**Mendip Local Plan Part 2 Examination**

**Additional Statements  Question 1 – Duty to Co-operate**

**Background**

This note provides additional information in relation to the submitted DTC statement (SD7). It covers
(a) Additional details of discussions with BaNES on boundary sites
(b) the council's position in relation to Wiltshire
(c) co-operation arrangements within Somerset
(d) engagement with statutory consultees and other relevant agencies

While the submitted DTC statement highlights that LPP2 is a non-strategic plan, Mendip can demonstrate has engaged with neighbouring authorities and relevant agencies as appropriate. This note particularly covers discussions since LPP1 was adopted.

(1) **Duty to Co-operate with BaNES**

A statement of common ground (dated September 2018) included as Appendix 1 to SD7 covers both the Duty to Co-operate between Mendip and the West of England Authorities and Co-operation on Local Plan Preparation with B&NES (p12). It confirms agreement to maintain close working on development plan matters and aligning work programmes and consultation with regard to the spatial strategy for Bath, Midsomer Norton, Radstock and Westfield.

While sites on the location of the B&NES boundary were not allocated in LPP2, this does not mean DTC has been ignored. There has been ongoing dialogue with B&NES since the LPP1 was adopted.

Mendip undertook its issues and options consultation in 2015 which included promoted sites – and included a consultation event in Midsomer Norton. There has also been dialogue with regard to sites coming forward on an ‘exception basis, notably an application for a primary school/housing development at White Post (2016/0960). The school was eventually granted permission on a site in B&NES allocated in their Placemaking Plan.

There has also been liaison between housing and planning officers considering an affordable exception scheme on the site at Underhill lane in late 2017 including ‘testing’ of demand from applicants on Somerset waiting list for housing in this location. See appendices 4a and 4b

The most recent DTC discussions have been in advance of the B&NES local plan which presents options including growth at Midsomer Norton Radstock. - see Appendix 3a. The Council’s response to the issues and options consultation is included in appendix 3b

A further note from B&NES is included at Appendix 5 in relation to DTC in respect of the SA of sites (as covered in the SoCG in response to question 3) and joint working if sites were to come forward as allocations

(2) **Duty to Co-operate with Wiltshire.**
The DTC statement (SD7) confirms that no matters were raised by Wiltshire through the preparation of Local Plan Part 2. A statement of common ground is included in Appendix 2. This confirms that no new strategic matters or issues of strategic significance have been raised since the adoption of LPP1.

(3) **Co-operation Arrangements in Somerset / Somerset County Council**

The main vehicle through which plan-making DTC arrangements are discussed is the Somerset Strategic Planning Conference (or SSPC). This meets 4 times a year and comprises senior planning/planning policy officers from the county council and Somerset districts. An update of development plan progress and matters arising for neighbouring authorities is a standing item. The details of LPP2 have been regularly reported through this group.

A wider group of county council officers also attend SSPC to update and advice on local plan implications and progress of minerals and waste planning, highway strategy, education provision and biodiversity. Details of updated infrastructure requirements discussed at SSPC are reflected in LPP2 and the submitted Infrastructure Plan.

SSPC also considers sub regional strategic and growth planning, joint commissioning of evidence base and acts as a liaison mechanism for other external agencies and bodies agencies (National Parks / Marine Management Organisation etc). The North Somerset representative also acts as liaison with the West of England Joint Structure Plan body.

Minutes of the most recent meeting are attached at appendix 1a.

It should be noted this refers to both the MDC local plan update, but also joint work on the GTAA (gypsy accommodation assessment) and joint working on transit site provision.

Separate to SSPC, there are regular meetings involving the principal planning officer with education and officers with responsibility for land and property. These cover information and updates to the School Infrastructure plan1 discussion of applications and pre-applications where school contributions are required and the impact of proposed development locations and growth areas. The outcomes of these meetings are reflected in LPP2 within text on settlements in LPP2 or specific allocations. Minutes of the Infrastructure Liaison Group are attached at appendix 1b.

(4) **Duty to Co-operate with Statutory Consultees**

A summary of contacts and responses with statutory agencies is contained in table 3 of SD7. More detail on contacts with the Environment Agency, Natural England and Historic England can be found below:

**Environment Agency**

The Environment Agency made representations to the Issues & Options consultation (ref: 492-4001) on both the potential plan content and the Sustainability Appraisal Scoping Report. These comments shaped the development of the Pre-Submission Plan and the Sustainability Appraisal process. Comments were also received through the Pre-Submission consultation (ref: 687-6574) and again these comments informed any relevant proposed changes.

**Natural England**

Natural England made representations to the Issues & Options consultation (ref: 371-3007) on a number of the sites put forward as potential areas for development. Their responses fed into the development of the site selection process and the identification of the preferred sites.

Natural England gave comments on the draft Sustainability Appraisal through the Pre-Submission consultation (ref: 581-1797) and our response to their comments can be seen in Submission Document SD Schedule 55.

Natural England were also involved in the Habitat Regulation Assessments and gave input to the County Ecologist relating to these.

**Historic England**

Historic England made representations to the Issues & Options consultation (ref: 273-1798) on a number of the sites put forward as potential areas for development. Their responses fed into the development of the site selection process and the identification of the preferred sites.

