

Core Strategy Publication Version

Responses relating to the legal compliance of the Core Strategy

Name	Respondent number	Legally compliant?	If not why?
Alfred Hill	4603809	No	It is not sound and has not been prepared on the basis of a proper Sustainability Appraisal.
Ashton Park Limited	1058273	No	<p>3.218 The text here refers to market recovery mechanisms that form part of the draft SPD on Contributions 2010. This SPD introduces a number of new fundamental principles that should be brought forward at this inquiry CS , as the policy/ text here and elsewhere attempts to provide the legitimacy for these substantive changes in the SPD. The CS needs to bring forward the details in the SPD to consider whether the policies or the policies and the SPD combined are unsound . We believe they are.The inappropriate application of these guidelines appears to be not legal unless properly tested. CS3 The CS has not carried out a Sequential Test and this policy attempts to limit the area of search associated with such a test. This approach would render the CS non compliant and at risk of legal challenge. The Council must undertake a full Sequential Test of relevant policies, North Somerset wide area of search to test the development strategy. M Macan would like to participate in that Sequential Test and to agree with the Council and EA, the Scope of the Test. Clearly the Council's preferred option is to limit the extent of any area of search especially in respect of the Weston Villages scheme. Attempts to do this will result in the CS being</p>

			<p>vulnerable to challenge in the future. Key Diagram The key Diagram has omitted all reference to Ashton Park and so an Inset Diagram is needed. Inset 3 The Plan fails to graphically show the key spatial strategy for the two maintain settlements that is rebalancing the jobs/homes ratio and reduce out-commuting from WsM and secondarily , Portishead. This is supported by key policies CS 20, 28 , 30. The plan fails to show linkage and relationship with Bristol , the Core City . Transport links should be shown as well as key transport movements that will necessitate new investment ie Airport surface access . These should be indicated. The hierarchy of settlements ignores Bristol , this needs changing. Strategic Gaps Policy Cs 19 should be shown on this Diagram to highlight the importance of this policy to maintain the separation of settlements, esp. beyond the GB. These should also be shown on the Inset Plans See new Inset 3 . Inset 2 Weston Villages should show Strategic Gap policy between WsM and Locking and Parklands Village and between the two new villages . Show Strategic Gap policy on the Ket Diagram as shown. Without the modifications to the Key Diagram it will not be robust or based upon credible evidence and therefore will not be sound . Modify as indicated to make the plan more sound and to comply with Guidance in Planning and Compulsory Purchase Act and in regulations for the provision of DPDs. CS34 The effect of this policy is to introduce a whole range of new charges that seek to pass over the costs of all services , both capital and revenue costs that might possibly be incurred by a whole range of providers , Highways Agency , local government , health authority , fire and police , jobs agencies without any clear justification for this other than a local tax raising opportunity by the Council. The charges may not always be directly related to the development itself or the needs of the occupiers of the new homes , the maintenance of new community facilities that they may use for example , revenue funding for adult social care or the</p>
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			<p>provision of employment agencies and recruitment and training . Many of these services , such as waste management are paid for through local taxation where the charges are levelled to all consumers. There is no basis in planning for the council seeking to recover funds for many of these services through this mechanism where there are already in place appropriate arrangements to recover these costs. There is no basis to ensure that funds to secure adult social care in perpetuity (15 years) through a roof tax amounting to &Acirc;Â£40, 000, 000 for its future revenue support can be a) justified and b). monitored c). secured over that period. The process has no mechanism for public audit as in other local government finance. The provision of infrastructure or funding when dealing with planning development should follow the rules set out in government guidance . This does not . Finally the Government has announced considerable financial sums that would flow to local councils where they are to deliver new housing(see BA App2) The recent consultation paper on the New Homes Bonus states at paragraph 3.2: 'Those authorities which respond to the incentive and drive growth will reap the benefits' through a process in which 'additional homes will be rewarded with six years of grant based on the council tax, returning the economic benefits of growth to the local community'.This figure represents over &Acirc;Â£10, 000 per new home. The Council must bring forward clear justification why their proposed policy on Delivery CS 34 justifies a tariff of over &Acirc;Â£43000 per dwelling on top of all other costs include site infrastructure , affordable housing etc etc . This mechanism should not be a means of funding services that are on the Council' wish list. They must be relevant to the development . Finally the text to the SPD and as revealed in policy CS 20 , suggests funding of the Employment Investment Fund by both a tariff per household and in lieu of failing to provide jobs or secure employment to rebalance the WsM homes/jobs</p>
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			<p>ratio. Well this may be very virtuous however it has no direct impact on the overarching objective of creating more employment in WsM , other than employing people in job/ employment training agencies in WsM , see below, which is clearly important but not directly addressing the needs in the policy ie establishing employment investment in WsM to secure more high value jobs and rebalance the outcommuting , which the SPD claims is now 40% of the whole workforce. ??Ready4work programme &ndash; has provided contributions to support people in Weston into employment through re-training and skills; and, ??Weston Works &ndash;has provided seedcorn funding to set up a one stop job shop in Weston. The centre hosts 12 employment and support providers enabling direct contact for individuals with help with finding work/ training and other support to go back into work. The Employment Investment Fund appears to be the best the Council can come up with and so it seems most unlikely that they will reach the target they have set themselves. The danger is that at &Acirc;Â£43,000 per house plus affordable housing on top , the Council may consider ignoring their priority objectives in favour of more cash, better services perhaps and meeting acute affordable housing need. That has been the pattern for the last decade. However it will lead inexorably towards greater congestion, poor air quality , a weakening of the WsM economy as it becomes a more unbalanced dormitory settlement. Carbon emissions will continue to rise as greater unsustainable patterns of growth continue. It will be very tempting for a cash strapped Council to take the 'easy win', development contributions, but at what costs? This policy is not justified or effective and is therefore unsound and contrary to Government Policy . The policy should re redrafted to make it legally compliant . The Council should bring forward the SPD to the Inquiry to be tested alongside and against this policy . Delivery policy CS34: Infrastructure delivery and development contributions Infrastructure</p>
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Barrow Gurney Parish Council	4618561	No	CS23 This section does not reasonably reflect the requirements of the 2003 Air Transport White Paper.

Church Commissioners for England	1054657	Yes	
Congresbury Parish Council	1078849	Yes	
Hoddells (Parkins)	4600545	Yes	
Hutton Garden Centre	4601633	Yes	
LandTrust Developments Ltd	3620513	No	The DPD must have regard to the Sustainable Community Strategy (SCS) for its area. We do not believe that the Core Strategy adequately does this. While it may have had regard to it, the Core Strategy contradicts its objectives and will have severe implications for the delivery of the SCS. If it chooses to take this approach the onus is on the Council to explain why it has made this decision. This explanation is not provided it is not clear how the Core Strategy has had regard for the SCS. Consequently the Core Strategy does not adequately comply with this requirement.
Martyn Leisure	3583521	Yes	
Mead	4208577	Yes	

Realisations and the Manor Farm Consortium			
Mr and Mrs P Moss	3556961	Yes	
Mr B Hayes	4613569	Yes	
Nailsea Town Council	706241	Yes	
P J Planning	4601985	Yes	
Parish Councils Airport Association (Bradley)	4601953	Yes	
Parish Councils Airport Association (Burn)	1010593	Yes	
South West RP Planning	4209025	Yes	

Consortium			
South West Transport Network	4616513	No	<p>CS8 The core Strategy appears not to take account of government policy towards mineral and access to the rail network PPS13. This could be achieved by sidings on the Weston-super-Mare to Bristol main railway line. CS9 Government policy is for council and local enterprise partnership to work together to create wildlife and green infrastructure corridor. North Somerset council appears to wish to withdraw from joint planning and housing board work and green infrastructure. We wish to see a West of England policy on green infrastructure reinstated. CS10 Because the Greater Bristol to Portishead railway policy needs updating due to electrification London, Swindon, Bristol Parkway, Bristol Temple Mead and Cardiff. The need to electrify the Greater Bristol metro and local services and a new transport partnership board for the West of England Partnership over rail specification direction and power as laid out in government guidance on rail franchising and white paper on sustainable transport. The need to update transport policy in line with new government transport white paper. PPS13 sustainable transport fund. Fails to take account of coalition transport policy transport white paper sustainable transport fund and PPS13 and bus policy. CS19 Needs to readdress RSS policy on urban extension of south west Bristol and Green Belt policy. CS20 Fails to take account of government policy on sustainable transport and local enterprise agency. CS24 Fail to take account of regional and national infrastructure policy of the new government and transport policy post RSS. CS29 National regeneration policy and transport white paper PPS13.</p>