i>No direct national policy equivalent</i>
AD/1 – Access for Disabled People	CF2		
PC/1 – Air Pollution	NH9		
PC/2 – Noise Pollution	NH9		
PC/3 – Noise Sensitive Developments	NH9		
PC/4 – Contaminated Land	NH9		
TC/1 – Telecommunications Development	ID1		
TC/2 – Impact of Telecomms. Apparatus on Amenity	none	43, 44, 156, 157, 171	<ul style="list-style-type: none"> • Policy consistent with national provisions regarding the provision of communications infrastructure • Changes to secondary legislation post-NPPF inc. <u>The Town and Country Planning (Development Management Procedure) (England Order 2015</u> and, <u>The Town and Country Planning (General Permitted Development) (England) Order 2015</u>

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
UN/1 – New Overhead Service Lines	<i>none</i>		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • Other secondary legislation and <u>National Policy Statement for Energy Infrastructure EN5</u> apply
UN/2 – Undergrounding of Service Lines and New Development	none	162, 171, 176	<ul style="list-style-type: none"> • Policy consistent with national provisions regarding plan-making • Other secondary legislation and <u>National Policy Statement for Energy Infrastructure EN5</u> may apply depending on the scale of development
PO/1 – Planning Obligations	ID1		
EN/1 – Wind Turbines in the Quantock Hills AONB	NH14		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • Ministerial Statement of 18th June 2015 provides latest policy position re. developments involving more than one turbine.
EN/2 – Wind Turbines Outside the Quantock Hills AONB	NH14		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • Ministerial Statement of 18th June 2015 provides latest policy position re. developments involving more than one turbine.
EN/3 – Small Scale Wind Turbine Development	<i>none</i>		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • Ministerial Statement of 18th June 2015 provides latest policy position re. developments involving more than one turbine.
EN/4 – Other Renewable Energy Developments	CC1		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • <u>National Policy Statement on renewable energy generation EN3</u>
EN/5 – Nuclear Energy Developments	EN1		<ul style="list-style-type: none"> • Original policy not saved beyond 01APR09 • <u>National Policy Statement for Nuclear Power Generation EN6</u>

WSDLP Policy	WSP to 2032 Policy No./Status	NPPF (para.)	Comment
BRU/1 – Important Amenity Area, Brushford	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
CAR/1 – Important Amenity Areas, Carhampton	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
CRO/1 – Extension to Cemetary Crowcombe	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
DM/1 – Mixed-Use Development Dunster Marsh	none	none	<ul style="list-style-type: none"> No longer required. S.106 negotiated with Higher Marsh Farm development currently being constructed (NOV16)
MINE/1 – Minehead Enterprise Park Enhancement, Minehead	none	none	<ul style="list-style-type: none"> No longer required. Scheme implemented 2008.
MINE/2 – Leisure Activities on The Esplanade and Warren Road, Minehead	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
OC/1 – Development in Gleeve Park, Old Gleeve	<i>none</i>		<ul style="list-style-type: none"> <i>Original policy not saved beyond 01APR09</i> <i>Policy duplicated the provisions of an Article 4 Direction – 15th July 1967</i>
SY/1 – Residential Development Land East of St. Audries Close, Stogursey	<i>none</i>		<ul style="list-style-type: none"> <i>Original policy not saved beyond 01APR09</i> <i>Development approved and first phase completed</i>
SY/2 – Community Facilities, Stogursey	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
SY/3 – Primary School Playing Field, Stogursey	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
WAT/1 – East Wharf Mixed-Use Development, Watchet	none	none	<ul style="list-style-type: none"> No direct national policy equivalent
WIT/1 – Playground, Withycombe	none	none	<ul style="list-style-type: none"> No direct national policy equivalent