Historic England also responded to the Pre-Submission Consultation (ref: 379-1798). The Council’s responses to their comments can be found in the relevant Response Schedules.

**Appendices**

1a – SSPC - minutes – Tuesday 2nd April 2018
1b - MDC/SCC Education liaison Meeting 27th September 2018
2 - Statement of Common Ground – Wiltshire Council dated 01.08.19
3a - Minutes of DTC 2018 meeting with Bath and NE Somerset (BaNES)
3b – MDC Response to BaNES issues and options (January 2019)
4a – Underhill Lane – Email correspondence regarding affordable scheme at Underhill lane
4b – Underhill Lane – Homefinder applicants – survey of need in location close to Midsomer Norton.
5 – Email from BaNES regarding SA of sites and DTC.
ED11 - Additional Statements

Response to Question 1 – Duty to Co-operate - Appendices

Appendices

Appendix 1
1a – SSPC - minutes – Tuesday 2nd April 2018
1b - MDC/SCC Education liaison Meeting 27th September 2018
Appendix 1a

MINUTES OF THE SOMERSET STRATEGIC PLANNING CONFERENCE OFFICERS’ GROUP MEETING HELD ON TUESDAY 2nd APRIL AT SOMERSET COUNTY COUNCIL

PRESENT: Nick Tait SDC (Chair)
Louise Martin SCC
Rose Teixeira SCC (Note taker)
Laura Tysack SCC
Frances Gully SSC
Jo Wilkins SSDC
Andre Sestini MDC
Michael Reep NSC
Dave Baxter SSHG
David Clews ENPA
Kate Murdoch SWT
Amy Wilcox MMO (Marine Management organisation)

1. APOLOGIES FOR ABSENCE

Apologies had been received from Lucy Bath, Larry Burrows, Michael Bainbridge, Laura Ambler, Doug Bamsey, Mark Leeman, Simon Lewis, Sunita Mills, Tessa Saunders and Sheryl Vincent. Around the table introductions were given by all.

Nick Tait (NT) opened the meeting explaining that he has taken on the role of Chair of SSPC Officers meetings following Paul Browning’s departure from SCC. NT suggested the possibility of a rolling chair role enabling Officers to each have a responsibility in chairing future meetings. There was also the possibility of varying the meeting venues across the county. Discussion to be continued.

2. NOTES AND ACTIONS FROM THE OFFICERS’ MEETING AND MATTERS ARISING – 20TH DECEMBER 2018

The minutes from the last meeting on 20th December 2018 were looked through for accuracy and no errors were brought forward.

NT had been asked to forward concerns to SSHG regarding follow up of the report by Angela Farmer reviewing potential gypsy and traveller sites in Sedgemoor. NT had also been asked to circulate the updated GTAA brief. Not many applications are coming in despite a permissive policy. There is a question around the lack of applications and whether this is due to not thinking they will be successful or due to the belief that needs are being met. There are discussions taking place in the county around Podimore on the A303 issue. Dave Baxter (DB) spoke to Doug today regarding the Park and Ride at Junction 23. NT said that at Sedgemoor the 2 or 3 per year permanent sites requirement is unlikely to need to change but more temporary sites are needed. Jo Wilkins (JW) said that there is a need for a Somerset site.

Action: NT to speak to Angela Farmer.

Action: NT to circulate the draft brief regarding the Joint Plan by the end of April.

The action relating to Local Plan updates would be covered during the meeting.
The action relating to the investment bids spreadsheet from 2011/12 containing sites and constraints for all districts has not yet been located. This action is to be left open. The benefit of this is questionable as going back to 2011/12.

**Action:** LM to provide an update relating to the new Resource and Waste Strategy for England at the next meeting. The Strategy has been launched and proposed policy subject to consultation. Somerset Waste Partnership are doing a lot of work on this.

3. **SSPC Officers: Review of Terms of Reference and future Governance**

NT asked if Paul Browning had updated the ToR document prior to his leaving SCC. LM confirmed she did not think it had been updated further. NT said that he would update the document to include a wider discussion on appendices and how relationships would be shown.

**Action:** RT to forward the Terms of Reference Document used at December’s meeting to NT to be updated.

NT said that the group should decide whether the items are to be shown spatially or listed in a table re theme and relationships. Relationships crossing boundaries are the key ones to show spatially – housing market areas. LM shared that understanding what makes up the Local Development Framework can be difficult when joining the group and the supporting evidence base which goes with that. LM also mentioned the Marine Plan and the importance of representing it correctly. NT agreed that the Marine Plan should be shown spatially. Amy Wilcox (AW) said that it would be useful for the tidal limits of the estuaries and rivers to be shown – as the river Parrett extends quite a way inland.

NT said that GIS mapping style similar to the HIF bid could be used. NT suggested it would be good to include the EA catchment data. The housing market area is to be used as it is. Jo Wilkins (JW) confirmed there is a separate map with the spatial areas included – including M5 and A303 corridors.

**Action:** NT to speak to his colleague regarding GIS mapping. 
**Action:** LM to forward the marine shake files (digital data) to NT.

MR asked if it would be worth showing the Duty to Cooperate areas more explicitly on the new ToR and list the strategic cross-boundary issues and then prioritise where additional work should take place between districts and cross boundaries. Kate Murdoch (KM) mentioned that SHMA and GTAA are important in all areas, but the Duty to Cooperate is more of a West of England issue. There is a need to cooperate but the extent to which this needs to be demonstrated in the statement is the issue. Most issues can be contained within the boundaries of the district. Transport is another area and acute healthcare.

The case for a Strategic Somerset Plan was brought forward. NT had a meeting relating to this – looking at different ways of delivering policy through to DM. This is going through the Business Rates Retention as needing to be joined up with economic strategies. Planning is seen as a barrier to bringing in inward investment, so this is the motivation for doing things differently and more efficiently.

NT saw the draft project brief yesterday. KM said that it was unclear regarding what would be the result and any actions arising from this. KM mentioned commissioning consultants to do the strategic plan for Somerset or a county wide approach to CIL.

**Action:** RT to include a session in the next meeting on Joined up Spatial Plans. 
**Action:** NT to look at the TOR and check it reflects the role of the group and keep appendices simple.
4. **CIL/S.106 Contributions for major sites – update/review from infrastructure meeting on 15th March**

   NT explained that the CIL regulations will be changing. There will be greater flexibility and certainties.

   Frances Gully (FG) attended the Infrastructure Meeting on 15th March and said that everyone agreed that the issue currently is the lack of money to support housing. There was a suggestion of pushing this to the politicians. Michelle Cusack will be circulating information relating to this.

   JW explained that all will need viability assessments of individual plans.

   NT mentioned that being able to use 106 is based on mitigating impacts and provides more certainty. Potentially major applications should use 106 and CIL should be used for activities requiring greater flexibility.

   There was a discussion regarding the issues with choosing when to use S.106 or CIL as it is not completely clear cut.

   There was an argument for a county wide CIL. Rural areas CIL, strategic sites through section 106 – which would work for Somerset (removing Bridgwater, Yeovil and Taunton).

   CIL gives match funding options. Section 106 is more limiting as it is not possible to do match funding. Removing strategic sites out of CIL may not be the answer as Somerset’s financial negotiating position is compromised.

   There was a discussion around the difficulties with strategic infrastructure using CIL as it takes a long time to build up. NT said that there is a disconnect between planned growth and educational development. FG added that the Department of Education is either not using up to date information or the issue is the lack of funding. KM said there is the same issue in the area of health and that a strategic approach is needed. Highways has been prioritised over education and affordable housing – strategic policies are needed. Dave Baxter (DB) added that it is one of the priorities raised through the consultation on Somerset housing strategy re joint funding bids.

   A response from Michelle Cusack should be received before the next SSPC Officer’s meeting.

   **Action:** LM to look for the diagram of where Regeneration Directors sits.

   LM pointed out that revising the ToR’s gives us the opportunity to look at where the group sits and to remind Regen of this and SEDOG. It was agreed that Regen and SEDOG should be informed once the ToR has been updated. SSPC to act as a consultee to Regen with direct input.

   LM added that SEDOG were looking at having two tiers of meetings – one being a yearly more strategic meeting with Director level input.

   **Action:** NT to put a proposal together to inform Michelle Cusack regarding the best way forward for Somerset and that SSPC has a formal role in decisions or as a consultee.

   **Action:** RT to include a session on next meeting’s agenda to discuss the proposal.

   KM explained that the topic of Business Rates Retention Money is due to go to the Growth Board Meeting next week. It was suggested that SSPC Officers should put a project brief forward.

   **Action:** NT to put a project brief forward for the Growth Board Meeting next week.

5. **Housing Delivery Test – how was it for you?**

   MR shared that North Somerset came out at 73% in the exercise. The core strategy in 2012 was challenged and it took until 2017 to get a new number in place. This pushed the number 50% higher. Site allocations were agreed in 2018 and the level of house building is currently steady. The
The target is 1049 houses per year, the figure being 800 per year currently (73%). The JSP process will push the number up further. There are sites which have conditions to get out of the system. There are also resource issues with the DM teams. The development industry looks to ensure market prices are maintained, which often makes the process longer. They are looking to get as many consented as possible but are not pushing hard to deliver the sites they currently have. The testing relates to delivery which is not possible to control.

It was noted that Sedgemoor has moved into ‘presumption in favour of sustainable development’ (from green to red) on the predicted map. NT explained that consent for caravans has led to a substantial increase in delivery. A case will be made for Hinkley accommodation which will be development on a strategic housing site and appears to meet the definitions.

KM said that pre-RSS followed the predict and provide approach. The RSS has moved to a more urban focus, meaning that Taunton would appear to look healthier. We are currently delivering what the RSS was trying to achieve but the Government has gone back to the Somerset Structure Plan and the pre-RSS position, which is seen to be better than the urban focus.

NT added that completions should reflect data submitted for the test and should also be used for the 5-year supply. JW suggested separating out the data, for example to have a separate table for older people’s dwelling which would not be counted in the supply. Others stated it had been added in but kept separate.

It was noted that it is difficult to predict delivery year on year as it is dependent on local housing market which is not stable and may change in 2020 and also on the state of the economy. All agreed that monitoring should be tightened up in order to flag any concerns.

LM asked about annual monitoring reports as she has been pulling together housing delivery figures to provide a Somerset total which is feeding into the Somerset Housing Strategy. This data set is to be maintained and LM asked if there will be an increase in delivery due to the test. NT said that completions should be recorded consistently. For the 2018 test there may be an additional figure and it is important to outline how this is made up, as per the data submitted, whether this be communal accommodation, student accommodation or caravans etc. LM said that she goes directly to the Monitoring Officers rather than using figures on the Government website.


Climate Emergencies have been declared – those referred to were Somerset County, Sedgemoor and Mendip areas. LM added that Cornwall has developed a Green Economic Development Strategy which would be worth looking at.

NT said that item 6 would be postponed until the next meeting. The County group will be meeting for the first time in May.

Action: RT to include item 6 on next meeting’s agenda.

7. Local Plan and Duty to Cooperate Updates (including Marine Management Plan) & Neighbourhood Plans

SDC: NT shared that the JR period ends soon – within 10 days. The plan was adopted in February. Other documents to support implementation will now be the focus. The review process will also be starting soon. Neighbourhood plans to be included with local plans in the development plan. Three plans have been made. One plan will go to referendum on 2nd May for
Wedmore and one is being examined. A Monitoring Research Officer is currently supporting work on neighbourhood plans. David Clews (DC) asked about the local plan review. Previously the guidance stated that a new plan had to be adopted within 5 years of the previous one. The new guidance seems to suggest the review should be completed within 5 years of adoption and then it should be decided if a new plan is to be adopted. Dave Baxter (DB) said the review is a trigger to start a new one if needed. LM said that there is a need to now publish the decision from the review process. NT added it is important to review early.

MMO: AW shared that the Southwest Marine Plan engagement on policy was closed yesterday. There are 2,000 responses to go through next week. The official consultation draft plan is on track and will be available in the autumn, ready for adoption next year. Targeted engagement may take place over the summer.

SWT: KM shared that the new name as of yesterday is Somerset West and Taunton. The LDS is currently being prepared for the new council area and will be signed off after the elections with options later in the year. A few neighbourhood plans are being prepared, all around strategic sites.

ENPA: DC shared that Exmoor haven’t updated the LDS since adoption of local plan in 2017. There is a discussion needed regarding the work programme evidence base renewal and how much of the local plan needs reviewing. The current evidence base is getting dated. Resources need to be looked into. One team member has been on long-term sick leave, another one is on secondment. The AMR also needs to be done. There are currently no neighbourhood plans. Lynton and Lynmouth plans may need to be reviewed. There is a consultation on a supplementary planning document on rural workers’ dwellings which will go out to consultation in the summer.

SSDC: JW shared that consultation is currently taking place on the local plan review. Preferred options are due to go to consultation in June. Work is also ongoing towards publication of the LDS in 2020 or later. There are neighbourhood plans for Wincanton, South Petherton and East Coker. The Ansford and Castle Cary plan is at examination. Ilminster, and Martock plans are ongoing. Ilminster got designated a while ago. Martha Coville is currently working as a consultant in this area (she has also completed work in the Bournemouth/Poole area). There are concerns that the community won’t want to follow what has come out of the preferred options. Engagement will continue.

Woe: MR shared that the JSP is at examination. The hearings for strategic issues are due to start in July. The inspector’s timetable and issues are expected in the next couple of weeks. Strategic development location sites will follow in September/October time. The North Somerset local plan draft for consultation will be available next year. The JSP has been submitted on the basis of 2012 NDPF and housing requirements based on the SHMA, not the standard methodology or new delivery tests which is causing confusion. This raises the question of the new local plans – will they be based on the new rules? Three neighbourhood plans have been made – one is going to referendum in a couple of weeks’ time and one is at examination – more positive development. Strategic policies are about to change which will supersede the neighbourhood plans. How this is communicated to local communities is difficult. NT said that some time is spent looking at what local communities want to achieve and assessing if a neighbourhood plan is the right thing.

MDC: AS shared that part 2 site allocation will be at examination during the last 2 weeks of July. The inspector has issued some questions including regarding the green belt and some criticisms regarding the plan. The part 1 plan is in year 5 so there will need to be a review after the hearing. A new Local Development Scheme is to be set up in the autumn. Neighbourhood plans have been developed for Frome and Rode. The Norton St Phillip plan is going to examination,
for which an inspector will be appointed. The Glastonbury plan is underway. There is the potential for Street and some designated areas. A new Local Development Scheme will be prepared. The council is putting money into longer term growth studies include rail access to Shepton. Discussions are taking place with BANES regarding the JSP, due to an issue with Duty to Co-operate on their local plan.

SCC: LM shared that the Waste Core Strategy evidence is being updated. Consultants are putting together a Waste Needs Assessment. This is a work in progress. Lack of resources are not helping progress currently. Cross boundary movements are to be looked at. There is interest informally in the team in waste catchments -movement of waste potentially increasing up and down the M5 corridor. Work is ongoing in this area. Duty to Cooperate discussions will be needed working with key authorities where movements of waste are out of county or waste coming into Somerset. Core strategy was adopted in 2013. Once the evidence base is complete the review can be published, and a decision made on whether to go for a partial review of the plan or not will be made.

The Minerals Plan was adopted in 2015. There is a 5-year cycle, so a review is needed. There hasn’t been any progress on this due to low resources within the team.

8. Housing update – including Housing Strategy – Dave Baxter
DB outlined the key dates outlined in the presentation. The recent workshop looked at the action plan which follows the adopted strategy which will feed into District Action Plans. The Strategy included three themes – economy, health and society and a fourth theme of leadership. There has been a joint bid for the rough sleeping fund. Research is being made into joint bids around infrastructure, help to buy, loan funding for developers and land acquisition. Accelerated construction is being looked into with conversations around offsite construction and commitment to partnership – SSPC to be included in this.

- Housing and Economy – top priority was adopted local plans and 5-year land supply.
- Housing and health - introduction to Health Impact Assessments a County Policy – guidance. This ensures negative actions or developments are addressed. It fits with the NPPF Sustainable Construction idea and the opportunity to create health and wellbeing aspects of development.
- Housing and Society – Homelessness Strategy Review, rough sleeping, accessing affordable housing and maintaining accommodation.

Issues and Solutions were outlined in the presentation which will be circulated following the meeting. NT said that Health Impact Assessments have been discussed. It is important to make sure issues are addressed, including walking, cycling, access to facilities and health care provision on site. Large developments have environmental statements, so there may not be the need for further assessments. It is important to address any gaps.

The presentation will be useful for local plans and neighbourhood plans. Neighbourhoods need to address these issues for the benefit of the community.

Action: RT to circulate the presentation.

9. LEP Joint Committee – including Somerset Combined Housing Ask

The Somerset Combined Housing Ask document was circulated prior to the meeting. This needed to be put together in order to match the document Devon had produced.

LM said that housing figures in the growth plan didn’t match the local plan figure, making the monitoring process difficult. It would be helpful to keep combined figures going as figures are not usually on a Somerset basis.

Action: AS to check with Tracey Aarons regarding progress on this piece of work.

10. Update of SCC Structures etc

LM said a recruitment process took place for a combined Planning Service Manager doing DM and Policy brought together as one team. This post is still
Principle Planning Officer position in Policy and in DM. The DM post has been filled – the appointee should be starting at the end of the month.

Principle Policy Officer post is still vacant.

There are two vacant senior posts in Planning Control. In the interim DCC is providing ongoing support for Planning Control/DM function.

LM is the only person working within the Planning Policy area. LM said she is behind on district consultations and applications are building up. Officers were asked to chase any work which hasn’t been completed. The Waste Need Assessment needs to be progressed to keep the evidence base current. Latest EA figures are being used – the data set was published in December. The next data set will be published later in the year. Cross boundary movements of waste work will then need to be worked on and fed back into the Waste Needs Assessment work.

The Service Manager and Principle Policy Officer posts are being advertised again.

11. Latest Government Consultations/Publications
   Update to NPPF – deliverable sites/HRA

   National Infrastructure Commission AMR 2019 – quite a few changes to the practice guidance and information relating to schools. Included is a section looking at how developers should be paying for schools.

   LM shared that before Christmas the national search for a site for geological disposal facilities went live and alongside this a consultation closing soon regarding RWM Group and how these sites would be evaluated. There have been workshops around the country around promoting the new approach. Community Partnership Forums will be set up and local authorities may wish to participate. LM is preparing a briefing note for members which she will also share with the group. RWM want to talk to any interested parties and a forum will be set up for this process. This is likely to be a 15-year process.
# MDC/SCC Education Infrastructure Liaison Meeting

**27th September 2018**

## Notes from meeting

### Attendees:
Andre Sestini, Frances Gully, Mike Keal.

### Apologies:
Liz Smith, Helen Vittery, Helen Waring, Charlie Field.

## Agenda Items

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### Actions from last meeting

**None.**

### Current Projects

None.

### Future Developments

#### Shepton Mallet
- Outline application has been submitted, but the developer has suggested that they wish to submit a viability report.
- School is in an acceptable space.
- The preference of SCC is that the developer delivers the school. Frances has responded to the Duchy with this view. It was requested that Andre mentions this wish to the developer when the opportunity arises.

**ACTION:**
- None.

#### Frome (Southfield)
- Persimmon scheme – 450 dwellings. Three phases, first one built. Houses are being produced and occupied quickly.
- School likely to be needed 2022/23.
- SCC would be looking for contributions for developments in the Frome area.
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**Wells**
- First site developed by Bovis – 203 dwellings + school site.
- Second site being developed by DWH.
- Third site developed by Persimmon - 220 dwellings.
- Additional land is being promoted in the local plan.

**Street**
- View is that the Clarks land is some time away – c5 years.
- There remains a great deal of master planning.
- 200 homes in Street would provide SCC with problems, meaning SCC would require a school site as part of any significant development. This requirement is in the adopted plan.
- SCC would require contributions for all developments in this area.

**General**
- Andre has provided Helen with the 5 year supply.
- Most of the growth within Mendip is going into the major towns.

**ACTION:**
- None.

**AOB**

**Pupil Yield**
- SCC review of the pupil yield is complete.
- Current formula is 30 pupils for 150 dwellings.
- Agreed new yield is 32 primary pupils and 14 secondary pupils for every 100 dwellings.
- We have also reviewed our cost of place build based on average cost of build from Sept 2016 to Sept 2018. Primary = £17,074, Secondary = £24,861.
- The DfE have recommended that the development contribution should match the actual cost of delivery, rather than using the old cost multipliers.

**ACTION:**
- None
### Pack Saddle Way
- Andre asked if we were looking to hold this site for education, or whether we might have any interest in disposing of this land, potentially for housing.

**ACTION:**
- Liz and Charlie to consider whether the site at Pack Saddle Way will be held for education or if there are plans to disposal.

### Selwood Garden Village
- Andre shared that there are very early plans by a local land agent to develop a large area of housing (2000) on the outskirt of Frome. However, Mendip DC are not planning to put this into their plan at this time.

### Midsomer Norton and Radstock
- Speculative application for houses and a free school. Since then Baines allocated a site to include the free school. Although this is a Baines school, the catchment may include some villages in North Mendip.
MENDIP LOCAL PLAN PART 2 EXAMINATION

Statement of Common Ground: Matter 1 – Duty to Co-operate

Mendip District Council and Wiltshire Council

1 Introduction

1.1 The purpose of this statement is to inform the Inspector and other parties about areas of agreement with relevant neighbouring planning authorities in respect of the Duty to Co-operate in preparing Local Plan Part 2. This statement sets out confirmed points of agreement between Mendip District Council and Wiltshire Council in the period since Local Plan Part 1 was adopted.

1.2 This statement should be read in conjunction with the Duty to Co-operate statement submitted with Local Plan Part 2 (document SD7).

2 Background

2.1 Local Plan Part 2 is a non-strategic plan which follows the Mendip Local Plan Part 1 (2006 – 2029) adopted in December 2014. Local Plan Part 1 sets a minimum requirement of 9,635 homes to be delivered over this period across the district. Housing growth is largely directed to the five main towns in the district.

2.2 Local Plan Part 2 allocates additional housing and employment sites in line with the Part 1 spatial strategy. The submitted Local Plan Part 2 with Proposed Changes identifies sites which result in an uplift of 14% across the district from the adopted Part 1 requirement.

2.3 No sites are identified which lie adjacent to the boundary of Wiltshire Council or are extensions of settlements in Wiltshire. The nearest main town to Wiltshire is Frome where Local Plan Part 2 proposes an uplift in Part 1 from 2,300 to 2,810 dwellings.

2.4 Consultations on the Part 2 plan were undertaken at issues and options (2015), on the Pre-submission Plan (2018) and on Proposed Changes Plan (2019).

3 Agreed Matters

3.1 It is agreed that the proposals in Local Plan Part 2 do not raise issues of strategic significance between Wiltshire Council and Mendip District Council.

3.2 Both parties confirm that no new strategic matters have arisen since the adoption of Local Plan Part 1.

3.3 Both parties agree that there has been no requirement for specific meetings in relation to the preparation of the Mendip Local Plan Part 2.

3.4 Wiltshire Council confirm that it has been notified and consulted as a neighbouring local authority during the preparation of the Mendip Local Plan Part 2 and not found it necessary to submit formal comments (as set out in SD7).

3.5 Both Mendip and Wiltshire Council agree their housing requirements can be accommodated within their respective districts (as previously agreed within strategic development plan documents).
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<td>Andre Sestini</td>
<td>Signature</td>
<td>1st August 2019</td>
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<tr>
<td>Principal Planning Officer</td>
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<td>Mendip District Council</td>
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<tr>
<th>Name and position</th>
<th>Signature</th>
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<tr>
<td>Georgina Clampitt-Dix</td>
<td>Signature</td>
<td>1 August 2019</td>
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<tr>
<td>Head of Spatial Planning</td>
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<td>Wiltshire Council</td>
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Appendix 3a

Duty to Cooperate Meeting Bath and North East Somerset and Mendip Council

Date 5 July 2018

Venue: B&NES offices, Bath

Present: Andre Sestini, Principal Officer (Planning Policy), Mendip

Simon De Beer, Group Manager Planning Policy and Environment, BATHNES

Richard Daone, Planning Policy Team Manager, BATHNES

Notes of Meeting

1. JSP/Local Plan Update & issues arising

West OF England Joint Spatial Plan (JSP) DtC requirements and activity (primarily involving joint WoE UA working plus record of engagement with other adjoining authorities such as Mendip & Wiltshire) is to be set out in a note for JSP Examination Inspectors. Relationship between JSP DtC activity and respective Local Plan DtC arrangements needs to be clarified/articulated.

**ACTION:** BANES to forward to Mendip DC copy of JSP DtC activity record/note (once supplied to Inspectors)

B&NES outlined update on JSP and new Local Plan, including the scope of options stage consultation in autumn 2018, moving towards Draft Plan next year.

Mendip DC update:

- Site Allocations Plan (current LP part 2) anticipated to be submitted for Examination in October 2018
- Review of Part 1 LP (Core Strategy) likely to formally commence next year (and will combine with part 2)
- Current CS housing requirement of 420 p.a. will increase to around 600 p.a. via standard methodology (Mendip is a 40% cap authority)
- Currently Mendip have 5 YLS & anticipated this will remain the case until early 2020 (point at which CS is 5 years old)
- Will not have 5YLS post 2020 due to requirement increasing

Agreed need to set up schedule of on-going engagement conversations with Mendip DC in relation to respective Local Plans and cross boundary issues. Need to also consider whether to re-instigate tripartite meetings with Wiltshire Council (given links between the three authorities, including some Mendip towns such as Frome looking increasingly towards West Wiltshire) and whether more formal arrangements (including Members) will need to be set up.

**ACTION:** B&NES to raise with Wiltshire officers whether tripartite meetings would be useful
2. **B&NES Local Plan Options – Midsomer Norton & Radstock**

B&NES outlined emerging non-strategic growth options to be consulted on via the Local Plan, these include housing at Midsomer Norton & Radstock. There is a need to explore/consider the potential of land to the south of the towns which would lie within Mendip District. The issues involved were discussed, including likely housing land supply shortage in Mendip in around 18 months-time & related need for additional housing. B&NES will formally write to Mendip DC (AS) to request Mendip view/position in respect of such an option.

As part of the process AS will also supply maps/information on sites within Mendip District adjoining Midsomer Norton & Radstock submitted/promoted through the Mendip HELAA.

B&NES and Mendip will also continue to engage/liaise on HELAA process and site assessments moving forward. Mendip likely to publish/call for sites allied to Part 1 Plan review next year. B&NES to publish HELAA update and further call for sites alongside LP options in autumn 2018.

Through commencement of work on review of Mendip Part 1 LP there will be a need to agree/re-affirm the DtC cross boundary issues, these are likely to include:

- Housing provision
- Rail lines/network (including Mendip’s position in respect of reopening Radstock to Frome line)
- Traveller need/sites (both Mendip and B&NES to update evidence on need in light of updated definitions) (Main cross boundary relationship for Mendip in respect of travellers likely to be with Wiltshire given flows of movement)
- GI/ecology (bats)

**ACTIONS:** B&NES to write formally to Mendip regarding consideration of housing options on land to south of Midsomer Norton & Radstock in Mendip District.

*Mendip to supply maps/information for HELAA sites adjoining Midsomer Norton & Radstock.*
Appendix 3b

Mendip Response B&NES Local Plan 2016 - 2036
Options consultation (November 2018)

Mendip has the following comments and observations to make on the Options Consultation

Duty to Co-operate

Mendip Council acknowledges there have been recent discussions in relation to the Local Plan options under the Duty to Co-operate and that further liaison will be necessary as this Plan progresses. Mendip is supportive of a constructive dialogue between the two councils in an appropriative timescale. It is particularly important to avoid poorly implemented speculative development.

Chapter 1

It is noted that the options and the housing requirement remain subject to the JSP examination and that these are not yet finalised. In addition, delays in the JSP examination mean that the timing of this Plan is likely to change. The Council requests that BaNES continue to update neighbouring authorities on the progress of the JSP and its implications for timing and work on this Local Plan.

Chapter 3 – Spatial Strategy

The council notes in para 3.24 that the Banes Local Plan requirement is subject to change dependent on the outcome of the JSP examination. This means that the 700 dwellings may or may not be the final residual figure for the Local Plan to accommodate. Mendip council is concerned at the reference to ‘contingency’ planning in terms of housing numbers. It will be important to clarify how this will be approached by BaNES as the JSP progresses.

The Council is concerned at the reference to a potential need for allocations to make up a shortfall from existing identified/allocated supply or from slower progress of the strategic sites in the JSP. Mendip supports the approach in para 7.97 that brownfield and existing allocations should be explored first and that new greenfield sites should be a ‘last resort.’

The Plan indicates that non-strategic allocations will cover a range from 10 – 500 dwellings. This scale of development (particularly above 100 dwellings) will have a significant impact in a local context on highways and infrastructure. The Council notes in sections 3.9 and 3.10 that further investigation and assessment is needed to test the impacts of development options associated with SS1 and SS2. In relation to the Westfield, Midsomer Norton and Radstock, this assessment should take account of the consequential and cumulative impacts on settlements in north Mendip. Villages such as Chilcompton, Stratton on the Fosse and
Chewton Mendip also fall within BaNES Primary School and Primary Care catchments. The council notes that local school capacity is one of the key issues in determining the spatial options.

The council supports an assessment of impacts on the highway network, particularly A37, A361 and A372. It notes that an interim Somer Valley Transport study supports the options process and would welcome further dialogue on cross-boundary impacts and accessibility.

Para 3.6.8 makes reference to discussions on cross-border growth, south of Midsomer Norton. It is noted that sites in Mendip have not been identified as options in this consultation, assessed in the interim sustainability appraisal or in the Housing and Employment Land Availability Assessment. However, for the avoidance of doubt, the current adopted core strategy does not support development in this location and no allocations are proposed in Local Plan Part 2. The Council intend to submit Local Plan Part 2 under transitional regulations in January. This makes provision above adopted local plan requirements focused on the primary towns in the district and the council does not require additional locations in this area to meet its housing need. It must also be stated that the promotion of land on the edge of Midsomer Norton and Radstock is strongly opposed by the Parish Councils in this area. The Council have committed to a review of the adopted core strategy in 2019 which would be the relevant context for discussions under the duty to co-operate (DTC). In the context of DTC, consideration of development options in Mendip would require early and comprehensive engagement with the affected Mendip Parish Councils and detailed Consideration/joint working on infrastructure impacts assessments and sustainability appraisal.

Other matters

The Council notes the intention to review/revise development management policies. Some of these cross boundary implications, particularly Green Infrastructure, landscape sensitivity and wind energy policies.
Appendix 4a
Email discussions regarding exception site at Underhill Lane Midsomer Norton.

Hi Phoebe,

I can however, confirm that I am happy with the proposed mix that you provided - it fits nicely with the mini survey we undertook. Which incidentally, was fairly positive. We had around 30 or so responses, which all but 2 x households said they would consider a property in Midsomer Norton should one become available in the future. So it was encouraging.

With regards to the shared ownership restriction, Louise and I would have to discuss this in more detail so that both L/A’s are happy. But for what it’s worth, we have lifted the restriction in Mendip on certain schemes before to support the scheme and grant element. But I wouldn’t want to commit to this, without confirming with Louise first.

In the meantime, I can confirm that we’re happy in principle with the tenure and unit proposal.

I hope this provides some clarity and look forward to seeing, or discussing things with you soon.

Hi Laura,

I’m currently liaising with our Housing Options team, in the context of ascertaining housing demand for the Midsomer Norton area. We’ve just been given the go ahead to set up an advice notice on Mendip’s countywide homefinder website to gauge interest, in the first instance (related more to the Frome area) and then we should have some meaningful information.

I will keep you informed, as much as possible.

Kind regards,

Nina

From: Laura Powell [mailto:Laura.Powell@bartonwillmore.co.uk]
Sent: 14 November 2017 18:17
To: Louise Davidson <Louise_Davidson@BATHNES.GOV.UK>; Richards, Nina <Nina.Richards@mendip.gov.uk>
Subject: Underhill Lane, Midsomer Norton

Evening both

Hope you’re both well.

I just wondered if you had an update following our meeting a couple of months ago regarding an affordable mix for Underhill Lane?

Many thanks.

Regards,

Laura Powell
Hi Laura,

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I will keep you informed, as much as possible.

Kind regards,
Nina

From: Laura Powell [mailto:Laura.Powell@bartonwillmore.co.uk]
Sent: 14 November 2017 18:17
To: Louise Davidson <Louise_Davidson@BATHNES.GOV.UK>; Richards, Nina <Nina.Richards@mendip.gov.uk>
Subject: Underhill Lane, Midsomer Norton

Evening both

Hope you’re both well.

I just wondered if you had an update following our meeting a couple of months ago regarding an affordable mix for Underhill Lane?

Many thanks.

Regards,

Laura Powell
Planner
## Appendix 4b

Survey of Somerset Homefinder applicants in North Mendip to sample demand for an exception site at Underhill Lane Midsomer Norton.

<table>
<thead>
<tr>
<th>Would you be interested in living in Midsomer Norton if t...</th>
<th>Are you currently registered on the Homefinder Somerset h...</th>
<th>What is your current household bedroom need?</th>
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From: Richard Daone []
Sent: 30 July 2019 16:20
To: Sestini, Andre <
Cc: Simon De Beer <
Subject: RE: [OFFICIAL] Mendip Lp2 examination

Hi Andre
Thank you for your email and the attached documents.

As discussed in process terms it is agreed that undertaking SA of the sites adjoining Midsomer Norton & Radstock is logical in terms of addressing the Inspector’s concerns and minimising risk to the plan preparation process/legal compliance. The scope of the SCG appears to be fine in this regard and no concerns are raised at this stage. Whilst B&NES could also be one of the parties to the SCG this is not necessary given that reference is made to any consideration of allocating sites would be undertaken in close consultation with B&NES (as required by and through the DtC).

As discussed it is likely that should the process reach this point B&NES would raise objections to the allocation of sites in these locations via Mendip part 2 Local Plan. It is difficult to see what evidence is available and/or the circumstances that have changed which would now demonstrate housing on these sites would meet the spatial strategy set out in the Local Plan, part 1. Housing would meet the needs of Midsomer Norton/Radstock as part of the Bath HMA.

However, it is accepted and may be of concern to the Inspector that those promoting housing on these sites consider that they are ‘caught between two stools’ and pushed from one plan to the other. Therefore, we may need to jointly give some thought to outlining the process whereby these sites are considered i.e. through the review of the Mendip Local Plan and preparation of the B&NES Local Plan, 2016-2036. I’m not sure whether the programmes align particularly well to enable the issue to be properly considered. Please let me know if a further discussion around this would be useful.

I am also unable to locate B&NES Council comments on the Mendip part 2 Local Plan Issues & Options stage. If you can easily access a copy I would be very grateful if you would forward it to me. Thanks.

Regards
Richard Daone
Deputy Head of Planning (Policy)
Bath & North East Somerset Council
Email: