

# **North Somerset Council**

## **Report to the Executive**

**Date of Meeting: 18 October 2023**

**Subject of Report: North Somerset Local Plan pre-submission version (Regulation 19)**

**Town or Parish: All**

**Officer/Member Presenting: Councillor Mark Canniford, Executive Member for spatial planning, placemaking and economy**

**Key Decision: Yes**

**Reason: The local plan will have a potentially significant effect on communities living and working in the whole council area.**

## **Recommendations**

It is recommended that:

1. The pre-submission (Reg 19) version of the plan is approved for publication and public consultation.
2. Any necessary further amendments to the plan prior to publication and public consultation are agreed by the Director of Place in consultation with the Executive Member for Spatial Planning, Placemaking and Economy.
3. Following consultation, the plan is submitted to the Planning Inspectorate for examination with any further proposed amendments agreed by the Director of Place in consultation with the Executive Member for Spatial Planning, Placemaking and Economy.

## **1. Summary of Report**

- 1.1 The North Somerset Local Plan will cover the period 2024-2039. Upon adoption it will set out the Council's policies and proposals to address housing and employment needs and other economic, social and environmental priorities. The new local plan for North Somerset commenced in March 2020. Initial stages of consultation in 2020 were followed by a draft plan (Preferred Options) in March 2022.
- 1.2 Having considered the response to the Preferred Options consultation, the Executive Committee requested that the revised local plan should be developed recognising

the constrained nature of North Somerset, offering greater protection to Green Belt and other sensitive sites.

- 1.3 Preparation of the local plan has been impacted by uncertainty resulting from the proposed changes to the planning system. The consultation on proposed planning reforms indicated that a constrained plan employing a locally derived housing requirement would be consistent with the government's approach.
- 1.4 The principal changes between the Preferred Options (Reg 18) draft plan and the pre-submission (Reg 19) version are summarised as follows:
  - The 15 year plan period has been revised from 2023-2038 to 2024-2039.
  - The standard method target of 20,880 dwellings is replaced by a minimum locally derived housing requirement of 14,902 dwellings 2024-2039.
  - Three proposed Green Belt sites, including the strategic location at Yanley Lane (Woodspring golf course) are no longer proposed to be allocated.
  - There is significantly less growth proposed at Nailsea/Backwell in the absence of strategic highway mitigations and this area is no longer identified as a strategic location for growth.
  - Instead of three strategic growth locations there is proposed to be just one at Wolvershill (north of Banwell) to accommodate some 2,800 dwellings.
  - Additional employment provision is identified at M5 J20 Clevedon to address longer term needs requiring good access to the motorway.
- 1.5 The pre-submission (Reg 19) plan is the final version of the plan which, following consideration of the evidence, the response to consultation and the findings of the Sustainability Appraisal, the Council intends to publish for a statutory consultation period of six weeks prior to submission for testing at an independent examination by the Planning Inspectorate. In accordance with the regulations, the plan will be subject to public consultation on the soundness of the plan with any representations submitted to the Planning Inspectorate for consideration at the examination.
- 1.6 The local planning authority has a chance to make changes to the draft document after the consultation and may decide to carry out further consultation if any resulting changes are considered to be significant prior to submission.

## **2. Policy**

- 2.1 The Local Plan will provide the land use framework for the delivery of the key aims and priorities of the Corporate Plan, including measures to help address the climate emergency and nature emergency.
- 2.2 The planning system is plan-led and local authorities must prepare up-to-date local plans to provide a positive vision for the future of the area; a framework for addressing housing needs, and other economic, social and environmental priorities and a platform for local people to help shape their surroundings.
- 2.3 Local Plans must be kept up to date and correctly reflect government guidance. The existing Local Plan which consists of the Core Strategy, Site Allocations Plan and Development Management Plan covers the period to 2026. This is currently being reviewed and updated. The new Local Plan will cover a fifteen-year time frame from 2024-2039.

- 2.4 Government policy is set out in the National Planning Policy Framework (NPPF) which is currently being reviewed. The outcome of this review is still awaited.

### **3. Details**

- 3.1 Local Plan preparation is a statutory process requiring several stages of consultation and engagement. The process for drafting a new Local Plan for North Somerset was launched in March 2020. Later that year two high-level consultations were undertaken focusing on the challenges the Local Plan would have to address (Challenges for the Future) and the broad spatial options (Choices for the Future). Consultation took place on the Preferred Options draft Local Plan March–April 2022 and the response published in the Consultation Statement (August 2022).

- 3.2 The Executive Committee on 7 September 2022 considered the response to the Preferred Options consultation. The committee referred the report to Scrutiny Panel to seek further input and resolved:

*‘...that the Executive requests that officers proceed to develop a revised Local Plan that recognises the constrained nature of North Somerset and identifies an appropriate scale and location of development to offer greater protection to the Green Belt and other sensitive sites, and seek legal advice including advice on implications for the Local Plan timetable and anticipated national reforms, further evidence gathering, potentially including further consultation, in order to prepare the strongest possible pre-submission draft plan.....’*

- 3.3 At the end of 2022 the government launched a consultation on national planning reforms, including proposed changes to the NPPF. This consultation had significant implications for the North Somerset Local Plan in terms of how the district-wide housing requirement should be calculated and how nationally significant designations such as Green Belt should be factored in. The government has yet to publish the response to consultation and any consequent changes to the National Planning Policy Framework (NPPF). In the meantime, it is important to make progress with the local plan to ensure that an up-to-date framework is in place at the earliest possible opportunity.
- 3.4 At the Executive Committee on 6 September 2023 it was resolved that pursuant to the Executive’s resolution of 7 September 2022, the pre-submission (Reg 19) version of the plan be prepared using a locally derived housing requirement as the basis for identifying an appropriate scale and location of development to offer greater protection to the Green Belt and other sensitive sites. The housing requirement for the plan period 2024-2039 is 14,902 dwellings. (There has been a small change to the figure of 14,985 dwellings reported to Executive Committee in September 2023 as a result of more recently available Census data).
- 3.5 The proposed pre-submission (Reg 19) local plan to be published for consultation is attached at Appendix 1 which highlights the changes from the Preferred Options document (deletions are struck through and new text shown in bold).

#### Principal changes

- 3.6 The Preferred Options housing target was 20,085 dwellings which at the time was the requirement derived from the government's standard method calculation. North Somerset Council, working jointly with the West of England authorities, subsequently commissioned a review of local housing need. This recommended that a robust approach would be to work on the basis of a local housing need for North Somerset of 993 dwellings per year or 14,902 dwellings over the plan period 2024-2039. This is significantly lower than the standard method figure, but still remains a very challenging target to deliver.
- 3.7 North Somerset has a significant extent of Green Belt as well as other sensitive locations such as areas at risk of flooding, the Area of Outstanding Natural Beauty (AONB) and a range of heritage, ecological and other environmental constraints. The government consultation on the planning reforms indicated that local planning authorities should not be compelled to release Green Belt to meet housing needs. Given the importance of Green Belt, it is now longer proposed to allocate Green Belt sites at Yanley Lane (Woodspring golf course), East of Backwell or Clevedon Road, Portishead in the plan.
- 3.8 The Preferred Options proposed that Nailsea/Backwell be identified as a strategic growth location subject to the deliverability of infrastructure to address the serious constraints on the highway network. Further work has indicated that a new road either over or under the railway to better connect Nailsea to the A370 and relieve congestion at key junctions would have delivery challenges including cost, engineering, and environmental impact, and therefore may not be deliverable over the plan period. It is therefore proposed to remove sites at South Nailsea and East of Backwell (also Green Belt).
- 3.9 In order to meet the housing requirement of 14,902 dwellings sites are identified to deliver 12,933 dwellings as set out in Schedule 1 of the plan. In addition, windfall (unidentified small sites granted permission) contributes a further 2,871 dwellings. The total supply is therefore 15,804 dwellings.
- 3.10 While the Preferred Options proposed three strategic growth locations at Wolverhill (north of Banwell), Yanley Lane (Woodspring golf course) and at Nailsea/Backwell, this approach has been reviewed in the light of Green Belt policy, infrastructure capacity, the reduced housing requirement and the response to consultation. As a result, the proposed Reg 19 plan retains only a single growth location at Wolverhill.
- 3.10 The employment evidence used to support the Preferred Options has been refreshed and the forecasts now indicate a greater emphasis on logistics and distribution. Whereas much of the proposed supply in the Preferred Options was associated with new strategic growth locations, the Reg 19 plan has reassessed the approach. The overall supply of employment land in the Reg 19 plan is increased to around 81ha, which provides additional flexibility to meet economic needs. This includes a new major employment area at Clevedon M5 Junction 20 anticipated to be delivered in the medium to longer term. The list of proposed employment sites is set out at Schedule 2 of the plan.
- 3.11 A new designation is identified for the Bristol University campus at Langford to recognise the importance of the facility within North Somerset and support new development opportunities whilst encouraging better public transport connectivity and better integration with the local community.

- 3.12 A new strategic gap is proposed between Sandford and Churchill given speculative development pressures in this area.
- 3.13 The North Somerset Gypsy and Traveller Accommodation Assessment (June 2022) identified the need for 114 more pitches (plus 4 plots for Travelling Showpeople) between 2022 and 2042 which equates to 103 pitches over the plan period (and 4 plots for Travelling Showpeople). It is the role of the Local Plan to identify how identified needs will be addressed through the allocation of suitable sites. A Call for Sites process was undertaken in May 2023 and a Pitch Delivery Assessment in August 2023 to assess potential for expansion of existing sites. The plan identifies the potential for extensions to existing sites and an opportunity to secure additional provision as part of the Wolverhill development.
- 3.14 The table below highlights the main changes from the Preferred Options to the Reg 19 plan:

Reg 19 Policy	Proposed Change from Preferred Options
<b>Strategic Policies</b>	
SP7: Green Belt	Deletion of Green Belt housing or mixed use sites at Yanley Lane, East of Backwell and Clevedon Road, Portishead to as part of the constrained approach. Enlargement of the Green Belt inset at Bristol Airport to reflect the planning permission granted for increased operational capacity.
SP8: Housing	Housing requirement amended to reflect the new locally derived housing number of 14,902 dwellings over the plan period.
SP9: Employment	Amendments to reflect updated employment evidence and the inclusion of a new employment allocation at Junction 20 of the M5.
SP13: Waste	<b>New policy</b> setting out the strategic approach to waste management over the plan period.
<b>Locational Policies</b>	
Strategic Location: Yanley Lane (Woodspring Golf Course)	<b>Policy deleted</b> as a strategic allocation in the Green Belt no longer proposed under the constrained approach.
Nailsea and Backwell.	<b>Policy deleted</b> as area no longer considered appropriate for strategic growth given that necessary transport infrastructure mitigation measures for that scale of development are unlikely to be deliverable during the plan period.
LP6: Extent of the Green Belt.	Deletion of the Yanley Lane, East of Backwell and Clevedon Road, Portishead sites to reflect the constrained approach to Green Belt. Enlargement of the Green Belt inset at Bristol Airport to reflect the planning permission granted allowing increased operational capacity.
LP7: Strategic Gaps	Inclusion of a new strategic gap between Sandford and Churchill.
LP16: University of Bristol site in Langford	A <b>new policy</b> and designation for the Bristol University campus at Langford to recognise the importance of the facility within North Somerset and

	support new development opportunities whilst encouraging better public transport connectivity and better integration with the local community.
LP17: Wyndham Way	A <b>new policy</b> to reflect the Wyndham Way, Portishead Development Framework and support regeneration of the area.
LP18: Coastal Change Management Areas	A <b>new policy</b> setting out what development would be appropriate within Coastal Change Management Areas. Eleven areas identified on the Policies Map with strict control over new development in these areas.
<b>Development Management Policies:</b>	
DP13: Environmental pollution, living conditions, health and safety	A <b>new policy</b> to prevent or mitigate any adverse impact of development on the environment, living conditions, human health and safety.
DP32: Waste management facilities	A <b>new policy covering</b> proposals for waste management facilities.
DP33: Disposal of waste by landfill or land raise	A <b>new policy</b> covering the disposal of waste.
Green spaces not designated as Local Green Space	<b>Policy deleted.</b> This policy has been incorporated into a new protection of open space policy (DP50).
Coastal erosion and marine management	<b>Policy deleted.</b> This policy has been incorporated into the new policy LP20: Coastal Change Management Areas.
DP43: Affordable Housing	Policy revised in the light of viability evidence which indicated that the 40% affordable housing target proposed in the Reg 18 plan was unlikely to be deliverable. Proposed approach is to seek 35% affordable housing but 20% on previously developed land.
DP44: Gypsies, Travellers and Travelling Showpeople	Policy updated to reflect new Gypsy and Traveller Accommodation Assessment figures and sites identified at Moorland Park/Heathfield Park and as part of the Wolverhill development.
Accessible and adaptable homes policy	<b>Policy deleted.</b> This policy has been incorporated into the Housing type and mix policy. The requirement for accessible dwellings will now apply to all dwellings to reflect government intentions. The requirement for wheelchair user dwellings have been revised based on viability evidence.
Provision of educational, sporting, leisure, cultural, health or community facilities to meet the needs of new development	<b>Policy deleted.</b> This policy has been incorporated into DP63: Infrastructure delivery and developer contributions.
Protection of existing educational, sporting, leisure, cultural, health or community facilities	<b>Policy deleted.</b> This policy has been split into two new policies one covering the protection of open space and recreation and one covering the protection of built community facilities.
DP52: Protection of open space and recreation.	A <b>new policy</b> specifically covering the protection of open space.

Recreational use in the countryside	<b>Policy deleted.</b> This policy has been incorporated with DP50: New community facilities, open space and sports pitches.
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### Evidence

- 3.15 The Local Plan is supported by an extensive evidence base which will be made available alongside the plan when it is published for public consultation. A summary of some of the principal documents is provided in the table below.

<b>Evidence</b>	<b>Summary</b>
Sustainability Appraisal	The appraisal of the likely social, environmental and economic effects of the policies and proposals of a plan at each stage of its preparation.
Habitat Regulations Assessment	An assessment as to whether the plan's proposals could significantly harm the designated features of a European site of nature conservation interest.
Viability Assessment	An assessment of the viability of the local plan's policies and allocations.
Transport Assessment	A Transport Assessment has been produced alongside the Reg18 Local Plan, and transport evidence has informed the content of the emerging local plan.
Infrastructure Delivery Plan	To identify the necessary infrastructure required to deliver the local plan, when it is required and how it will be funded.
Strategic Housing Land Availability Assessment	An evidence source providing an overall assessment of housing potential including detailed appraisal of specific sites. It is used to inform the local plan allocations.
Duty to Co-operate Statement of Compliance	There is a duty to co-operate with neighbouring authorities and other bodies on strategic cross-boundary matters. Evidence of joint working at each stage of the plan making process is set out in a Statement of Compliance and individual Statements of Common Ground.
Gypsy and Traveller Accommodation Assessment	An assessment of future needs, including a supplementary Pitch Delivery Assessment.
Equalities Impact Assessment	An assessment of the likely impacts of the plan on defined equality groups.
Local Housing Need Assessment	To determine the overall housing requirement over the plan period and the size, type and tenure of housing needed for different groups.
Economic Assessment	To identify the appropriate amount of jobs, land and type of development needed to support economic growth, including priority sectors.
Consultation Statement	A summary of the engagement process updated after each stage of the local plan consultation.

### Next steps

- 3.16 If approved by the Executive, the pre-submission plan will be published and consulted upon for 6 weeks on the soundness of the plan. The intention is to

commence consultation before the end of 2023. All representations received will be forwarded for consideration by the Inspector undertaking the examination and all parties who comment on the plan or request a change have the right to appear. If as a result of the consultation or changed circumstances further amendments to the plan are required, these can be submitted for consideration by the Inspector. If significant changes are proposed then it may be necessary to undertake further consultation prior to submission.

- 3.17 Once the plan is submitted, the issues to be considered and the programme determined by the appointed inspector. The examination is currently anticipated to take place over Summer/Autumn 2024. The examination process will conclude with the publication of an Inspector's Report and any proposed modifications needed to make the plan sound. The local authority will then adopt the plan.

## **4. Consultation**

- 4.1 The Placemaking, Economy and Planning Policy and Scrutiny Panel considered the new local plan, its emerging content and issues at its meeting on 31 July 2023, including the issues relating to the housing requirement and role of Green Belt.
- 4.2 A scrutiny-led all-member briefing took place on 27 September 2023. Members discussed a range of issues including:
- The risks and benefits of different affordable housing targets.
  - The approach to supporting economic development including the potential to allocate employment land to the east of M5 Junction 20 at Clevedon.
  - The role of the Infrastructure Delivery Plan in supporting local plan delivery.
  - The approach to development on land at risk of flooding, particularly the difference between residential and employment land.
  - Settlement classification and settlement boundaries.
- 4.2 Following approval of the pre-submission version by Executive, there will be a minimum 6 week period of formal public consultation which on the soundness of the plan which will identify the issues to be addressed at the examination.
- 4.3 Engagement with local communities, stakeholders and neighbouring authorities is integral to the plan making process at each stage. The outcomes of the consultation process and the duty to co-operate requirements and how they have shaped the plan will form part of the evidence submitted for examination.

## **5. Financial Implications**

- 5.1 Local plan preparation is funded from existing budgets. This report does not approve the costs associated with preparing the Local Plan and supporting evidence, this will be subject to separate approvals through our delegated decision making process.

### **Costs**

The cost of preparing the Local Plan, including the supporting evidence, is anticipated to be around £1,121,000 over 6 years. This includes the transport



evidence (around £632,000) and the costs of the examination process including the inspector's fees.

## **Funding**

The plan is progressed using existing budgets and reserves.

## **6. Legal Powers and Implications**

6.1 The Local Plan is being progressed under the Town and Country Planning Act 1990 (as amended) and related Regulations. There is a requirement for all local planning authorities to have an adopted local plan in place.

6.2 In terms of the use of the draft plan for decision making purposes, NPPF paragraph 48 indicates that 'local planning authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).'

## **7. Climate Change and Environmental Implications**

7.1 The new local plan will play a significant role in defining and delivering the Council's response to the climate emergency. It will set out the approach to climate change and environmental issues in terms of, for example, the location and form of development, renewable energy, minimising car use, encouraging green infrastructure and biodiversity, avoiding sensitive areas such as areas at flood risk and minimising waste.

## **8. Risk Management**

8.1 The absence of an up-to-date development plan incurs risks related to the uncertainty of future investment decisions and speculative development proposals potentially leading to increased planning appeals and less sustainable development solutions.

8.2 However, while there are clear advantages in adopting a revised plan at the earliest possible opportunity, there are risks involved with the proposed approach. These include:

- Challenge to the decision to use a lower housing target than the government's standard method and including the implications for affordable housing delivery:
- Challenge to the constraints led approach, in particular the opportunity to increase housing supply through more Green Belt allocations.
- Potential for a lengthy examination process leading to delays and additional costs.

- The concentration of growth, particularly the proposed single strategic location at Wolverhill.
- The introduction of national changes to the planning system.

The risks have been assessed and mitigations considered. These risks will be managed through the examination process by the presentation of robust evidence and responding to issues as they arise. It was not concluded that any residual risk remained high.

## **9. Equality Implications**

9.1 An Equalities Impact Assessment is prepared at each stage of the plan.

## **10. Corporate Implications**

10.1 The new Local Plan 2039 will help support the delivery of the refreshed Corporate Plan vision and objectives and has significant implications for a wide range of Council services in terms of, for example, the future location of population, jobs and infrastructure.

## **11. Options Considered**

11.1 The Local Plan preparation process requires various strategic development and policy options to be considered as set out in the background papers. Not preparing, or delaying the preparation of, a Local Plan will expose the Council to significant risks from speculative development, increased planning appeals and other potential interventions.

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### **Appendices:**

Proposed North Somerset Local Plan Pre-submission version (Reg 19) and Policies Map.

### **Background Papers:**

Report to Executive Committee 7 September 2022.

[Local Plan 2038 – Update following consultation on Preferred Options: Report to Executive 7 September 2022](#)

Preferred Options Consultation Draft March 2022.

[Preferred Options Consultation Document \(March 2022\)](#)

Preferred Options Consultation Statement August 2022.

[Preferred Options Consultation Statement – Main Report \(August 2022\)](#)

Report to Placemaking, Economy and Planning Policy and Scrutiny Panel 31 July 2023.

[North Somerset Local Plan progress update: Report to Placemaking, Economy and Planning Policy and Scrutiny Panel, 31 July 2023.](#)

Report to Executive Committee 6 September 2023.

[https://n-](https://n-somerset.moderngov.co.uk/documents/s5024/10.%20North%20Somerset%20Local%20Plan.pdf)

[somerset.moderngov.co.uk/documents/s5024/10.%20North%20Somerset%20Local%20Plan.pdf](https://n-somerset.moderngov.co.uk/documents/s5024/10.%20North%20Somerset%20Local%20Plan.pdf)

The local plan webpages provide links to the supporting evidence and other information.

[North Somerset Local Plan 2039 webpage.](#)

[Supporting documents | North Somerset Council \(n-somerset.gov.uk\)](#)