



**North Somerset Local Plan 2038**

# **Duty to Co-operate Statement of Common Ground**

**Updated January 2022**



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# Chapter 1: Pre-commencement to Challenges Consultation (March 2020-July 2020)

## Introduction

1.1 The duty to cooperate was introduced by the Localism Act 2011. It places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation relating to strategic cross boundary matters.

1.2 Guidance on how this is to be implemented is contained in the National Planning Policy Framework (2019). The relevant paragraphs are set out below:

### *Maintaining effective cooperation*

*24. Local planning authorities and county councils (in two-tier areas) are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.*

*25. Strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. They should also engage with their local communities and relevant bodies including Local Enterprise Partnerships, Local Nature Partnerships, the Marine Management Organisation, county councils, infrastructure providers, elected Mayors and combined authorities (in cases where Mayors or combined authorities do not have plan-making powers).*

*26. Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.*

*27. In order to demonstrate effective and on-going joint working, strategic policy making authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency.*

1.3 This statement of common ground is a written record of the progress made by North Somerset during the process of planning for strategic cross-boundary matters. It documents where effective co-operation has taken place throughout the plan-making process and that the duty to co-operate has been complied with. It will help to demonstrate at examination that the Local Plan is deliverable over the plan period in terms of reflecting effective joint working across local authority boundaries. The document will be regularly updated.

1.4 The purpose of the document is not to document every occasion that North Somerset meets with or consults other local authorities or bodies under the duty to

cooperate. The statement is a means of detailing key information, providing clear signposting or, for example, links to relevant evidence.

## Content and purpose of the statement of common ground

1.5 The National Planning Policy Guidance states that the Statement of Common Ground is expected to contain the following:

- a. A short written description and map showing the location and administrative areas covered by the statement, and a brief justification for these area(s);*
- b. The key strategic matters being addressed by the statement, for example meeting the housing need for the area, air quality etc.;*
- c. The plan-making authorities responsible for joint working detailed in the statement, and list of any additional signatories (including cross-referencing the matters to which each is a signatory);*
- d. Governance arrangements for the cooperation process, including how the statement will be maintained and kept up to date;*
- e. If applicable, the housing requirements in any adopted and (if known) emerging strategic policies relevant to housing within the area covered by the statement;*
- f. Distribution of needs in the area as agreed through the plan-making process, or the process for agreeing the distribution of need (including unmet need) across the area;*
- g. A record of where agreements have (or have not) been reached on key strategic matters, including the process for reaching agreements on these; and*
- h. Any additional strategic matters to be addressed by the statement which have not already been addressed, including a brief description how the statement relates to any other statement of common ground covering all or part of the same area.*

1.6 The purpose of the document is to capture the actions taken when addressing strategic cross-boundary matters through the duty to co-operate. The National Planning Policy Guidance indicates that these will include (but are not limited to):

- working together at the outset of plan-making to identify cross-boundary matters which will need addressing;
- producing or commissioning joint research and evidence to address cross-boundary matters;
- assessing impacts of emerging policies; and
- preparing joint, or agreeing, strategic policies affecting more than one authority area to ensure development is coordinated, (such as the distribution of unmet needs).

1.7 Effective cooperation enables strategic policy-making authorities and infrastructure providers to establish whether additional strategic cross-boundary infrastructure is required. The statement is evidence that the strategic policy-making authorities have sought agreement with the relevant bodies.

## Strategic matters

- 1.8 The Planning and Compulsory Purchase Act 2004 defines 'strategic matters' for the purposes of the duty to cooperate as:

*Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for or in connection with infrastructure that is strategic and has or would have a significant impact on at least two planning areas.*

- 1.9 The NPPF sets out the strategic policy areas which are expected to be included in local plans (paragraphs 20/21):

*20. Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:*

- a) housing (including affordable housing), employment, retail, leisure and other commercial development;*
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);*
- c) community facilities (such as health, education and cultural infrastructure); and*
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.*

## Parties involved

- 1.10 The North Somerset duty to co-operate process categorises the bodies involved as:
- **Local authorities:** these are the neighbouring local planning authorities and the West of England Combined Authority.
  - **Prescribed bodies:** These are the bodies prescribed in the regulations (Town and Country Planning (Local Planning) (England) Regulations 2012) plus the Local Enterprise Partnerships and Local Nature Partnerships which are not subject to the requirements of the duty, but local planning authorities in England, and prescribed public bodies must cooperate with them.
  - **Additional bodies:** Other organisations involved in strategic issues and engaged with through the duty to co-operate. These bodies may only be involved in specific issues and may change over the course of the plan-making process and depending on the nature of the strategic issues identified.

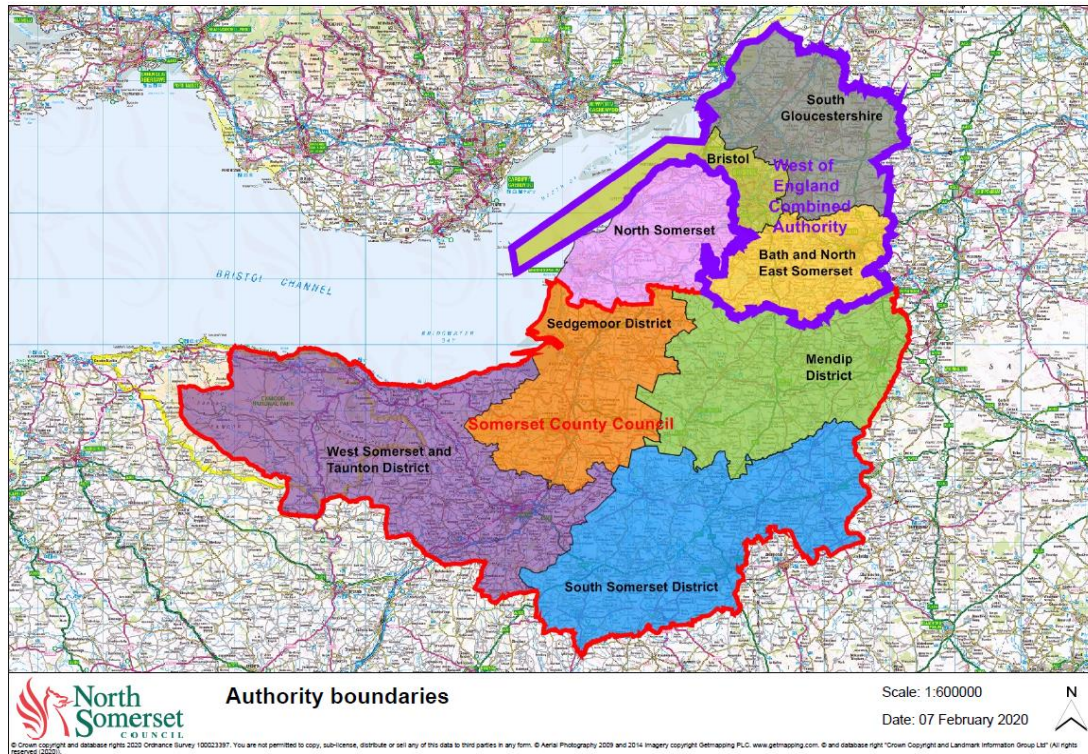
Local authorities	Prescribed bodies	Additional bodies
West of England Combined Authority	Environment Agency	NHS Bristol, North Somerset & South Gloucestershire CCG
Bristol City Council	Historic England	Network Rail
Bath and NE Somerset Council	Natural England	National Grid (gas)
Sedgemoor District Council	Civil Aviation Authority	National Grid (electricity)

Mendip District Council	Homes England	Bristol Water
Somerset County Council	Clinical Commissioning Groups	Water:  Lower Axe Internal Drainage Board  North Somerset Levels Internal Drainage Board  Bristol Avon Catchment Partnership  Independent Water Networks Ltd
	Office of Rail Regulation	Wessex Water
	Highways England	Telecommunications:  UK Broadband Limited  Mobile Operators Association  Triangle Telecom
	Marine Management Organisation	The Coal Authority
	Local Enterprise Partnerships:  West of England Local Enterprise Partnership  Heart of the South West Local Enterprise Partnership	Mendip Hills AONB unit
	West of England Local Nature Partnerships	South West Local Aggregates Working Party

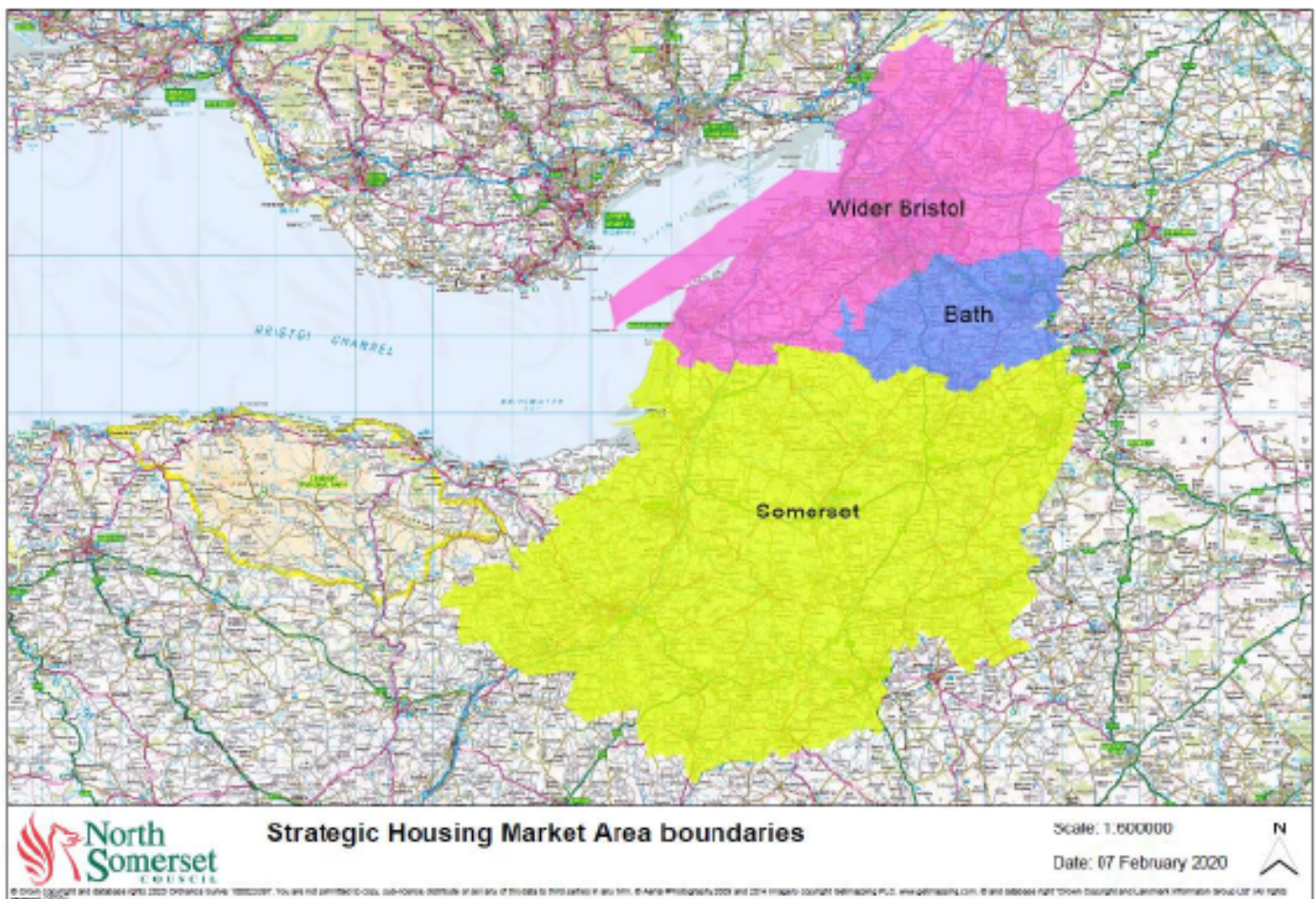
- 1.11 North Somerset has always worked closely with neighbouring authorities on strategic issues. In particular, there is a close working arrangement with the West of England and existing governance structures are in place to facilitate duty to co-operate discussions. While with Somerset the arrangements are less formalised there have been strategic duty to co-operate discussions particularly in relation to the Sedgemoor Local Plan and the Joint Spatial Plan.

## Strategic geography

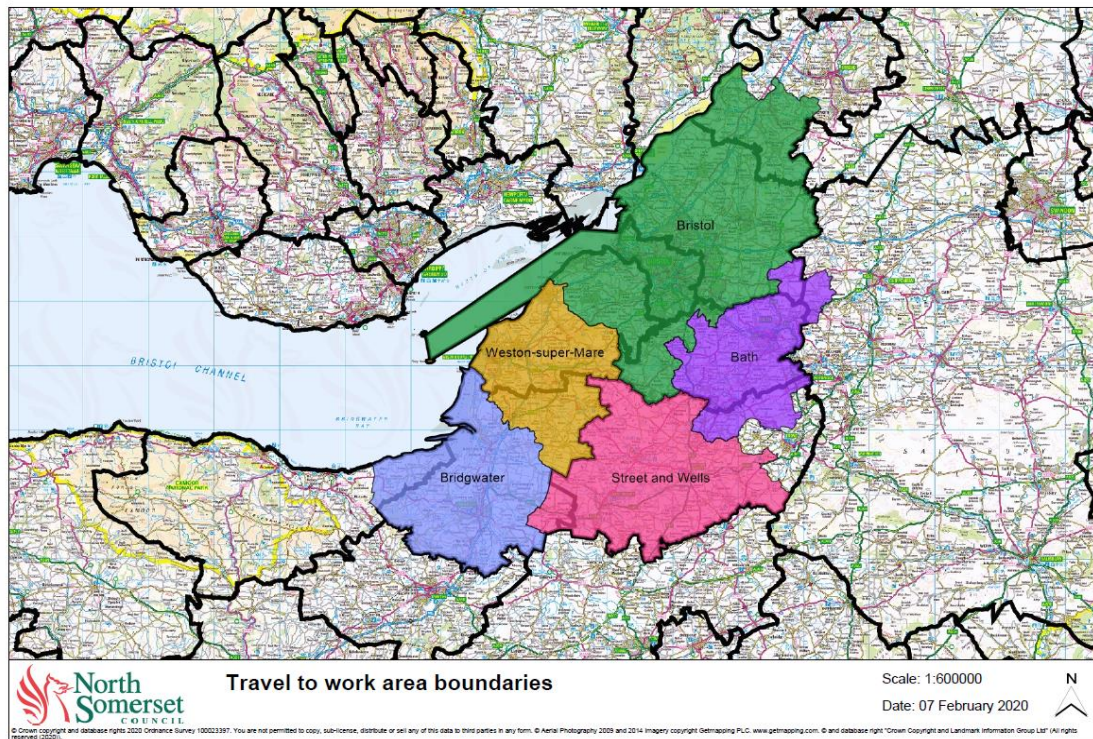
- 1.12 The geography of the wider region within which North Somerset sits is shown on the following map. This shows WECA authorities to the north and Somerset authorities to the south. This is the strategic area defined for the purposes of the duty to co-operate.



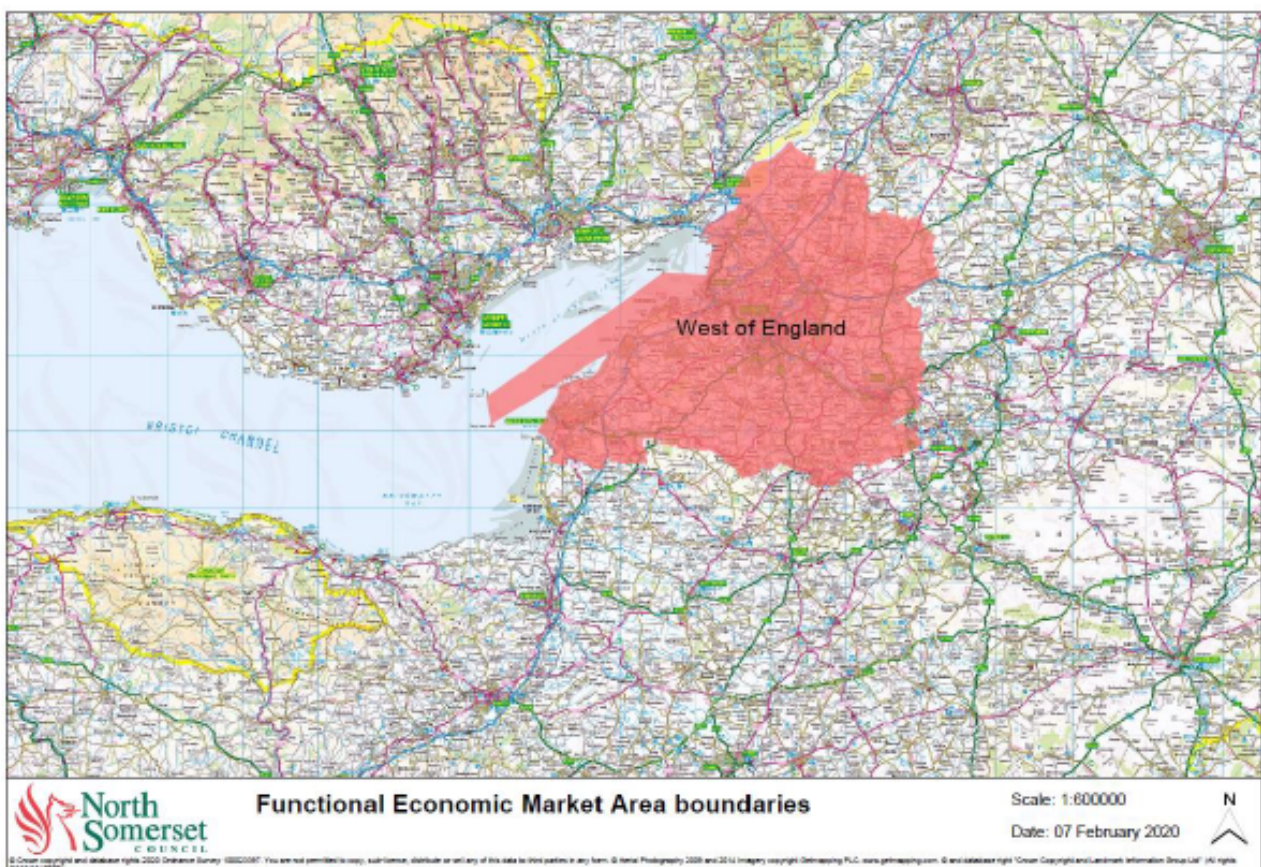
- 1.13 North Somerset, Bristol City and South Gloucestershire together make up the wider Bristol Housing Market Area. Mendip, Sedgemoor, South Somerset and Taunton Deane have a separate Housing Market Area, as does Bath.



- 1.14 There are two Travel to Work Areas affecting North Somerset: Weston-super-Mare and Bristol. The Weston Travel to Work area extends southwards into Sedgemoor.



- 1.15 North Somerset, Bristol City, South Gloucestershire and Bath and North East Somerset together comprise the west of England Functional Economic Market Area.





- 1.16 The strategic planning area for the North Somerset Local Plan Statement of Common Ground is widely drawn and in addition to including the neighbouring authorities of Bristol, B&NES, Sedgemoor and Mendip District Councils, includes the WECA and Somerset County Council areas. These together cover the areas affected by the principal cross-boundary issues, particularly those relating to housing, employment and infrastructure.

## June 2020: Initial duty to co-operate letter

- 1.17 The North Somerset Local Plan 2038 was launched in March 2020 with a Pre-commencement document. In respect of the duty to co-operate at this early stage in the plan-making focus the emphasis is on identifying the bodies to be involved in the duty to co-operate process and identifying the strategic issues with cross boundary implications.
- 1.18 An initial letter was sent out to the relevant organisations on 11 June 2020 (Appendix A) requesting information on development plan timetables, strategic matters, evidence and governance. At this early stage of the plan-making process the emphasis was on identifying the relevant strategic matters and those bodies which needed to be part of the duty to co-operate process. The information would also help to understand what evidence is available and where the gaps were and any potential timetabling issues related to plan production.
- 1.19 The questions asked were:

### Development plan timetable

*For local planning authorities, what development plan documents are you preparing which we will need to take into account? Please provide a timetable and any relevant information at this stage, including in respect of adopted plans, target dates for review and monitoring.*

### Strategic matters

*Are these the strategic matters with cross-boundary implications of relevance to North Somerset? Are there any others? Which are the cross-boundary matters with North Somerset affecting your authority or organisation?*

### Evidence

*What evidence do you have, is proposed, or could be developed jointly which is relevant to assessing the strategic issues identified? What is the scope for alignment with existing or proposed studies?*

### Governance

*How would your authority or organisation wish to engage with duty to co-operate issues and at what level?*

A summary of the responses received is contained in Appendix B. The overall response is summarised below.



## Development plan timetables

- 1.20 The current development plan timetables with respect to the plan-making process are summarised as follows. This will be kept under review.
- 1.21 WECA is producing a Spatial Development Strategy which will subsequently form the strategic context for the Bristol and B&NES local plans. B&NES is producing a Partial Local Plan Review.

Local planning authority	Proposed start of plan/ review	Reg18 consultation	Reg19 consultation/ SDS consultation	Target submission date	Target adoption
North Somerset	2020	2021	2022	Early 2023	Late 2023
Sedgemoor	2020	Nov 2021- May 2022	August – October 2022	January 2023	December 2023
Mendip	July 2020	2021/2022	2023	2023	2024
Bristol	2020	2021	2022	2023	2023/24
B&NES – Local Plan Partial Update	April 2020	Jan/Feb 2021	May/June 2021	August 2021	March 2022
WECA		2020	2021	2022	2023

- 1.22 There is currently a good deal of alignment between the various development plan processes with all authorities currently at the start of a new plan or plan review cycle which should assist in the co-ordination of the duty to co-operate process.
- 1.23 Although not development plans, the response received also highlighted other documents such as the Mendip Hills AONB Management Plan and the DfT Road Investment Strategy as being of relevance. These and other plans and strategies will need to be considered where they have implications for duty to co-operate issues.

## Strategic matters

- 1.24 The initial assessment of the potential strategic matters based on consultation with duty to co-operate partners is set out below, along with an early indication of existing evidence sources and where additional evidence may be required and how this might be produced. The strategic matters will be kept under review as plan-making progresses, particularly as the preferred spatial strategy and strategic policies are developed, and the process for how relevant issues will be addressed identified.

Strategic matter	Evidence	Comment
Housing (quantum of housing, locations adjacent borders, unmet needs, affordable housing,	NSC is jointly commissioning a WoE Local Housing Needs Assessment which includes affordable housing and Gypsy and Traveller needs. NSC	Need to consider outputs of LHNA to identify any potential issues with cross-boundary implications. Issues such as relating to the spatial strategy and unmet needs

Gypsy and Traveller issues)	preparing updated SHLAA alongside WoE UAs with common methodology.	will be considered as plan-making process develops. Opportunity to align processes.
Green Belt	Worked jointly on WoE GB Appraisal.	Will continue to share approach to detailed GB assessment to ensure consistency.
Employment needs (travel to work, commuting flows, strategic locations, implications of Airport, Port, Hinkley Point).	NSC is jointly commissioning a WoE Employment Land Strategic Needs Assessment. WoE Local Industrial Strategy. HoSW LEP area Employment Land Study.	Need to consider outputs of ELSNA to identify any potential issues with cross-boundary implications. May be issues around role of Airport, Port and Hinkley Point.
Retail and leisure	ELSNA will consider employment issues related to retail. Bristol undertaking retail and leisure study.	No strategic issues with cross-boundary implications identified but will be kept under review.
Other commercial development		No strategic issues with cross-boundary implications identified.
Infrastructure for transport	NSC is part of the WoE Joint Local Transport Plan. Highways England have detailed model of M5 J19 and looking to develop similar for J21, and will consider J20.	There will be cross-boundary implications in terms of particularly WoE but also with Somerset and in respect of rail. Potential to commission joint transport studies as plan making progresses. Need to consider M5 in terms of junction capacity and seasonal flows.
Other infrastructure	Hinkley Point C Connection project.	Connection project has cross-boundary issues. Need to keep other infrastructure issues under review.
Waste management	ELSNA includes employment issues related to waste.	No strategic issues with cross-boundary implications identified but needs to be kept under review.
Water supply and wastewater		No strategic issues with cross-boundary implications identified.
Flood risk and coastal change management	NSC SFRA updated.	Need to work with EA in particular in identifying any potential cross-boundary implications. Potential for joint working on SRFA.
Minerals	NSC works with WoE UAs and SW LAWPs to collect evidence.	Need to consider any cross-boundary implications.
Energy	Joint working with SGC and B&NES to prepare Renewable Energy Resource Assessment. WoE joint evidence on zero carbon buildings.	Need to consider any cross-boundary implications.
Community facilities		No strategic issues with cross-boundary implications identified.
Conservation and enhancement of the natural environment, ecology, landscapes and green infrastructure	Monitoring Environmental Outcomes in Protected Landscapes – data collected by NE. Nature Recovery Plans and WoE Nature Recovery Network. Joint WoE GI Strategy. WENP have mapped ecosystem services and access to green spaces in WoE and have commissioned a WoE tree and woodland	Need to consider any cross-boundary implications such as where key habitats are functionally connected across borders. May need alignment on policies for AONB. AONB unit suggest issues such as views, dark skies and tranquillity may need to be considered. NE suggest there may be issues related to coastal squeeze.

	strategy. District licensing for great crested newts and NE exploring other options.	
Historic and built environment		English Heritage note that historic landscapes and heritage assets may cover large areas and have cross-boundary implications. Need to consider what these might be.
Climate emergency		No strategic issues with cross-boundary implications identified but opportunity to align policy approaches and share best practice.
Strategic planning process	Working with WECA/WoE UAs to share approaches to, for example, SA.	Opportunity to discuss emerging work, share best practice and align approaches.
Air quality		Raised through consultation but no strategic cross-boundary issues identified.
Placemaking and design	WOE placemaking charter.	Raised through consultation but no strategic cross-boundary issues identified, but opportunity to share best practice.

## Governance

- 1.25 North Somerset will identify appropriate governance arrangements with all neighbouring authorities and bodies. Where there are issues that affect more than one area it is expected that the duty to co-operate process would operate jointly, such as engagement with the West of England or Somerset authorities. In many cases there will be opportunities to use existing governance structures and forums which operate at officer and member levels. Arrangements will be identified for preparing and keeping the statement of common ground up-to-date.

## Chapter 2: Challenges and Choices Consultations (July 2020-April 2021)

- 2.1 Following the consultation on the Local Plan Pre-commencement document and the initial Duty to Co-operate letter which was sent out in June 2020, North Somerset Council embarked on the Issues and Options stage of its Local Plan preparation.
- 2.2 This involved two consultations during 2020 - [Challenges for the Future](#) (22 July to 2 September 2020) and [Choices for the Future](#) (2 November to 14 December 2020). The Challenges Consultation focused on the critical issues facing North Somerset over the plan period (2023-2038) including the proposed vision and strategic priorities. This was followed in Autumn 2020 by the Choices for the Future document which confirmed our priorities and set out four broad spatial development alternatives for discussion. While the four approaches set out in Choices for the Future illustrated the principal alternatives, the consultation document emphasised that there will be other options and that the preferred strategy may be a hybrid combining elements from different alternatives. Each of the approaches sought to accommodate the growth required (housing and employment) but through the identification of broad locations, not specific sites. The approaches avoided the use of areas at risk of flooding for residential in accordance with the identified strategic priorities. The four approaches were:
1. Retain Green Belt: Development opportunities outside the Green Belt.
  2. Urban Focus: Maximised the amount of growth close to the four towns as well as locations well related to the Bristol urban area using a relatively small number of large strategic sites.
  3. Transport Corridors: Focused growth on existing or potentially enhanced public transport corridors into Bristol and Weston.
  4. Greater Dispersal: Growth is more widely distributed using a large number of smaller development locations.
- 2.3 All of the local authorities, prescribed bodies and additional bodies identified in paragraph 1.10 of chapter 1 of this report were consulted as part of these consultations.
- 2.4 As part of the ongoing engagement with the relevant organisations through Duty to Co-operate various meetings have been held through the Challenges and Choices consultation periods.
- 2.5 A presentation was given to the Strategic Planning Forum Infrastructure Group (which includes WECA, Bristol City Council, BANES, English Heritage, West of England Nature Partnership, Marine Management Organisation, Highways England, Bristol Avon Catchment Partnership, Western Power Distribution, Homes England and the Department for Education) to the explain the results of the consultations and how we will be moving forward with the Local Plan to identify a preferred spatial strategy. A similar update was also given to the Somerset Strategic Planning

Conference which includes Mendip District Council, Sedgemoor District Council and Somerset County Council on 27th April.

- 2.6 Briefings have also taken place with Natural England and the Environment Agency prior to Executive on 28 April to keep them up to date with plan progress. Historic England were also offered a briefing but this is yet to be arranged.

### Neighbouring authorities response to consultations:

- 2.7 In terms of neighbouring authorities only Bristol City Council made formal representations to the Challenges and Choices consultations. They raised the following issues:
- Bristol City Council felt that if the Retain the Green Belt approach should form the preferred spatial strategy then limited changes to the Green Belt around Bristol should still be considered such as inside the South Bristol Link Road. In terms of the other three approaches set out in the Choices consultation, which all included strategic levels of growth at south West Bristol, Bristol City Council were broadly supportive in principle of these approaches as long as the following matters were considered; appropriate infrastructure provision and delivery, affordable housing provision, community involvement, impact on existing communities.
  - Bristol City Council raised some concerns over Approach 3: Transport Corridors in relation to the potential impact on the openness of the Green Belt around Pill/Easton-in-Gordano and Abbots Leigh and the potential impact on nature conservation assets due to a large range of international, national and local designations relate to nature conservation assets close to potential growth areas identified in approach 5 including Leigh Woods, the river Avon and the Avon Gorge. They also raised concerns with the transport corridor approach in terms of potential impact on recreation and the amenity value of this area for the residents of Bristol.
  - Bristol City Council welcomed the reference to unmet housing need in the Choices document and the ongoing discussions and co-operation between authorities in relation to the issue.
  - Bristol City Council was also supportive of sustainable development at Royal Portbury Dock to complement identified growth of the Avonmouth industrial area and Bristol Port north of the Avon and of the role of the airport as a location for wider employment uses well connected to Bristol. BCC felt it was important for the Local Plan to address these matters in any preferred spatial strategy choices.

### Prescribed bodies response to consultations:

- 2.8 The prescribed bodies were all formally consulted on the Challenges and Choices consultations and informal discussions have subsequently taken place with some of the prescribed bodies in terms of general plan making issues, in particular with Highways England in terms of the ongoing transport modelling and transport

assessments that are being produced to inform the spatial strategy. Bilateral meetings with other prescribed bodies are planned over the course of 2021 to inform the preparation of the Consultation Draft of the Local Plan. Some of the issues raised through the Challenges and Choices from the prescribed bodies were as follows:

- **Natural England** felt that approach 1: Retain the Green Belt was the least sustainable, would potentially have significant adverse impacts on national and European designated sites and the Mendip Hills AONB and is the most challenging in terms of achieving mitigation for these natural assets. The urban focus approach was considered to be the most sustainable with the opportunity to enhance Green Belt and provide high quality green infrastructure for new communities, although concern was raised over impact on bats both at SW Bristol and Nailsea, and on European Sites such as the Avon Gorge and Severn Estuary as well as various SSSI's. Concern with the transport corridor approach in terms of the potential for ribbon development to erode the landscape and townscape character of the area and impact on ecology. Concerns also raised with the dispersed approach in terms of ability to co-ordinate infrastructure and achieve wider social, economic and environmental objectives.
- The **Environment Agency** acknowledged that each approach set out in the Choices document has its strengths and weaknesses and stated they would provide more detailed comments once the preferred spatial strategy was agreed and specific sites identified. They referred to the guidance on developing in areas at risk of flooding.
- **Historic England** felt that development of brownfield land is important but a mix of both brownfield and greenfield would be needed to deliver the housing requirement. Their comments strongly emphasised the importance of design on brownfield sites and that high density doesn't necessarily mean tall buildings. Development of brownfield sites must be appropriate to their context. In terms of the approaches set out in the Choices document there was support for the retain the Green Belt approach but felt a Green Belt review was needed to inform thinking. There was also support for the urban focus approach. It was felt that a benefit of the urban focus approach was that it may allow better protection of sensitive and important countryside and villages from excessive inappropriate development. There was support for the greater dispersal approach as it was felt that smaller scale development may be better able to adapt to the existing character and importance of settlements, landscapes and heritage assets.
- **Highways England** referred back to comments made at the Challenges consultation stage which highlighted the potential impacts of more development to the Strategic Road Network in the plan area as well as relevant SRN junctions and routes in adjoining districts. Their comments reiterated the importance of considering transport issues at the earliest stages of plan making so that any impact on the transport network can be addressed. Although no comments were made about the four approaches set out in Choices they did outline that in order to minimise demand on the SRN they would wish to see new housing located:
  - close to employment and main service areas;

- on corridors that can be served by frequent and reliable public transport services to employment and service locations and;
- where existing walking and cycling networks can be linked to the new housing

Their comments make the point that the majority of the M5 junctions in the Plan area already experience capacity issues at peak hours and the quantum and pattern of proposed development could, depending on the location of allocations, present challenges for the SRN.

- **Homes England** supported development on brownfield sites but acknowledged that to meet the housing requirement strategic greenfield sites would also be needed. They have concerns about setting density targets on brownfield sites within towns centres as density need to be balanced against market demand, design and car parking requirements. They also raised the issue that most of Weston town centre was in Flood Zone 3a but these sites need to be assessed against the sequential and exceptions test, particularly in terms of their wider regeneration and sustainability benefits. They don't support or object to approach 1, 3 or 4 but do suggest that the former Leisure Dome site is included for housing in approach 1 and 6. They support the Urban Focus approach which includes brownfield regeneration within the towns.

## Additional bodies response to consultations:

2.9 In terms of additional bodies we had a number of responses.

- **Mendip Hills AONB Partnership** support prioritising brownfield land and avoiding areas at risk of flooding. They consider that Nature Recovery Networks and Biodiversity Net Gain Plans are significant in influencing the mitigation of the impacts of human activity and climate change. They make the point that Green Belt is a planning designation whereas the AONB is a landscape designation for protection of the two is for totally different reasons and shouldn't be used in the same context. They also make the point that development outside the AONB can still have harm on the special qualities and distinctive characteristics and the AONB. They also refer to the [Mendip Hills AONB Management Plan](#) which is of material consideration in the development of the North Somerset Local Plan. In terms of the approaches they feel that with the Retin the Green Belt approach the protect of the Green Belt should not be at the expense of the AONB. In terms of the Transport Corridor approach the cumulative impact on the wider road network needs to be considered and there is concern that routes across the AONB are often used as short cuts by traffic affecting tranquillity and the quality of the environment.
- **National Grid** did not make any specific comments on the Choices consultation but did raise the point through the Challenges consultation that any future development proposals progressed through the local plan should not compromise



or delay National Grids ability to deliver the Hinkley Point C Connection in accordance with its statutory and contractual duties.

- **Wessex Water** support prioritizing brownfield sites as it reduces the impact on the natural environment and will support policies designed to achieve a reduction in site surface water run off. They also strongly support avoiding areas at risk of flooding. No comments were made about the four proposed spatial approaches.
- **The Coal Authority** did not have any specific comments to make but stated that the coal mining legacy and resource issues in North Somerset should be taken into account in the preparation of the Local Plan and as part of the site allocation process.

## Next Steps

- 2.10 As the North Somerset Local Plan progresses it is important to ensure that co-operation between relevant bodies continues and strategic issues are discussed and addressed. This is especially true as we move into the next phase of plan preparation which will involve agreeing the preferred spatial strategy, identifying broad locations for growth to reflect the strategy and assessing and identifying potential sites and supporting infrastructure for new development. We will also be preparing strategic policies to guide growth and development, as well as the more detailed development management policies. The Duty to Co-operate process will be key through out this next stage to ensure that strategic issues across the sub-region are understood and where relevant addressed through the local plan. Working with the identified organisations will continue through the established channels where these exist, as well as additional methods of collaborating being established where needed.

## Chapter 3: Preparation of the North Somerset Local Plan 2038 Preferred Options document (April 2021 – February 2022)

- 3.1 Following feedback from the Challenges and Choices consultations, detailed in Chapter 2, a report was considered at Executive Committee on 28 April 2021 where a framework for the development of the local plan was agreed, subject to further assessment and testing. This included endorsement of the strategic priorities for plan making and the spatial strategy, and an agreed approach to the sequential assessment of development opportunities.
- 3.2 The Preferred Options document represents the next stage of the plan making process. It is the opportunity for communities, businesses, the development industry and other stakeholders to comment on the Council's overall approach in relation to the proposed allocated sites and development management policies. The plan at this point is still in draft and is still evolving.
- 3.3 The response received from consultation on the Preferred Options document will help shape the next version of the local plan. That version will be the document which the Council proposes to submit for examination to the Planning Inspectorate and will be the subject of a further round of consultation prior to its submission. Consultation on the Pre-submission document is anticipated to commence at the end of 2022.

### Housing requirement

- 3.4 The Regulation 18 Preferred Options document proposes sites to accommodate some 18,046 dwellings and 70 ha of employment land, along with the supporting transport, community and other infrastructure. Given the scale of the housing requirement and the lack of sustainable locations outside the Green Belt, the Preferred Options suggests the need to allocate Green Belt land. The identified housing capacity is around 90% of the housing requirement set by government. This approach will be tested through public consultation and thorough the duty to co-operate in respect of any cross-boundary strategic issues.
- 3.5 Government advice in the NPPF is that before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, local planning authorities need to need to examine fully all reasonable options. This includes discussion with neighbouring authorities about whether they could accommodate some of the identified need through the duty to co-operate.
- 3.6 Under the duty to co-operate all the neighbouring authorities (Bristol City Council, Bath and North East Somerset Council, West of England Combined Authority, Sedgemoor District Council, Mendip District Council and Somerset County Council) were formally contacted in October 2021 to request whether they were able to accommodate some of the North Somerset housing requirement within their areas.

- 3.7 The adjacent unitary authorities, districts and WECA confirmed that there was no opportunity to meet unmet needs from North Somerset in their areas. The letter sent by North Somerset and the neighbouring authorities response letters are set out at Appendix C.

**Bristol City** referred to ongoing work on the SDS and stated that it was already apparent that SCC will be unable to meet their housing need figure and ‘consequently, we are unable to meet your request for the City to accommodate unmet need arising within the North Somerset area’.

**B&NES** referred to the SDS and stated that ‘the scope for B&NES to accommodate unmet housing need from North Somerset is highly unlikely’.

**Mendip District** set out the reasons why they ‘would not be able to identify or agree a contribution to meet housing need in North Somerset’. These were an inability to demonstrate a five year supply, the current housing shortfall, limited capacity on brownfield sites, concern about green field sites in villages, water quality issues and Green Belt and AONB constraints.

**Sedgemoor District** stated that ‘they would not be able to accommodate some of the North Somerset housing requirement in our area’. Their housing requirement represented a significant challenge to identify sufficient sites, there were limited opportunities at the towns in the form of urban extensions , infrastructure issues, environmental constraints (flooding and phosphates) and issues in relation to a new planning context arising from the new Somerset unitary authority.

**WECA** stated that initial technical analysis on the SDS was that they will be be unable to meet the identified housing need without recourse to Green Belt and ‘we are therefore unable to assist North Somerset in meeting any of their housing need’.

## Strategic Policies

- 3.8 The Local Plan Preferred Options document identifies the proposed policies which will be used to assess planning applications and other development proposals. The NPPF requires plans to identify a set of strategic policies which should set out the overall strategy for the pattern, scale and design of places and make sufficient provision for housing, employment and other uses, infrastructure, community facilities and conservation, enhancement of the built and historic environment and address climate change and mitigation. The local plan proposes 12 strategic policies. These are high level policies which provide the framework for the more detailed policies and also for neighbourhood plans and identify the strategic issues with cross boundary implications.
- 3.9 The table below sets out the 12 proposed strategic policies and identifies where these are likely to have strategic cross-boundary implications identified through the duty to co-operate discussions.

Policy Number	Policy Name	Summary of policy	Cross-boundary issues
SP1	Sustainable development	The sustainable development principles for North Somerset – address climate emergency, active travel, economic development, housing needs, create communities and reduce inequalities, infrastructure, prioritise PDL.	No specific cross-boundary issues identified.
SP2	Climate change	Principles of climate change mitigation and adaptation – net zero, reduce energy, renewable energy, reduce flooding risk, active travel, green infrastructure.	No specific cross-boundary issues identified.
SP3	Spatial strategy	Approach to where development should be located.	Proposed strategic growth in the Green Belt may have cross-boundary issues for Bristol City in terms of Green Belt boundaries, access movements, drainage, green infrastructure, habitat and heritage assets.
SP4	Placemaking	High quality design and creating communities.	No identified cross-boundary issues.
SP5	Towns	Development within the towns and approach to town centres.	No identified cross-boundary issues.
SP6	Villages & rural areas	Development within and beyond settlement boundaries.	No identified cross-boundary issues.
SP7	Green Belt	Changes to the Green Belt – allocated sites, new GB at Nailsea/Backwell, new insets for GB villages.	Defining the extent of the Green Belt on the Bristol City/North Somerset boundary.
SP8	Housing	Housing requirement 20,085 and its broad distribution, affordable housing – increase from 30% to 35% AH.	Confirmation with neighbouring authorities about scope to help address North Somerset needs before considering Green Belt. Potential cross boundary issues

			with Bristol City in terms of Green Belt boundaries, access movements, drainage, green infrastructure, habitat and heritage assets.
SP9	Employment	Employment target 70 ha and its distribution – primarily at strategic sites.	Employment provision proposed as part of strategic development in the Green Belt in relation to accessibility to jobs and relationship to employment needs in Bristol.
SP10	Transport	Minimise carbon impact through prioritising active travel and public transport.	Congestion, air quality and public transport issues related in particular to commuting from the strategic growth location in the Green Belt. Opportunities to improve cross-border public transport options and cycle routes, particularly to the north. Road and rail improvements may have strategic implications for all adjoining authorities.
SP11	Green infrastructure & historic environment	Protect and enhance valued landscapes, priority habitats, biodiversity net gain. Proposed North Somerset Nature Parks.	Opportunity at strategic growth location in the Green Belt to consider opportunities arising from green infrastructure provision, habitats and heritage issues on the border with Bristol.
SP12	Minerals	Protect supply of minerals – limestone aggregates.	Cross-border issues related to the overall supply of aggregates across the West of England.

## Consultation during Preferred Options preparation

3.10 During the preparation of the Preferred Options ongoing engagement has continued with the duty to co-operate partners. This included the formal duty to co-operate meeting with all partners (29 October 2021), as well as engagement with the WECA equivalent (Strategic Planning Forum 29 June) and the Somerset Strategic Planning Conference (27 April). In addition, there have been meetings with specific organisations including regular liaison with Sedgemoor District (10 May, 12 July),

and discussions with Natural England (6 April), Environment Agency (21 April) and National Highways (31 March, 20 February 2022) and the Clinical Commissioning Group (15 July 2021).

## Next Steps

- 3.11 The publication of the Preferred Options document provides an opportunity for duty to co-operate partners to see the detail of the proposed approach and therefore to be better informed as to the potential cross-border implications. The engagement undertaken at this stage will be important in terms of understanding the implications and helping to shape the plan. The main cross-boundary implications will be with Bristol City in terms of the proposed strategic growth at Yanley Lane (Woodspring golf course) in the north of the district.

## Appendix A: North Somerset Duty to Co-operate letter - 11 June 2020

### North Somerset Local Plan 2023-2038

North Somerset is preparing a local plan for the 15 year period 2023-2038. As part of the plan-making process we are committed to effective and ongoing engagement with neighbouring authorities and other bodies on strategic cross-boundary issues through the duty to co-operate. We are writing to you at the beginning of our new local plan process to agree the principles and mechanisms for undertaking effective engagement and ensuring that our strategic policies are aligned.

As required by the National Planning Policy Framework, we will be maintaining one or more statements of common ground to document the approach as we progress through the plan making process. The initial statement(s) of common ground will be published once the area it covers has been agreed, the governance arrangements for the co-operation process defined, the substantive strategic matters to be addressed determined and which bodies will be involved and how. The document will be published on the website.

The purpose of this letter is to scope out the duty to co-operate process by identifying the strategic issues which need to be addressed and the authorities and bodies which need to be involved. This is just the start of the duty to co-operate process associated with the North Somerset Local Plan and the issues identified and participants may change as plan-making progresses. The responses received will help us to shape the most effective ways of engaging on these matters.

It would be appreciated if you could structure your response in relation to the following topics and questions. Please can you respond by **26 June 2020**.

#### 1. Development plan timetable

The North Somerset Local Plan will cover the period 2023-2038. The proposed timetable is currently as follows:

Pre-commencement document	March 2020
Consultation on 'challenges'	Summer 2020
Consultation on 'choices'	Autumn 2020
Consultation on Draft Plan	Autumn 2021
Publication version.	2022
Submission	2022
Examination	2023
Adoption	2023

#### Question:

**For local planning authorities, what development plan documents are you preparing which we will need to take into account? Please provide a timetable and any relevant information at this stage, including in respect of adopted plans, target dates for review and monitoring.**

## 2. Strategic matters

The duty to co-operate relates to strategic matters with cross-boundary implications. At the start of the process we need to scope out what these are. National Planning Policy Framework paragraph 20 lists the strategic policy areas. The following lists those strategic matters with potential cross-boundary implications specifically identified as affecting North Somerset.

Housing	The quantum of housing, strategic locations adjacent to boundaries, any unmet needs; affordable housing; gypsy and traveller provision.
Employment	Travel to work, commuting flows, location of new employment development; implications of development at the Port, Airport, Hinkley Point.
Infrastructure	Transport, flood, community infrastructure with cross-boundary implications.
Minerals	Aggregates.
Green infrastructure	Ecological, landscape and habitat considerations impacting on cross-boundary issues.
Development locations	Aligning strategic policies and cross-border allocations.

### **Question:**

**Are these the strategic matters with cross-boundary implications of relevance to North Somerset? Are there any others? Which are the cross-boundary matters with North Somerset affecting your authority or organisation?**

## 3. Evidence

Plan-making requires an up-to-date evidence base. North Somerset is working jointly with the WECA and the WECA UAs to commission a Local Housing Needs Assessment and an Employment Land and Spatial Needs Assessment and will be collaborating on other workstreams.





**Question:**

**What evidence do you have, is proposed, or could be developed jointly which is relevant to assessing the strategic issues identified? What is the scope for alignment with existing or proposed studies?**

#### 4. Governance

The duty to co-operate will involve joint working at different levels, and there already exist a wide range of forums addressing many of the key strategic issues. Within North Somerset the process and outcomes will be agreed through the officer Driving Growth Board which oversees the local plan process and with member sign off by the Executive Member for Planning. We would like to establish an appropriate forum for undertaking the duty to co-operate discussions and would like your views on how this might operate. For some issues this could involve a combination of authorities and/or organisations; for others it would operate more effectively on a one-to-one basis.

**Question:**

**How would your authority or organisation wish to engage with duty to co-operate issues and at what level?**

We look forward to working with you through the identification of cross-boundary issues and working together to address the implications throughout the plan-making process. If you have any questions or would like to discuss the North Somerset Local Plan and the duty to co-operate implications, please contact Michael Reep, Planning Policy Manager.

## Appendix B: Summary of responses to June 2020 letter

Organisation	Summary of comments received
<b>Neighbouring authorities</b>	
West of England Combined Authority	<p>Thank you for your letter of 11 June 2020 regarding Duty to Cooperate on the North Somerset Local Plan and the invitation to work with you to identify and address the strategic and cross-boundary issues to be addressed through the plan.</p> <p>We welcome the recent commitment (in the MOU signed on 19th June) between ourselves and the 4 West of England unitary authorities including yourselves to work together on strategic planning to tackle the challenges the region faces in order to best support clean and inclusive recovery and growth across the region.</p> <p>In response to the specific questions raised in your letter, WECA's position is set out below:</p> <p><u>1. Timetable:</u></p> <p>WECA and its constituent authorities agreed on 19 June 2020 to commence preparation of a Spatial Development Strategy, which will cover Bath &amp; North East Somerset, Bristol and South Gloucestershire authority areas. The anticipated timescale for the plan's delivery is outlined in the main report.</p> <p>As noted in the recent MOU signed by all authorities including NSC, in respect of the SDS and NSC Local Plan, it is important that timescales are sufficiently aligned so that respective plan-making processes can take account of each other.</p> <p><u>2. Strategic Matters:</u></p> <p>WECA agrees that North Somerset Council have identified the key strategic matters with cross-boundary implications and recognises that the detail of these issues will be understood further through the plan making process. All of the issues highlighted in the letter (with the exception of minerals) are relevant to WECA as a plan-making body and transport authority. Further to the issues as set out by North Somerset Council, WECA suggest the following issues should also be considered through joint working:</p> <ul style="list-style-type: none"> <li>• Infrastructure should include energy and water resources in its scope, as the distribution of these assets is uneven across the West of England and the networks that support them are cross boundary in nature.</li> <li>• Employment related issues should also consider the management of existing strategic employment areas. This would include waste</li> </ul>

management locations and key retail centres which may have cross-boundary impacts in the future.

- WECA authorities are working with North Somerset Council to develop a Placemaking Charter and support high quality design as a region. The agreed benefit of joint working on this agenda could be emphasised by considering design quality as a strategic matter through the Local Plan.
- Whilst the adaptation and mitigation of climate change will be a running theme through all strategic issues (eg transport infrastructure, housing, green infrastructure), WECA and North Somerset will benefit from continued joint working on climate change as a strategic issue to achieve our joint ambition of carbon neutrality by 2030.
- WECA would also seek to ensure that air quality is recognised within the scope of strategic matters, particularly in relation to strategic and cross-boundary transport infrastructure.
- Green belt - it is noted that green belt reviews are intertwined with work on housing availability and capacity and may need to be discussed on an equivalent cross boundary basis in due course.

### 3. Evidence

The West of England Joint Committee agreed in January 2020 to jointly commission strategic evidence to inform plan-making across the West of England. North Somerset have been fully engaged in the development and delivery of these evidence base commissions, many of which are joint or otherwise aligned, through our existing cross-boundary officer meetings.

### 4. Governance

The West of England authorities (including North Somerset and WECA) have established processes and governance for joint working on strategic planning, housing and transport issues. Through these processes, we are well placed to manage joint working (including the formal Duty to Cooperate process) for the North Somerset Local Plan as well as the WECA area Spatial Development Strategy (SDS) and the Local Plans for its constituent authorities. This reflects, amongst other things, the Functional Economic Market Area and Housing Market Areas – we note that the Bristol Housing Market Area covers North Somerset, South Gloucestershire and Bristol.

It is noted that WECA and North Somerset engage through a series of weekly, monthly and quarterly meetings at which strategic planning (and transport planning) are discussed and decisions taken through the agreed governance as required. It is suggested that discussions continue through these forums, with decisions made at the appropriate level based on technical recommendations. It is noted that many of these decisions will also be documented through the WECA-area Duty to Cooperate and Statement of Common Ground, which is currently in development with involvement from North

	<p>Somerset Council. As such we would expect South Gloucestershire to be formally invited to partake in relevant Duty to Cooperate discussions affecting the WECA area going forward.</p>			
<p>Bristol City Council</p>	<p>As we address the economic situation arising from the pandemic, tackle the need for new and affordable homes, and respond to the challenges of climate change and the ecological emergency, we look forward to working cooperatively with North Somerset Council in addressing these issues which set the context for policy development in our areas. Your letter helpfully sets out the likely strategic topics with cross boundary implications. Our observations are set out below, using the template provided by your letter.</p> <p><u>Q1. Development plan timetable</u></p> <p>Bristol City Council is preparing a new local plan which will be in general conformity with the West of England Combined Authority Spatial Development Strategy. As you are aware our local plan review began in 2017 and the process is continuing taking into account the changed strategic planning context. The broad timetable for the local plan is as follows:</p> <ul style="list-style-type: none"> <li>• 2020: New studies and evidence. Call for sites continues.</li> <li>• 2021: Consultation on issues and options for development (Regulation 18).</li> <li>• 2022: Publication version to be approved and made available for comment (Regulation 19).</li> <li>• 2023: Examination by planning inspector. New local plan to be adopted (Autumn 2023).</li> </ul> <p><u>Q2. Strategic matters</u></p> <table border="1" data-bbox="541 1402 1501 1758"> <tr> <td data-bbox="541 1402 772 1758"><i>Minerals</i></td> <td data-bbox="772 1402 1134 1758"><i>Aggregates.</i></td> <td data-bbox="1134 1402 1501 1758">Matters in relation to minerals will be addressed through South West Aggregates Working Party joint response. It is agreed the approach to aggregates has cross boundary implications.</td> </tr> </table>	<i>Minerals</i>	<i>Aggregates.</i>	Matters in relation to minerals will be addressed through South West Aggregates Working Party joint response. It is agreed the approach to aggregates has cross boundary implications.
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	<p><i>Green infrastructure</i></p>	<p><i>Ecological, landscape and habitat considerations impacting on cross-boundary issues.</i></p>	<p>It is agreed that these are green infrastructure matters with potential cross boundary implications. There is likely to be significant scope for coordinating policy which addresses the ecological corridors that cross through our respective boundaries.</p>
	<p><i>Development locations</i></p>	<p><i>Aligning strategic policies and cross-border allocations.</i></p>	<p>It is agreed that alignment of these matters is a cross boundary concern, particularly in the event of any cross boundary allocations that might arise. It is noted that any consideration of cross-boundary allocations along the Bristol/North Somerset boundary would necessarily involve change to the Green Belt which is itself a strategic policy to be addressed and coordinated through our respective local plans.</p>
<p>Future growth and change in the context of both the climate emergency and the ecological emergency will be relevant matters for consideration. This is strand which forms a golden thread running through a range of development issues which impact on our areas.</p>			
<p>In addition to the matters raised above, evidence may indicate additional cross boundary strategic matters that are appropriate to consider throughout the development plan preparation process.</p>			
<p><u>Q3. Evidence</u> The West of England authorities are working jointly with the WECA to commission a Local Housing Needs Assessment and an Employment Land and Spatial Needs Assessment and will be collaborating on other work streams. Bristol City Council has commissioned a gipsy and traveller and travelling showpeople needs assessment which is due to</p>			

	<p>be completed shortly. We have commissioned a Bristol City Centre Retail and Leisure Study. Your team has been contacted about this study.</p> <p>There is potential for further alignment on existing and proposed studies and Bristol City Council looks forward to discussing that further through West of England and authority to authority engagement.</p> <p>Through the city's One City Plan, Bristol is guided by the United Nations Sustainable Development Goals and seeks to contribute towards meeting the aims and targets of those global goals. More information on these is available on the Bristol One City Plan web pages. We look forward to discussing our approach with you and considering how our respective plans can be coordinated in a way which assists in implementing these important cross-cutting goals.</p> <p><u>4. Governance</u></p> <p>There are a number of well-established processes and channels for engagement between the West of England authorities, the relationships with the West of England Combined Authority and direct authority contacts at political and officer level. Bristol City Council will be pleased to engage via these processes in the development of planning policies for our areas. Additional or revised processes may be established at the regional or authority to authority levels depending on the particular strategic matters which are being addressed.</p> <p>Bristol City Council will, of course, engage with all public consultation stages in the preparation of the North Somerset Local Plan and will be pleased to continue informal dialogue throughout.</p>
Bath and North East Somerset Council	<p>B&amp;NES welcomes the opportunity to work with North Somerset Council to identify and address the strategic and cross-boundary issues to be addressed through our respective Plans. Please see below the B&amp;NES response to the 4 questions that you asked</p> <p><u>1. Timetable:</u></p> <p>The B&amp;NES <a href="#">Local Development Scheme</a> sets out the Development Plan Documents that we are preparing, their preparation arrangements and timetables.</p> <p>As you know B&amp;NES is also working with WECA and the WECA Unitary Authorities to prepare a Mayoral Spatial Development Strategy (SDS) (not a Development Plan Document but part of the Development Plan). The separate WECA response to you sets out the timetable for the SDS and related work.</p> <p>As noted in the recent Memorandum of Understanding signed by all West of England authorities, in respect of the SDS and NSC Local Plan,</p>

it is important that plan preparation timescales are sufficiently aligned so that respective plan-making processes can take account of each other. This is especially important to ensure that the Duty to Co-operate is to be properly discharged.

#### 2. Strategic matters:

B&NES agrees that the issues listed in the table in your letter are strategic matters with cross-boundary implications. The detail of these issues will be considered in more detail through our respective plan making processes, both the WECA SDS and the B&NES Local Plan. In addition, the following are also strategic matters with cross-boundary implications;

- Infrastructure should include energy and water resources, as the distribution of these assets is uneven across the West of England and the networks that support them are cross-boundary in nature.
- Employment related issues should also consider the management of existing strategic employment areas. This would include waste management locations and key retail centres which may have cross-boundary impacts in the future.
- Joint working on climate change as a strategic issue will be necessary to achieve our joint ambition of carbon neutrality by 2030.
- Air quality is within the scope of strategic matters, particularly in relation to strategic and cross-boundary transport infrastructure.
- The approach to the Bristol-Bath Green Belt in plan-making is a cross boundary issue, especially in the context of work on spatial strategies to accommodate new homes and jobs etc.

#### 3. Evidence:

The strategic issues identified above will require a co-ordinated approach between all West of England Authorities to the collation and use of evidence. This reflects the existence of shared Housing Market Areas and Functional Economic Market Areas. Key evidence to support strategic plan making was considered by the West of England Joint Committee in January 2020 when it was agreed to jointly commission strategic evidence to inform plan-making across the West of England. It is important that the evidence supporting the SDS and the North Somerset Local Plan are consistent in light of the relationship of the 2 plans.

#### 4. Governance:

The West of England authorities (including North Somerset and WECA) have established processes and governance for joint working on strategic planning, housing and transport issues, which are well placed to manage joint working (including the formal Duty to Cooperate process) for the North Somerset Local Plan as well as the WECA area SDS and the Local Plans for its constituent authorities.

	<p>Furthermore, WECA and North Somerset engage through a well-established series of weekly, monthly and quarterly meetings at which strategic planning (and transport planning) are discussed and decisions taken. It is recommended that discussions continue through these forums, with decisions made at the appropriate level based on technical recommendations. It is noted that many of these decisions will also be documented through the WECA area Duty to Cooperate and Statement of Common Ground, which is currently in development with involvement from North Somerset Council. As such we would expect South Gloucestershire to be formally invited to partake in relevant Duty to Co-operate discussions affecting the WECA area going forward.</p> <p>Bi-lateral officer and or Member meetings between North Somerset and B&amp;NES can be arranged as required as part of the plan-making process.</p> <p>B&amp;NES looks forward to our continued work together on strategic plan-making. Should any of these need further discussion or clarification, I would welcome doing so through the appropriate joint meetings referenced.</p>														
Sedgemoor District Council	<p>Sedgemoor District is an adjoining local authority and therefore will be an important Duty to Co-operate consultee. The two Councils have cooperated closely together on both the Sedgemoor Local Plan (2019) as well as other cross-boundary strategic issues and we look forward to engaging positively with the plan-making process.</p> <p>In terms of the specific questions you have asked, please see our response below;</p> <p><u>1. Development Plan Timetable:</u> We will shortly commence a review of the adopted Local Plan focusing on early evidence base work from October. Our LDS envisages the following timetable:</p> <table border="1" data-bbox="483 1525 1497 2002"> <thead> <tr> <th data-bbox="483 1525 999 1570"><b>Activity</b></th> <th data-bbox="999 1525 1497 1570"><b>Timetable</b></th> </tr> </thead> <tbody> <tr> <td data-bbox="483 1570 999 1615">Early Evidence Base Work</td> <td data-bbox="999 1570 1497 1615">October 2020 – October 2021</td> </tr> <tr> <td data-bbox="483 1615 999 1742">Engagement in Plan Preparation – Issues and Options Consultation(s) (Regulation 18)</td> <td data-bbox="999 1615 1497 1742">November 2021 – May 2022</td> </tr> <tr> <td data-bbox="483 1742 999 1832">Publication and consultation on submission DPD (Regulation 19)</td> <td data-bbox="999 1742 1497 1832">August 2022 – October 2022</td> </tr> <tr> <td data-bbox="483 1832 999 1921">Submission to Secretary of State (Regulation 22)</td> <td data-bbox="999 1832 1497 1921">January 2023</td> </tr> <tr> <td data-bbox="483 1921 999 1966">Examination Hearings</td> <td data-bbox="999 1921 1497 1966">April 2023 – June 2023</td> </tr> <tr> <td data-bbox="483 1966 999 2002">Modifications</td> <td data-bbox="999 1966 1497 2002">July 2023 – August 2023</td> </tr> </tbody> </table>	<b>Activity</b>	<b>Timetable</b>	Early Evidence Base Work	October 2020 – October 2021	Engagement in Plan Preparation – Issues and Options Consultation(s) (Regulation 18)	November 2021 – May 2022	Publication and consultation on submission DPD (Regulation 19)	August 2022 – October 2022	Submission to Secretary of State (Regulation 22)	January 2023	Examination Hearings	April 2023 – June 2023	Modifications	July 2023 – August 2023
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	Examiners Report	October 2023
	Adoption	December 2023
	<p>In addition to the local plan review we are currently undertaking an update of our Gypsy &amp; Travellers Accommodation Assessment (GTAA). This will potentially lead to an allocation development plan document. However, due to Covid-19 the GTAA has been delayed and it is unlikely therefore that Issues and Options consultation will commence until early 2021.</p> <p><u>2. Strategic Matters</u> I believe that the strategic policy areas identified cover all relevant areas. For Sedgemoor key issues will be levels of housing growth and whether this can all be accommodated within North Somerset, strategic locations for growth, transport impacts and flood risk. In addition there may potentially be cross boundary impacts relating to green infrastructure. Through our own local plan the Councils have liaised closely on housing issues in particular and we will be pleased to continue this dialogue.</p> <p><u>3. Evidence</u> We are currently developing a new transport model for the district that should be completed by March 2021, subject to resolving the challenges of data collection due to Covid-19. This model would potentially enable impacts of any strategic development located close to Sedgemoor to be assessed.</p> <p>We will also need to update our Strategic Flood Risk Assessment (SFRA) that will require the more detailed Level 2 assessment for the area to the north of Burnham-on-Sea. As yet this has not been commissioned. There may be scope for some alignment or certainly data sharing, working collectively in partnership with the Environment Agency.</p> <p><u>4. Governance</u> Initially at an officer level. We are able to report and discuss issues with our Local Plan Working Group that comprises a cross party member group. We would need to keep this under review depending upon the nature of any issues. If for example there was a need to consider accommodating any housing need within neighbouring districts including Sedgemoor, it is likely that discussions would need to involve Leader and Chief Executive with decisions being a matter for Council.</p>	
Mendip District Council	<p><u>1. Development plan timetable</u> Mendip is commencing work on a comprehensive review to its adopted local plan part 1. An updated LDS is due to be endorsed at Cabinet on 6<sup>th</sup> July. The part 1 will set out strategic policies, update DM policies and site allocations. There will also be work on a separate</p>	

	<p>gypsy and traveller DPD. The time period is similar to the N Somerset plan (i.e., 2020-2040)</p> <p><u>2. Strategic Matters</u> The key matters to Mendip are likely to be</p> <ul style="list-style-type: none"> <li>• Quantum of housing/ un-met need Gypsies and Travellers</li> <li>• Cross-boundary issues relating to ecology/ landscape/ habitat considerations, water quality and cumulative flood risk (medium and long-term)</li> <li>• Airport development Energy capacity and infrastructure employment flows</li> <li>• Transport infrastructure</li> </ul> <p><u>3. Evidence</u> Mendip will be updating its evidence on housing and employment supply/need and environmental studies. While there is likely to be the usual stakeholder consultation no specific studies have been identified where there is likely to be a strong functional overlap/ need for alignment with North Somerset. It would be useful to engage on any studies which have implications for traffic impacts on cross-boundary routes into Mendip.</p> <p><u>4. Governance</u> Via the current officer level arrangements via the planning policy team and jointly at SSPC with collective Somerset authorities.</p>
Somerset County Council	-
<b>Prescribed bodies</b>	
Environment Agency	<p>I can confirm that the Environment Agency looks forward to future involvement in the Local Development Framework process.</p> <p>We responded to the Pre-commencement Document, which was received on 10 March 2020 and we concurred with the proposed content, scope and methodology of this plan. This plan should cover the strategic issues which will need to be addressed through the Local Plan process.</p> <p>We have also been involved with NSC and the emerging SFRA which should influence future allocations with respect to flood risk, and we look forward to continued working with you on this.</p>
Historic England	<u>Q2. Strategic matters</u>

	<p>Our historic landscapes and sizeable heritage assets such as prominent landmarks and designated parks and gardens may often span large areas and cross more than a single local authority jurisdiction. Growth and associated infrastructure may have an effect on their significance and therefore the historic environment can be treated as a potential strategic matter.</p> <p>As such it will be important for you to identify these special landscapes and places within and beyond the District as an early stage to ensure direct effects of development or indirect secondary impacts from associated infrastructure, such as new roads, can be appreciated and positively addressed.</p> <p><u>Q3. Evidence</u></p> <p>This relates to Q2 and the gathering of evidence regarding our heritage at the landscape scale. This may be separate or form a distinct 'layer' to any Green Infrastructure work.</p> <p><u>Q4 Governance: How would your authority or organisation wish to engage with duty to co-operate issues and at what level?</u></p> <p>If there is a clear commitment to both appreciating the significance of the historic environment, and responding positively to it, then I'm happy for one to one dialogue especially if cross boundary historic environment evidence is gathered by a consortium of local authority heritage and landscape officers to inform strategic growth and infrastructure decisions as required by national policy. Historic England, and other heritage sector partners, for example the National Trust might oversee and contribute to such sub regional work.</p>
Natural England	<p><u>2. Strategic Matters</u></p> <p>The matters identified above appear reasonable. We can confirm that alongside green infrastructure, the natural environment presents a number of issues and opportunities that are strategic matters and have cross-boundary implications. These matters include the approach taken to designated sites and factoring in the direction of travel on nature recovery and biodiversity net gain that features in the Environment Bill. Coastal squeeze could usefully be added to the list.</p> <p><u>3. Evidence</u></p> <p>NE is working with NSC to develop evidence to underpin a strategic approach to protected sites for bats and is keen to work jointly on addressing other issues such as recreational pressure on sensitive sites. NE is also developing evidence, guidance and tools to support implementation biodiversity net gain, and mapping and implementation the nature recovery network. We have also worked with NSC and other WoE authorities to develop evidence and GI</p>

	<p>standards through the JGIS and can work with you to translate that into your district GI strategy. IN addition we are have launched district licensing for great crested newts with NSC and will be exploring other options with you for better regulatory processes and outcomes. We would expect this information will help to increase the evidence and tools for tackling a range of economic, social and environmental issues.</p> <p><u>4. Governance</u></p> <p>NE would welcome early engagement in all stages of plan preparation, recognising the opportunity the local plan process presents for establishing strategic solutions and approaches to ensure development is sustainable and contributes the Govt's 25 YEP. We have already worked with NSC on the detail of SA scoping for the new local plan.</p>
Highways England	<p><u>1. Development Plan Timetable</u></p> <p>Whilst we recognise that this question is aimed principally at local planning authorities, we would draw attention to the Department for Transport's (DfT) Road Investment Strategy (RIS) which sets out the five year strategy for investment in and management of the SRN. RIS2 covering 2020-2025 has recently been published and the planning for RIS3 (2025-2030), which will be formally announced in 2025, is currently commencing and will be running throughout the North Somerset Local Plan preparation timetable. We would aim to ensure that the Local Plan is prepared with consideration given to RIS2 and any emerging issues in the RIS3 preparation process.</p> <p><u>2. Strategic Matters</u></p> <p>We are pleased to see Infrastructure included in the list of strategic matters with cross-boundary implications, with the issue of transport covered under this. We would also highlight that transport related issues are relevant to a number of the other cross-boundary strategic matters identified. Overall the cross-boundary matters which are of primary interest to Highways England, given that our own boundary is the transition from the local road network to the SRN, are those which have the potential to result in additional pressure on the SRN.</p> <p>Housing – the quantum and location of new housing can have significant implications for the safe and efficient operation of the SRN. We would wish to see the Local Plan deliver new housing located in sustainable locations (i.e. close to employment opportunities and main service areas, and well located to be served by public transport, walk and cycle routes) in order to minimise increased demand on the SRN.</p> <p>Employment – travel to work is a key issue in North Somerset, with the city of Bristol and the surrounding area providing a large amount of employment opportunities. Due to Bristol employment being spread over a large area, there are challenges with providing an attractive</p>

alternative means of travel to the car, which again can result in increased pressure on the SRN. We would wish to see the Local Plan look to consolidate growth where there are reasonable alternatives available, for example making best use of transport infrastructure assets already established.

Infrastructure – we would highlight that the transport assessment for the new Local Plan should recognise that parts of the SRN (i.e. M5 J19 and J21) experience weekday capacity issues spread over a peak period rather than just a peak hour. Also, the section of the M5 through North Somerset has a significant seasonal variation in traffic flow which needs to be considered alongside the daily variation. In relation to these issues, a new junction on the M5 south of J21 was considered during the preparation of the West of England Joint Spatial Plan (JSP).

Overall we would highlight that there are challenges associated with any mitigation schemes which may be required on the SRN as a result of additional pressure, for example the high cost of schemes due to the limited capacity for expansion of the existing network. Hence we are keen to work with the Council in order to ensure that any additional pressure on the SRN resulting from the new Local Plan is minimised.

### 3. Evidence

We would wish to work closely with the Council to ensure the transport evidence base and transport assessment for the new Local Plan (i.e. trip rates, trip distribution, peak period/hour impacts etc.) is mutually agreed.

Highways England is aware that North Somerset Council has commissioned a transport model for North Somerset and the surrounding area. Although we are not part of the model development team, we have been engaged in the model development process and its calibration and validation. We accept that the new North Somerset transport model is a good foundation for the Local Plan assessment. We would welcome the opportunity to refresh our understanding of the model and agree any outstanding issues. For example, for the purposes of the new Local Plan it is crucial that an acceptable peak hour assessment is derived from the peak period model and we would wish to be engaged in regard to how the impact of the development allocations will be assessed and identified.

Highways England hold a detailed model (VISSIM) of M5 J19 which can be shared with the Council to assist in the new Local Plan preparation. We are also currently looking at developing a detailed model of M5 J21 and will keep the Council updated as this work progresses.

	<p>Depending on the location of the development allocation in the new Local Plan, consideration will need to be given as to whether a model of M5 J20 and the surrounding area is required.</p> <p><u>Q4 Governance: How would your authority or organisation wish to engage with duty to co-operate issues and at what level?</u></p> <p>Reflecting the issues highlighted above, Highways England envisages two related strands to our engagement with the Council on the new Local Plan. One strand would be at the policy level to agree the SoCG and feedback our issues regarding the impacts and any proposed mitigation relating to the SRN as per questions 1 and 2 above. The other strand would relate to the more technical level relating to the transport evidence base, modelling and assessment as per question 3 above.</p>
Civil Aviation Authority	-
Homes England	-
Office of Rail Regulator	-
NHS Clinical Commissioning Groups	-
Marine Management Organisation	-
West of England Local Enterprise Partnership	<p>As you are aware, the West of England LEP covers the four unitary authority areas of Bath &amp; North East Somerset, Bristol, North Somerset and South Gloucestershire. The LEP welcomes North Somerset bringing forward work on their Local Plan, and joint working to address strategic issues and support economic growth in the region.</p> <p>The strategic vision of the West of England LEP is contained in the West of England Local Industrial Strategy (LIS). The LEP would therefore refer North Somerset Council to this document (and any subsequent updates), and ask the Council to have regard to its implementation in the development of the North Somerset Local Plan.</p> <p>The LEP recognise that the Duty to Cooperate is an ongoing part of the plan making process. Whilst the LEP reserves the right to issue formal responses in future, in the absence of a specific response to future consultations or subsequent correspondence from the LEP, this letter can be taken as the LEP's response.</p>

<p>Heart of the South West Local Enterprise Partnership</p>	<p><u>Q1. Development Plan Timetable</u></p> <p>Not applicable as Heart of the South West LEP is not a local planning authority</p> <p><u>Q2. Strategic Matters</u></p> <p>The Heart of the South West LEP agrees with the strategic cross-boundary matters identified. Other potential matters could be around energy infrastructure</p> <p><u>Q3. Evidence</u></p> <p>An employment land study was conducted in 2019 for all districts in the Heart of the South West, including those adjoining North Somerset.</p> <p><u>Q4. Governance</u></p> <p>Engagement would need to be at a strategic level. The Heart of the South West LEP does not have a formal procedure for this. Any specific issues could be raised for discussion at the Place Group meeting however this would only be around issues that may directly affect the Heart of the South West area, eg highways, transport, infrastructure.</p>
<p>West of England Nature Partnership</p>	<p><u>Q2. Strategic Matters</u></p> <p>We are pleased to see the recognition of ecological, landscape and habitat considerations as cross-boundary issues, which are of most relevance to WENP. A <a href="#">Nature Recovery Network for the West of England</a> has been developed through WENP, showing the West of England's key habitats and how they are functionally connected. This will be a key resource in considering the cross-boundary implications for ecology and habitat.</p> <p><u>Q3. Evidence</u></p> <p>As mentioned in Q2, the <a href="#">Nature Recovery Network for the West of England</a> is a key resource for considering the impact of proposed developments on ecological connectivity and opportunities for improving the connectivity and resilience of ecological networks.</p> <p>In addition, in 2016 WENP developed a suite of ecosystem service maps (<a href="https://www.wenp.org.uk/state-of-environment/">https://www.wenp.org.uk/state-of-environment/</a>) that show the best opportunities for habitat creation (which were used to help build the Nature Recovery Network), and areas that provide the highest levels and best opportunities for natural flood management and improvements in water quality.</p>

	<p>There is potentially an opportunity to expand and update this suite of ecosystem service maps to include other ecosystem services, such as carbon sequestration.</p> <p>WENP has also mapped <a href="#">access to green space in the West of England</a>, using walking routes rather than 'as the crow flies' measurements. Access to green space is important for people's health and wellbeing, as the Covid-19 crisis is serving to reiterate, and this mapping could be used to help identify areas that are in need of provision of green space.</p> <p>These pieces of evidence form part of the mapped datasets used to inform the West of England Joint Green Infrastructure Strategy (listed in Appendix 1 of the JGIS), which should be available to North Somerset).</p> <p>The Forest of Avon Trust is being commissioned through WENP to produce a Tree and Woodland Strategy for the West of England, which is planned to be completed by the end of the year and should form part of the evidence base for the Local Plan.</p> <p><u>Q4. Governance</u></p> <p>As WENP is a partnership consisting of organisations across the West of England with an interest in the natural environment, which includes North Somerset Council, we would expect to discuss the strategic issue of green infrastructure through the partnership. This would provide a forum for a collaborative discussion between partners in the West of England on green infrastructure in the context of the local plan, with the results of any discussions able to be fed through the North Somerset Council representative on the Board.</p> <p>However, we would also welcome the possibility of forming part of any dedicated forums relating to the strategic discussions outlined above, and especially for green infrastructure. This would need to be cognisant of the fact that North Somerset Council is represented on the WENP Board.</p> <p>Please also note that organisations that form part of WENP will have their own mechanisms for engaging with the duty to cooperate issues.</p>
<b>Additional bodies</b>	
Network Rail	Network Rail should be consulted on any Local Plans that may impact on railway infrastructure or include the railway within the site boundary plan.
National Grid (Gas)	-
National Grid – Electric	National Grid has appointed Avison Young to review and respond to local planning authority Development Plan Document consultations on its behalf. We are instructed by our client to submit the following



representation with regard to the current consultation on the above document.

Avison Young responded on behalf of National Grid to North Somerset Council's Local Plan Pre-Commencement Document Consultation on 20 April 2020 and sought to outline National Grid's assets and rights under the Hinkley Point C Connection Development Consent Order. For completeness, these comments are included in the letter below.

About National Grid National Grid Electricity Transmission plc (NGET) owns and maintains the electricity transmission system in England and Wales. The energy is then distributed to the electricity distribution network operators, so it can reach homes and businesses.

National Grid Gas plc (NGG) owns and operates the high-pressure gas transmission system across the UK. In the UK, gas leaves the transmission system and enters the UK's four gas distribution networks where pressure is reduced for public use.

National Grid Ventures (NGV) is separate from National Grid's core regulated businesses. NGV develop, operate and invest in energy projects, technologies, and partnerships to help accelerate the development of a clean energy future for consumers across the UK, Europe and the United States.

National Grid assets within the Plan area: Following a review of the above Development Plan Document, we provide details of the National Grid assets below.

Hinkley Point C Connection Development Consent Order Area In May 2014 National Grid applied for a Development Consent Order ("DCO") under the Planning Act 2008 ("PA 2008") to authorise a proposed 400,000 volt (400kV) connection between Bridgwater, Somerset and Seabank substation, north of Avonmouth together with associated development ("Hinkley Point C Connection").

The Hinkley Point C Connection Project is a Nationally Significant Infrastructure Project under section 14(1)(b) and s16 of the PA 2008. Its purpose is to reinforce the transmission network in the region and facilitate the connection of the proposed Hinkley Point C new nuclear power station and other proposals for low carbon generation. In January 2016, the then Secretary of State for Energy and Climate Change granted consent to National Grid's DCO application and on 19 January made the National Grid (Hinkley Point C Connection Project) Order 2016 ("the Order"). The Order, which authorises National Grid to construct, operate and maintain the Hinkley Point C Connection and to acquire interests in land compulsorily for that purpose, came into force on 9 February 2016. This Order was subsequently amended by the Secretary of State as the National Grid

	<p>(Hinkley Point C Connection Project) (Correction) Order 2017 on 19 October 2017.</p> <p>Under the Order, National Grid is granted both permanent and temporary compulsory acquisition powers to construct, operate and maintain the Hinkley Point C Connection. The order sets out six classes under which land or rights may be acquired permanently or land possessed temporarily. In respect of part of the Application Land, National Grid has the following rights:</p> <ul style="list-style-type: none"> <li>• Class 2 (Compulsory Acquisition of Rights for the Authorised Development), which also includes Classes 3 (access), 4 (construction and mitigation), 5 (dismantling of redundant infrastructure) and 6 (temporary access);</li> <li>• Class 4 (construction and mitigation); and</li> <li>• Class 5 (dismantling of redundant infrastructure).</li> </ul> <p>It is therefore imperative that any future development proposals progressed through the Local Plan do not compromise or delay National Grid's ability to deliver the Hinkley Point C Connection in accordance with its statutory and contractual duties. National Grid will continue to monitor the progress of the Local Plan and where relevant, comment on and engage with the Council and applicants on specific proposals.</p> <p>Given the scale of the project we have, at this stage, provided an overview plan of the project as it relates to the North Somerset Council area - see attached plan. We would be pleased to provide further information if that would assist the Council in the preparation of the Local Plan. For reference the approved plans and drawings are available at the following web link:</p> <p><a href="https://hinkleyconnection.co.uk/plans-and-drawings/">https://hinkleyconnection.co.uk/plans-and-drawings/</a></p> <p>Please also see attached information outlining further guidance on development close to National Grid assets.</p> <p>Further Advice National Grid is happy to provide advice and guidance to the Council concerning their networks. If we can be of any assistance to you in providing informal comments in confidence during your policy development, please do not hesitate to contact us.</p> <p>To help ensure the continued safe operation of existing sites and equipment and to facilitate future infrastructure investment, National Grid wishes to be involved in the preparation, alteration and review of plans and strategies which may affect their assets. Please remember to consult National Grid on any Development Plan Document (DPD) or site-specific proposals that could affect National Grid's assets.</p>
Water	-

Drainage Boards	-
Wessex Water – Sewerage	<p>Wessex Water will be pleased to cooperate as appropriate on strategic policy issues related to our services.</p> <p>An initial meeting will be useful to scope data and information required from Wessex Water.</p>
Telecommunications	-
Coal Authority	<p>I have reviewed the questions asked in respect of the Duty to Co-operate for the Local Plan and can confirm that the Coal Authority has no specific comments to make.</p>
Mendip Hills AONB Unit	<p><u>Q 1. Development Plan Timetable</u></p> <p>The Mendip Hills AONB Partnership produced the Mendip Hills AONB <b>Management Plan 2019-2024</b> as required by the CRoW Act on behalf of the joint local authorities and the Plan has been adopted by North Somerset Council, Bath &amp; North East Somerset Council, Somerset County Council, Sedgemoor District Council and Mendip District Council. The Management Plan under paragraph 1.4 sets out a Statement of Significance on the special qualities of the Mendip Hills AONB that create the Mendip Hills sense of place and identity and these include views from the Mendip Hills AONB, settlements of Mendip stone largely confined to the spring line, retaining dark skies and a sense of tranquillity.</p> <p>The Management Plan is due to be review in 2024.</p> <p>In addition, <b>Monitoring Environmental Outcomes in Protected Landscapes data</b> (MEOPL data) is collected annually by Natural England and applied to AONB boundaries. This data helps to inform the Management Plan.</p> <p>The Mendip Hills AONB Unit produce <b>Nature Recovery Plans</b> that are 'live' documents, which formally help to inform the Management Plan. NRPs contribute to local authority Local Nature Recovery Strategies. Nature Recovery Plans may in future be used as part of the decision making process for the use Biodiversity Net Gain plans and levies.</p> <p><u>Q2. Strategic Matters</u></p> <p>Mendip Hills AONB Partnership agrees that the listed strategic matters with cross-boundary implications are of relevance to North Somerset.</p> <p>In addition, it should be noted that the nationally protected landscape of the Mendip Hills Area of Outstanding Natural Beauty (AONB) covers</p>

	<p>198 square kilometres from Bleadon in the west to Chewton Mendip in the east. The AONB partly lies within the North Somerset to the south-west of the wider Bristol area and south-east of Weston-Super-Mare. Areas of Outstanding Natural Beauty are some of the UK's most cherished and outstanding landscapes.</p> <p>The Countryside and Rights of Way (CRoW) Act 2000 confirmed the significance of the AONBs and Section 85 places a statutory duty on all relevant authorities to have regard to the purpose of conserving and enhancing natural beauty when discharging any function in relation to, or affecting land within as an Area of Outstanding Natural Beauty. Potential development proposals outside of the boundaries of AONBs that may have an impact within the designated area, are also covered by the 'duty of regard'.</p> <p>The National Planning Policy Framework (NPPF) under paragraph 172 sets out that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.</p> <p>As set out in Natural England's National Character Area (NCA) profile for the Mendip Hills (141), the area is 'renowned for its tranquillity and inspirational qualities...' The NCA further recognises that 'Light pollution from development threatens the extent of the recognised dark skies and out-of-character development is a continuing risk to the essential nature of the area.' Within the NCA Statement of Environmental Opportunity under SEO1 it sets out 'Safeguard inward and outward views and to the distinctive hill line and conserve and enhance the special qualities, tranquillity, sense of remoteness and naturalness of the area'.</p>
South West Local Aggregates Working Party	<p>Members of the Aggregates Working Party (AWP) have noted the content of the letter and welcome the involvement of the AWP in development of your Local Plan. The AWP members also consider that the supply of aggregate minerals is a strategic issue requiring a policy relationship between the AWP and North Somerset Council. The AWP would wish to be kept up to date with the Local Plan as it progresses.</p>

## Appendix C:

### Letter sent by North Somerset to neighbouring authorities

Date: 12 October 2021  
 My ref: LS  
 Your ref:  
 Contact: Michael Reep  
 Telephone:  
 Email:



Place Directorate  
 North Somerset Council  
 Town Hall  
 Walliscote Grove Road  
 Weston-super-Mare  
 BS23 1UJ

#### VIA EMAIL

Dear

#### **North Somerset Local Plan: Duty to Co-operate**

Progress is being made on the North Somerset Local Plan (2023-2038). As has been discussed in our duty to co-operate conversations, we undertook initial stages of consultation in 2020 (Challenges and Choices) and in April 2021 agreed a preferred spatial strategy and a sequential approach to the assessment of development opportunities which provides the framework for the preparation of the Consultation Draft for consultation commencing at the end of 2021.

The government's local need figure for North Somerset over the plan period is currently 20,085 dwellings. Work is in progress to determine whether there is sufficient deliverable capacity at sustainable locations to deliver the growth required in accordance with the agreed spatial strategy. The starting point for the plan making process is to consider the potential capacity outside the Green Belt.

The National Planning Policy Framework states that:

*141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:*

- a) makes as much use as possible of suitable brownfield sites and underutilised land;*
- b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*
- c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.*

North Somerset Council has worked through a sequential approach relating to the identification of potential development options outside the Green Belt. This has included the potential to maximise the use of previously developed and underused land through the urban capacity study (NPPF paragraph 141 a)), and optimising density particularly at transport hubs and other sustainable locations (paragraph 141 b)). The table below summarises the conclusions of that work.

Housing requirement	15 years	20,085
Existing permissions	Expected to be delivered 2023-2038	3,600
Urban capacity	Small site windfall	1,725
	Large site allocations	2,000
Town expansion	Weston-super-Mare – primarily north of A371, east of M5	3,000
	Nailsea	1,500
Other settlements	Yatton/Backwell	1,000
Rural areas	Small site windfall	900
	Large site allocations within revised settlement boundaries of larger villages – locations to be determined	
Total outside Green Belt		14,225
Residual		5,860

This indicates that the potential deliverable capacity outside the Green Belt is about 14,225 dwellings. This is some 5,860 dwellings short of the North Somerset requirement of 20,085 dwellings. This means that NPPF paragraph 141 c) is triggered which requires the local planning authority to ascertain whether some of the identified need for development could be accommodated within neighbouring authorities. These discussions need to be reported in the Statement of Common Ground.

I am therefore formally requesting you consider whether your authority is able to accommodate some of the North Somerset housing requirement within your area?

We will be setting up a joint meeting at the end of October to discuss North Somerset duty to co-operate issues and wanted to give you advance notice to consider this request. If you would like to discuss the issues on a one-to-one basis, we will be happy to arrange this.

We look forward to your response.

Yours sincerely

**Lucy Shomali**  
Director of Place

**Response from Bristol City Council (11 November 2021):**



Reply to	Nick Bryant
Telephone	
Email	
Your Ref	LS
Our Ref	ZW/LTR20211118
Date	18/11/2021

Dear Lucy,

Thank you for your letter dated 12 October regarding the Duty to Co-operate and strategic planning matters affecting North Somerset and Bristol City Councils.

As you know, Bristol City Council is working with other WECA authorities on a Spatial Development Strategy (SDS), this plan will establish future housing requirements for Bristol City Council. While work on the SDS is on-going, it is already apparent that BCC will be unable to meet the current Government set Local Housing Need figure of just under 64,000 new homes over the next 20 years. Consequently, we are unable to meet your request for the City to accommodate unmet need arising within the North Somerset area.

In view of challenges within Bristol and the WECA area, we will need to reserve the right to comment more formally on the North Somerset Local Plan and its accompanying evidence base in due course. Further, we will be very keen to engage with NSC on the impacts of any development proposals within North Somerset that give rise to direct or indirect impacts on the City of Bristol.

If you or your colleagues require clarification on any of the matters outlined in this letter please contact Nick Bryant, Strategic City Planning Manager:

Yours Sincerely,

Zoe Wilcox  
Director, Development of Place

Development of Place  
PO Box 3399  
Bristol  
BS3 9FS

Zoe Wilcox  
Director, Development  
of Place

Website  
[www.bristol.gov.uk](http://www.bristol.gov.uk)



**E-mail response from Bath and North East Somerset Council (24 November 2021):**

Dear Lucy,

Thank you for your letter of 12<sup>th</sup> October regarding the Duty to Co-operate on strategic planning matters between Bath & North East Somerset and North Somerset.

In response to North Somerset's request for B&NES to consider whether it is able to accommodate some of the North Somerset housing requirement, this is a sub-regional strategic matter which is being addressed through the WECA Spatial Development Strategy (SDS). Therefore the primary response to your request will need to come from WECA.

This notwithstanding, the B&NES new Local Plan is at an early stage of preparation and based on existing evidence, the scope for B&NES to accommodate unmet housing need from North Somerset is highly unlikely. Furthermore, the majority of B&NES is in a different Housing Market Area to North Somerset.

I am happy to discuss the above if you would find it helpful.

Please note that Lia Bartlett has now left B&NES and any future correspondence on such issues will need to be sent either to Sophie Broadfield (Director of Sustainable Communities) or me, Simon de Beer (Head of Planning)

Regards

Simon de Beer

Head of Planning

Bath & North East Somerset Council



## Email response from Mendip District Council (29 November 2021):

Dear Michael

### NORTH SOMERSET PLAN 2023 – 2038 – DUTY TO CO-OPERATE

I am writing in response to your letter of 12th October to from the Director of Place to Julie Reader-Sullivan regarding the emerging North Somerset Local Plan. I apologise for the delay in making a reply, which is on her behalf

The council notes your progress towards a preferred options stage for the Local Plan next year and the identification of deliverable capacity to address a 20,085 Housing requirement. The assessment of sites and options on land not designated as greenbelt is estimated at 14,225 leaving a shortfall of 5860 dwellings. This has led to a request whether neighbouring districts may be able to contribute to the housing needs of North Somerset.

Mendip Council adopted a Part 1 Local Plan (2006-2009) in 2014 and is seeking to formally adopt a Local Plan Part II with additional development sites in December 2020. The Council have recognised there is a need for an immediate review of the Part 1 Plan as it is more than five years from adoption. Formal commencement of a single plan for Mendip is now on hold given the government decision to approve a single unitary for Somerset from April 2023.

The Council expect joint working and collaboration between planning authorities in Somerset to continue which will include alignment of policy review priorities and work programmes .

However, housing requirements are likely to continue to be based on individual districts as set by the standard method for some time and not combined.

The Local Housing Need figure for Mendip is currently 571 homes a year. Looking at Mendip individually, a new review would need to provide for 8,565 dwellings over the next 15 years (2020 – 2035). This would be need to higher to take into account the years prior to adoption of a new Plan Review.

For a number of reasons as set out below, I can confirm that Mendip **would not be able** to identify or agree a contribution to meet housing need in North Somerset.

1. The Council cannot currently demonstrate a five year housing supply and this position does not change with the adoption of Local Plan Part II
2. The current housing trajectory including existing permissions and sites in local plans part 1 and 2 could only deliver 5,650 dwellings, leaving a shortfall of 2,900 dwellings from the standard method requirement at present.
3. Mendip will be updating its housing land availability, but is already aware there is limited capacity in brownfield sites and remains concerned on the extent of greenfield growth in villages.
4. 4 out of the 5 Mendip Market Towns and a significant number of villages will need to provide mitigation for housing development due to the adverse impacts on water

quality around the Somerset Levels and Moors RAMSAR sites. While work is ongoing to explore solutions, it remains far from clear whether the overall capacity for development to meet national requirements in the district can be mitigated.

5. The areas where Mendip adjoins North Somerset are already constrained by Green Belt or AONB.

Irrespective of transition to a single Somerset Council, I welcome continued engagement with Mendip on the progress of the North Somerset Plan and duty to co-operate matters

Best Regards

Andre Sestini

**Andre Sestini**  
Principal Planning Policy Officer  
Mendip District Council

## Response from Sedgemoor District Council (21 December 2021):



21 December 2021  
Your Ref: LS

Sedgemoor District Council  
Bridgwater House, King Square  
Bridgwater, Somerset TA6 3AR

Twitter.com/sedgemoorDC

Lucy Shomali  
Director of Place  
North Somerset Council  
Town Hall  
Walliscote Grove Road  
Weston-super-Mare  
BS23 1UJ

Dear Lucy

### **North Somerset Local Plan 2023-2038: Duty to co-operate**

I refer to your letter dated 12<sup>th</sup> October outlining the progress made in relation to the North Somerset Local Plan (2023-2038) and formally requesting Sedgemoor LPA to consider whether we are able to accommodate some of the North Somerset housing requirement within the Sedgemoor area. This follows on from previous correspondence between the two Councils on duty to cooperate matters throughout the preparation of the North Somerset Local Plan to date.

We understand the requirements set out in relation to paragraph 141 of the NPPF in that before concluding exceptional circumstances to justify changes to the Green Belt, all other reasonable options for meeting the need for development should be examined, including being informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development (paragraph 141 c). Furthermore, we understand that your plan preparation to date indicates that potential deliverable capacity outside of the Green Belt in North Somerset falls short of North Somerset's local housing need requirement. This therefore triggers the need to consider NPPF paragraph 141c prior to North Somerset considering any potential options within the green belt.

In this context we have therefore carefully considered your request. This has included a review of current evidence available to the Council in terms of our Local Plan requirements, housing land availability, the Council's likely future housing need and other relevant infrastructure and planning constraints. Based on the best available information available at this time it is the Council's view that Sedgemoor would not be able to accommodate some of North Somerset's housing requirement within our area. Further explanation regarding how this conclusion has been reached is summarised below:

If you would like to know how we look after your personal information please see the Privacy Policy at [www.sedgemoor.gov.uk](http://www.sedgemoor.gov.uk)

### Expected Future Local Housing Need Requirements

Based on the standardised method for calculating local housing need Sedgemoor is likely to see a step change in the housing requirement it will need to plan for in its next Local Plan review. Our standardised method calculation for the 2020 year indicated a figure of 746 dwellings per annum, compared to the 644 dwellings per annum set out in the Council's most recently adopted Local Plan (adopted in 2019). The adopted 644 requirement was a step change compared to previous Development Plans and is in itself proving a challenging figure to meet. Latest affordability ratios published in 2021 continue to indicate a step change in annual requirements for the next Local Plan when using the standardised method. Within this context it is expected to prove a significant challenge in the next Local Plan review to identify sufficient sites to satisfy the standardised method local housing need, particularly in terms of ensuring a sufficient housing land supply early in any new plan period. This therefore significantly constrains any opportunity to also accommodate cross-boundary housing need from North Somerset.

### Housing Land Availability Considerations

Whilst Sedgemoor will shortly be updating its Strategic Housing Land Availability evidence base it is apparent to the Council at this time that there will be key challenges as part of the next Local Plan with regard to the availability and deliverability of new strategic sites to meet any uplifted local housing need. To ensure sustainable patterns of development growth has predominately been focused at the main towns of Bridgwater and Burnham-on-Sea and Highbridge. With regard to Bridgwater, compared to previous plan reviews there currently appears to be more limited future options in terms of new urban extension opportunities at the town. Any opportunities that are identified are also likely to involve significant upfront infrastructure costs.

With regard to Burnham-on-Sea an area has been identified as a potential northern extension to the town. This is as detailed in the currently adopted Local Plan and was earmarked at the time as a potential location to also accommodate any cross-boundary housing need in the future. With any uplifted local housing need figure the site will likely instead be needed as part of trying to satisfy Sedgemoor's own local housing need requirements. In any case, the North Burnham site poses significant challenges particularly with regard to identifying and securing strategic flood risk mitigation as the whole area is in FZ3a and offsite transport improvements that are likely to include M5 Junction 22. Until significant further technical work is undertaken the deliverability of a north Burnham extension cannot be confirmed.

### Existing and Emerging Constraints

Sedgemoor has a number of major existing and newly emerging environmental constraints which significantly constrain its ability to accommodate cross-boundary housing need. Flood risk in particular poses a major constraint across a large proportion of Sedgemoor's area, including its main towns. A significant proportion of Sedgemoor's strategic allocations therefore have to be subject to flood risk sequential and exception test considerations at the Local Plan stage. The longer-term acceptability of this approach is less certain in the light of the wider climate change priorities.

More recently the issue of phosphates from new development contributing to the unfavourable status of the levels and moors Ramsar site has emerged as a significant constraint on new development in the Somerset area. Whilst Sedgemoor is less affected compared to some adjacent authorities, it will

nevertheless likely have an impact on available supply from small sites in the context of a higher local housing need figure.

#### **New Unitary Council for Somerset**

As you will be aware the four district councils and the county council are to be combined to form a new Unitary Authority, Somerset Council, in April 2023. Council elections will take place in May 2022 and it will be this new Council that will set out the wider strategic growth objectives and priorities. At some stage there will be a new Somerset wide Local Plan with revised combined housing requirements. Within this wider context it would again be premature to make any decisions regarding the ability to accommodate any cross-border housing growth when the full implications for the new Authority are yet to be understood.

I hope the above information is helpful and provides clarity on Sedgemoor's position in the context of NPPF paragraph 141c. We look forward to continuing to engage on strategic matters going forward and ensuring the considerations above are appropriately set out in the Statement of Common Ground.

Yours sincerely

**Doug Bamsey**  
Deputy Chief Executive  
Sedgemoor District Council

## Response from West of England Combined Authority (22 December 2021):

Dear Lucy,

### **North Somerset Local Plan and the West of England Spatial Development Strategy: Duty to Cooperate**

Thank you for your letter dated 12 October 2021 formally requesting confirmation as to whether the West of England Combined Authority (hereafter known as the Combined Authority) has capacity to assist in meeting North Somerset's housing need.

As you will be aware, we are progressing the Spatial Development Strategy which will set the strategic direction for growth across the Region. We are currently concluding our scenario appraisal work. The spatial strategy scenarios, as discussed at the recent Strategic Planning Forum, have looked at the extent to which capacity is available in areas outside of green belt and in locations well served by public (and other forms of sustainable) transport (as per NPPF para 141:b).

Initial technical analysis indicates that the Region will be unable to meet the identified housing need (including affordable housing need) of approx. 105,000 homes over the 20-year period in a manner compatible with our strategic objectives without recourse to green belt. We are therefore unable to assist North Somerset in meeting any of their housing need.

As set out in our published SHLAA methodology which North Somerset colleagues were involved in scoping, this analysis accounts for a wide range of sources of capacity and our region's considerable constraints, including World Heritage sites, flood risk and international biodiversity designations, whilst also applying more ambitious density assumptions than are presently typically achieved (as per NPPF para 141:b). The conclusion also reflects significant work on urban capacity and intensification as per NPPF para 141 and as discussed with North Somerset colleagues in May 2021.

In turn, we are therefore formally requesting you to consider whether North Somerset Council can accommodate some of the West of England (Combined Authority area) Regional housing need, including affordable housing need, before we proceed with concluding our Green Belt 'exceptional circumstances' case. We anticipate, given the position expressed in your letter of 12 October 2021 that you will not be in a position to accommodate any of our needs but we would be grateful for your consideration and confirmation of the matter formally.

Kind regards,

Laura Ambler

Head of Regional Housing and Planning

West of England Combined Authority and Local Enterprise Partnership

