

**WEST SOMERSET LOCAL DEVELOPMENT SCHEME
FOR THE PERIOD
1ST APRIL 2013 - 31ST MARCH 2016**



**ADOPTED 26TH JUNE 2013
Revised January 2015**



Revised West Somerset Council Local Development Scheme 2013 - 2016

Contents:

Section	Title	Page
1.	What is the Local Development Scheme?	3
2.	The existing Development Plan for West Somerset	3
3.	West Somerset Local Development Scheme - April 2009	4
4.	The West Somerset Local Development Scheme 2013 - 2016	4
5.	Neighbourhood Plans.	5
6.	Links with Other Strategies and Plans	6
7.	Resources	8
8.	Protocol for reviewing the Local Development Scheme	8
9.	Risk Assessment	9
Figure 1	Local Plan 2006 – 2032 – links with other strategies and plans	7
Appendix 1	Proposed Local Development Documents 2013 – 2016	10
Appendix 2	New Local Development Document – Initial Profiles	11
Appendix 3	Definitions and explanation of terms	13

Draft Revised West Somerset Council Local Development Scheme 2013 - 2016

1. Introduction - what is the Local Development Scheme?

Local planning authorities are required to prepare and maintain a Local Development Scheme (LDS). The LDS is a timetable for the production of the District's Local Plan and any other development plan documents it intends to prepare. Supplementary planning documents which it is the Council's intention to prepare are also identified.

This updated LDS has been produced to give local residents and other stakeholders information about:

- o The nature and status of the local development documents the Council will be preparing during the next three years,
- o The subject matter and geographical area to which the plans relate,
- o The timetable for the preparation, adoption and revision of the plans; and,
- o The resources which will be used to fulfill the programme.

It is important that plans for the future development of the District are produced in a timely and efficient manner, otherwise, development which is crucial to the social, economic and environmental well-being of the District and its residents may be delayed or abandoned, and the co-ordination of development and infrastructure provision may be difficult to achieve.

The approved West Somerset Local Development Scheme 2009, is now out of date and needs to be reviewed to cover the next three years (April 2013- March 2016), setting out how the Council will prepare the documents that are required to support the publication and adoption of the new Local Plan to 2032 for the parts of West Somerset District outside the Exmoor National Park.

2. The existing Development Plan for West Somerset

The statutory development plan, which sets out the planning policy framework for West Somerset, currently comprises:

- o Regional Planning Guidance for the South West (RPG 10 – the interim Regional Spatial Strategy for the South West),
- o Saved Policies of the Somerset and Exmoor National Park Joint Structure Plan Review (adopted April 2000),
- o Saved Policies of the West Somerset District Local Plan (adopted April 2006),
- o Somerset Minerals Local Plan (2004); and
- o Somerset Waste Local Plan (2005).

Changes to the development plan and the tiers within it, have been proposed for a number of years. In September 2004, through the Planning and Compulsory Purchase Act 2004, the Government announced their intention to abolish Structure Plans. They were to be replaced with a Regional Spatial Strategy (RSS) and Local Development Framework (LDF). In light of this, in 2007, the Government saved all of the policies (except Policy 53) of the Somerset and Exmoor National Park Joint Structure Plan Review pending the adoption of the RSS for the South West.

In July 2010, the newly elected Government announced further changes, namely that Regional Spatial Strategies (and Structure Plans) were to be revoked, and the Localism Act 2011 includes this provision. The legislation now provides that adopted Local Plans (and/or Core Strategies) and any adopted Neighbourhood Plans, together with adopted waste and minerals local plans, will form the statutory development plan. Until the Secretary of State is in a position to make the necessary legal orders, development plan documents must be in general conformity with the interim Regional Spatial Strategy (RPG10) and the emerging South West Regional Spatial Strategy (RSS) which, although

never adopted, remains a material consideration until revoked. As of 27th March 2013, the Secretary of State for Communities and Local Government has announced that the making of these Orders is imminent.

Somerset County Council's Minerals Local Plan will remain in place until replaced by the Minerals Core Strategy DPD which is currently in preparation. The Waste Core Strategy DPD has now been Adopted by the County Council having been found sound on examination.

The West Somerset District Local Plan (1991-2011) was adopted in April 2006 most of its policies being "saved" under the Planning and Compulsory Purchase Act 2004's transitional provisions, which effectively extend the life of the Local Plan until it is replaced by the new Local Plan to 2032. All the 2006 Local Plan policies except the following twenty policies currently remain saved: LC/2, NC/2, AH/1, BD/4, T/1, T/2, T/4, T/10, T/11, T/12, H/7, H/8, R/2, R/13, UN/1, EN/1, EN/2, EN/3, EN/4 and EN5.

National Planning Policy Framework (NPPF) paragraph 215 indicates that due weight should be given to the saved local plan policies in accordance to their degree of consistency with the NPPF. Therefore the saved local plan policies should be used for decision making to the extent that they are in line with the NPPF, if they are in conflict, the NPPF's policies take precedence.

The Localism Act 2011 also introduced new provisions to allow communities to create their own statutory planning policies in relation to the use and development of land within their local areas by the preparation of Neighbourhood Development Plans. Although their preparation is optional, the Localism Act requires that the District Council provides support to those communities who do wish to produce a Neighbourhood Development Plan.

3. West Somerset Local Development Scheme (April 2009)

The current version of the Local Development Scheme (LDS) was approved in April 2009 and is in need of review. This is the starting point for the new LDS covering the period April 2013 to March 2016.

The existing LDS includes:

- The West Somerset Core Strategy (now the West Somerset Local Plan to 2032)
- The Adopted Proposals Map
- The Statement of Community Involvement
- The Planning Obligations SPD

Additional documents produced were:

- the Hinkley Point C SPD, jointly prepared with Sedgemoor District Council (adopted in October 2011), and;
- The Draft "Williton Masterplan" SPD which effectively provides part of the evidence base to assist with the implementation of the Local Plan.

4. The West Somerset Local Development Scheme 2013 - 2016

The National Planning Policy Framework charges West Somerset Council, with producing planning policy documents which will help to implement a sustainable development strategy for its Local Planning Authority area. This work involves two types of Local Development Document:-

- **Development Plan Documents (DPD):** these are used to create statutory planning policy, their preparation involves extensive consultation and they are subject to independent

examination by the Secretary of State for soundness prior to adoption, when they become part of the statutory development plan for the area. DPD are prepared subject to Sustainability Appraisal.

- **Supplementary Planning Documents (SPD):** are non-statutory documents which help to interpret and implement the statutory policies in DPDs. SPD cannot be used to create new planning policy. SPD are not subject to Sustainability Appraisal or independent examination.

The status of existing West Somerset planning policy documents is as follows:

- The policies of the West Somerset District Local Plan 2006 are saved
- The Statement of Community Involvement was adopted in November 2007.
- The West Somerset Local Plan to 2032 has been through three community and stakeholder engagement exercises and is currently proceeding towards a supplementary round of Preferred Strategy consultation necessitated by the additional requirements included in the NPPF prior to the formal publication of the plan.
- The Planning Obligations SPD is adopted and in use
- The Hinkley Point C SPD is adopted and in use.

The new LDS comprises:

- The West Somerset Local Plan to 2032 (DPD)
- The Adopted Proposals Map (DPD)
- An updated Statement of Community Involvement
- An updated Planning Obligations SPD
- A “Design Guide and Major Developments” SPD

The Production and implementation of the LDDs is supported by the following documents:

- The Annual Monitoring Report
- Evidence base study updates. Currently in preparation or proposed are:
 - A review of the 2008 Northern Peninsula Strategic Housing Market Assessment in view of the new information from the 2011 Census and the increased importance of making the best possible assessment of the objectively assessed housing need for the area in compliance with the NPPF’s provisions (publication due April 2013).
 - A new call for sites to update the Strategic Housing Land Availability Assessment in support of the identification of key strategic sites for the Local Plan (submission period completed)
 - A review of the Somerset Gypsy and Traveller Accommodation Assessment in order to extend its end date from 2020 to 2032 (currently being commissioned).
 - Sustainability Appraisal (incorporating Strategic Environmental Assessment) and Habitat Regulations Assessment of the Local Plan’s proposals at each main stage of plan preparation.

Appendix 1 to the LDS sets out schedules for the production of the proposed West Somerset Council Local Development Documents between April 2013 and March 2016 subject to any changes in priority which may prove necessary during the period. More detailed information on each of the Local Development Documents is set out in the profiles in **Appendix 2**.

5. Neighbourhood plans

Following the enactment of the Localism Act 2011, the opportunity exists for parish or town councils to produce a neighbourhood development plan. The Local Planning Authority is required to provide specific support including consultation on the area for plan preparation, advising on conformity with

national and district planning policy and arranging for examination and, if appropriate, referendum on the neighbourhood development plan.

As of 2nd April 2013 There have not yet been any requests for the designation of a Neighbourhood Development Area in the West Somerset local planning authority area. Until this happens and the nature and extent of the project can be clarified, the level of impact on the planning policy team's resources can only be flagged up as a general consideration.

The cumulative decisions of parish and town councils to prepare neighbourhood plans could impact significantly on the Council's ability to deliver the Local Development Scheme. It will be for the Council to monitor neighbourhood planning work and its potential positive and negative impacts and to manage it in such a way that impact upon the LDS can be minimised.

6. Links with Other Strategies and Plans

One key element in the successful implementation of the Local Plan is the establishment of links between individual Local Development Documents and other strategies and plans.

LDF Core Strategies were intended to give spatial expression to those elements of Sustainable Community Strategies that related to the use and development of land. To this end the priorities on which the Local Plan was originally based relate to the content of the West Somerset Sustainable Community Strategy. Whilst this is no longer a Government requirement, there are clear benefits in this linkage. Additionally in establishing a long term vision and strategic direction, the Local Plan has also had regard to the Council's Corporate Priorities set out below:

Corporate Priorities:	
Housing	Improving the quality and availability of housing.
Economy	A thriving and increasingly varied local economy where people will have the skill to work and prosper.
Environment	safeguarding the natural and built environment.
Communities	Championing strong local communities.
Resources	Achieving financial sustainability.
Leadership	Actively championing West Somerset.

Local Development Documents will also link to other local strategies, including the Council's Housing Strategy and The West Somerset Economic Strategy – Responding to Change (2011). Additionally, LDDs will help to implement the strategies produced by other bodies such as the County Council's Future Transport Plan. The linkages between the Local Plan and other Strategies and plans is shown in Figure 1 on the next page.

Figure 1: Local Plan 2006 – 2032 – links with other strategies and plans



* The Secretary of State announced on 27th March 2013 that the necessary Orders to revoke the remaining three regional strategies, including the South West Regional Spatial Strategy and saved structure plan policies, are to be laid in Parliament “after the recess”. Following this step their policies would cease to be part of the statutory development plan for the area.

7. Resources

Currently the Planning Policy Team consists of two Principal Planning Policy Officers.

The Planning Policy Team has commitments other than planning policy preparation for :

- Support for Development Management including advice and evidence provision for appeals
- Contribution to work on other West Somerset and Somerset County strategies
- Contribution to corporate projects such as affordable housing delivery
- Duty to co-operate with neighbouring authorities
- Responding to national, regional and local policy initiatives
- Compilation and maintenance of the evidence base for the Local Plan and wider corporate use
- Neighbourhood planning support
- Infrastructure Delivery Plan update
- Other duties and projects as required.

In addition other Council officers will input as appropriate to fulfill those wider corporate aspects of the various plan documents.

Government financial support for neighbourhood planning (of up to £30,000 per plan, (only indicated for 2012/13 with future years' support yet to be announced) with only £5,000 expected to be spent on preparation with the rest used for Examination costs and potential referendum).

8. Protocol for reviewing the Local Development Scheme

Once this revised Local Development Scheme takes effect, the Council will:

- Make copies available during working hours at the West Somerset House, Killick Way, Williton, TA4 4QA and the Council's Minehead Information Centre;
- Publish it on the Council's website, www.westsomersetonline.gov.uk
- Issue a press release;
- Send copies of it to key stakeholders.

The revised version of the West Somerset Local Development Scheme will be reviewed and rolled forward to take account of progress on the programme and monitoring of the evidence base and adopted policies. The Annual Monitoring Report will be relevant in this regard.

Review will be the responsibility of the Local Development Panel requiring a triennial replacement Scheme (or earlier if in the opinion of the Panel events and circumstances dictate differently). Any replacement scheme will need to be submitted to the Council's Cabinet for approval.

This current Local Development Scheme is predicated on the content of the Preferred Strategy Local Plan to 2032 and the anticipated progress of the Plan through a supplementary consultation exercise prior to being formally published.

9. Risk Assessment

The Council recognises that there are risks in delivering the documents set out in the Local Development Scheme; some are within the Council's control and some are not. In preparing the LDS, the Council has identified the main areas of risk and their impacts, and ways of overcoming them in order to ensure that the programme in the Local Development Scheme can be delivered.

Description of risk	Likelihood	Impact	Overall
1. Insufficient staff resources are available to complete the Local Development Documents on time and to an appropriate standard at the same time as fulfilling the other duties of the planning policy team.	Possible (3)	Moderate (3)	Medium (9)
<i>To reduce the risk of this occurring, support staff from other parts of the Council could be used as a resource.</i>	<i>Unlikely (2)</i>	<i>Moderate (3)</i>	<i>Low (6)</i>
2. The level of resources required to fulfill the new neighbourhood planning duty impacts to slow down the Local Plan.	Possible (3)	Major (4)	Medium (12)
<i>To reduce the risk of this occurring, close contact should be maintained with town and parish councils to manage the scale of work required. Seek government funding for resource where it is available and needed.</i>	<i>Possible (3)</i>	<i>Moderate (3)</i>	<i>Medium (9)</i>
3. Planning Inspectorate unable to resource the Local Plan Examination	Unlikely (2)	Major (4)	Medium (8)
<i>To reduce the risk of this occurring, notice of DPD publication should be provided to PINS three months prior to the intended date of publication (as required by PINS) followed by regular liaison.</i>	<i>Unlikely (1)</i>	<i>Major (4)</i>	<i>Low (4)</i>

The scoring of the risks identified in the above table has been based on the scoring matrix. Each risk has been assessed and scored both before and after the mitigation measures have been actioned.

Appendix 1
Revised January 2015

Proposed Local Development Documents 2013 – 2016

	2013						2014												2015												2016						
LDD	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J
Local Plan to 2032	3a	3a	3a																4	4					5				6	7							
Proposals map	3a	3a	3a															4	4					5				6	7								

Legend:

Development Plan Documents – DPDs

1. Initiation, evidence gathering and early engagement
2. Issues and options consultation
3. Preferred Strategy consultation (supplementary consultation 3a)
4. Formal Publication
5. Submission / Examination commences
6. Inspector’s report received
7. Adoption and publication of final document

Annual Monitoring Report and neighbourhood planning support

- Continuous effort

Appendix 2

New Local Development Document – Initial Profiles

The profiles set out below are very much initial indications of the work required, working arrangements and resource assets needed in order to produce the plans identified. Each of these DPDs or SPDs will be the subject of the more rigorous Council project planning methodology prior to their initiation and the details indicated below and potential timings as set out in Appendix 1 may well change in consequence.

West Somerset Local Plan to 2032 (DPD)

Description	Formerly the West Somerset Core Strategy - sets out District-wide strategy with policies and proposals for development
Geographic coverage	Parts of the District outside the Exmoor National Park.
Status	Development Plan Document
Joint working	Some evidence base studies prepared jointly e.g. Strategic Housing market Assessment and Level 1 SFRA
Timetable	See appendix 1
Production	
Lead officer	Group Manager Housing, Welfare and Economy
Political management	Local Development Panel informing Cabinet and Full Council
Internal resource	Planning Policy team
External resource	Consultants used for Strategic Housing Market Assessment. Support for Appropriate Assessment and Sustainability Appraisal; Housebuilder and Registered Social landlord engagement in the Strategic Housing land Availability Assessment (SHLAA) SCC highways and Environment Agency assistance with technical advice for strategic site allocation work.
Stakeholder resource	Support as above on SHLAA and Transport modelling. Town and parish Councils, prospective developers and local stakeholders and community groups
Community and stakeholder engagement	Town and Parish Councils, prospective developers and local stakeholders and community groups. Statutory consultation requirements met
Monitoring and Review	
Monitoring	Monitoring will be by the preparation of an Annual Monitoring Report.
Review	The Local Plan will be subject to a five yearly review, or more frequently if circumstances demand an earlier review.

Adopted proposals map (DPD)

Description	Local Plan Proposals map
Geographic coverage	Parts of the District outside the Exmoor National Park.
Status	Development Plan Document
Joint working	None – sets out the spatial content of the development plan policies and appropriate constraint information.
Timetable	See appendix 1
Production	
Lead officer	Group Manager Housing Welfare and Economy
Political management	Local Development Panel informing Cabinet and Full Council
Internal resource	Planning Policy team
External resource	None
Stakeholder resource	Town and parish Councils, prospective developers and local stakeholders and community groups
Community and stakeholder engagement	Town and Parish Councils, prospective developers and local stakeholders and community groups

Design Guide and Major Developments (SPD)

Description	Supplementary planning policy to help ensure that development will be well designed and will contribute positively towards meeting the needs of the West Somerset Local Plan's strategy.
Geographic coverage	Parts of the District outside the Exmoor National Park.
Status	Supplementary Planning Document
Joint working	None
Production	
Lead officer	Planning Manager
Political management	Local Development Panel informing Cabinet and Full Council
Internal resource	Planning Manager
External resource	None
Stakeholder resource	Town and parish Councils, prospective developers and local stakeholders and community groups
Community and stakeholder engagement	Town and Parish Councils, prospective developers and local stakeholders and community groups

Appendix 3

Definitions and explanation of terms:

Adoption: The point at which the final agreed version of a statutory planning document comes into use following a resolution of the Council.

Annual Monitoring Report: The Annual Monitoring Report (AMR) reviews and assesses the implementation of the Local Development Scheme and the extent to which the policies in the Local Development Documents are being achieved.

Core Strategy: The former name for the Local Plan for the future development of the area, drawn up by the local planning authority in consultation with the community. In law this has the status of a statutory development plan document adopted under the Planning and Compulsory Purchase Act 2004.

Somerset and Exmoor National Park Joint Structure Plan Review: The Structure Plan remains part of the development plan until abolished by an Order made by the Secretary of State using powers provided in the Localism Act 2011 (as of 27th March 2013 the Secretary of State has issued a press release indicating that such an order is imminent). It established a strategic policy framework for development and land use planning including numbers of dwellings to be provided during the plan period in each local planning authority area.

Department for Communities and Local Government: The government department with responsibility for local government. It makes policy on matters relating to local government; communities and neighbourhoods; regeneration; housing; planning, building and the environment; and fire.

Development Plan Document: Development Plan Documents (including the West Somerset Local Plan to 2032) create land use policies and proposals, are statutory documents carrying a great deal of weight in the determination of planning applications. They are prepared subject to an independent examination for soundness.

Examination: Independent testing of the soundness of a draft Local Plan, likely to include one or more days of hearings as well as written representations concerning the plan's soundness. Commences with formal submission of the plan and finishes with the delivery of the Inspector's Report with any recommended changes. Carried out by a planning inspector appointed by the Secretary of State.

Local Development Scheme: This document is a project plan for the production of local planning policy documents. It is periodically reviewed and updated.

Local Plan: Although similar to the Core Strategy which it replaces, the Local Plan under the current system has a greater scope than that of a Core Strategy. This is because it must also address the need for strategic planning policy, including appropriate levels of development provision, which had not been needed under the pre-Localism Act system which included county and regional levels of planning policy. Prepared by the local planning authority in consultation with the community and other stakeholders, once adopted its policy has statutory development plan status.

National Planning Policy Framework: Document setting out the Government's economic, environmental and social planning policies for England, published on 27 March 2012.

Neighbourhood plan: A plan prepared by a parish or town council for a particular parish or neighbourhood area (made under the Planning and Compulsory Purchase Act 2004 as amended by the Localism Act 2011).

Proposals Map: A map that shows the areas for application of adopted planning policies and proposals affecting West Somerset District outside the Exmoor National Park.

Publication: The stage at which a draft Local Plan is formally made public together with the full documentation required for submission, prior to its formal submission to the Secretary of State for examination. This offers a final opportunity for any previously unidentified (but fundamental) flaw to the Plan's soundness to be remedied before proceeding to submission stage (this should not normally be necessary).

Regional Spatial Strategies: Regional spatial strategies will remain part of the development plan until they are abolished by Order using powers taken in the Localism Act (as of 27th March 2013 the Secretary of State has issued a press release indicating that such an order is imminent). It is the government's clear policy intention to revoke the regional spatial strategies outside of London, subject to the outcome of the environmental assessments that are currently being consulted upon.

Saved policies: The saved policies of the adopted West Somerset District Local Plan, April 2006 remain in force pending their replacement by the new Local Plan however in the case of any conflict with the policies of the NPPF the latter takes precedence.

Statement of Community Involvement: The Statement of Community Involvement (SCI) sets out the Council's procedure for involving the community and other stakeholders in the preparation and revision of all Local Development Documents and development management decisions. The West Somerset SCI was adopted in November 2007.

Submission: Following the publication and ensuing consultation the point at which a draft Local Plan is submitted formally to the Secretary of State along with representations received for examination.

Supplementary Planning Documents: A Local Development Document which adds supplementary detail to policies and proposals contained within Development Plan Documents in order to help their implementation. SPDs are a material consideration in planning decisions but are not part of the development plan. Formerly known as Supplementary Planning Guidance.

Strategic Environmental Assessment: A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment