

**Mendip Local Plan Part II Limited Update  
Draft Proposed Allocations**

# **Initial Consultation Statement**

February 2024

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<b>Version</b>	<b>Purpose</b>	<b>Date</b>
1	For Regulation 18 consultation	Tbc

## Contents

Introduction.....	2
Consultation Requirements.....	3
Purpose of the Consultation.....	4
Consultation Arrangements.....	5
Consultation Documents.....	8
Consultation and Engagement to Date.....	9
Next Steps.....	11
Appendices.....	12

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# Introduction

Somerset Council agreed on 10th July 2023 to undertake a limited update of the Mendip Local Plan Part II to comply with the directions of a High Court Order. This followed a Judicial Review into the Local Plan Part II which resulted in five site allocations being deleted from the Plan. The Order requires Somerset Council to review and reconsider housing sites to provide for at least 505 dwellings. As the Council is making changes to a development plan, proposed sites are subject to a formal consultation process before submission for public examination.

This Initial Consultation Statement explains how Somerset Council will undertake the first stage of the consultation process. It will be updated before formal consultation and submission.

This statement covers:

- The legal and council standards that apply.
- The purpose of the consultation and specific issues to be addressed.
- Who, how and when we are consulting.
- What documents we are consulting on.
- Where documents will be available and how responses can be made.
- Details of consultation and engagement in preparing the proposals to date.
- Future consultation stages.

# Consultation Requirements

## Local Development Scheme

A Somerset Local Development Scheme (LDS) was approved on 4<sup>th</sup> October 2023. The LDS set out the formal planning documents that will be produced by Somerset Council and timescales for production.

The LDS sets out the scope and target timescales for the exercise, confirming the update as being limited to the re-consideration of housing allocations for 505 dwellings across the former Mendip district. It also confirms the allocations will be assessed against the adopted Mendip Local Plan strategy contained in Policies CP1 and CP2.

## National Requirements for Consultation

There are minimum requirements for public engagement which cover local development plans. These are mandated in legislation and planning regulations. Relevant legislation forms part of the Town and Country Planning Act and Planning and Compulsory Purchase Act, together with Environmental Assessment of Plans and Programmes Regulations 2004, and the Conservation of Habitats and Species Regulations. The Council aims to meet and, where appropriate, exceed these requirements.

Development Plans are subject to Strategic Environmental Assessment (SEA) in accordance with European Directive 2001/42/EC (SEA Directive) and associated Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations).

Habitat Regulations Assessment (HRA) must be undertaken in accordance with Article 6(3) of the EU Habitats Directive and with Regulation 63 of the Conservation of Habitats and Species Regulations 2017 (as amended).

## Somerset Council Requirements

Somerset Council's commitment to effective community engagement for development plans and applications is set out in its [Statement of Community Involvement](#) (SCI) 2023. The partial update of the Local Plan Part II is subject to the requirements in the SCI and the Council will need to demonstrate this at examination.

# Purpose of the Consultation

This first public consultation stage invites responses on the proposed allocations. The Council is inviting responses on the sites proposed in the document, alternative options and the Council's approach. The consultation only makes proposals in the former Mendip District (Somerset East) area.

The consultation is intended:

- to ensure that views of statutory consultees, communities and other stakeholders are captured and considered.
- to inform the final proposals for inclusion in the Local Plan Part II.
- to demonstrate that consultation has been undertaken in compliance with the Council's Statement of Community Involvement and to fulfill the legal requirements set out in planning and environmental legislation.

## Specific Issues for this Consultation

There are a number of specific issues to be taken into account:

- The scope of this review is limited to the identification of sites for the 505 dwellings, as set out in the High Court Order. Comments will therefore be sought on the proposed sites and not more widely on the Mendip Local Plans Part I and II.
- The review focuses on the Somerset East area (the former Mendip area) and not Somerset as a whole.
- In order to accord with the High Court Order, the timescale for the review and updating of the plan proposals is very limited. As such, the design of the online response form needs careful consideration in order to allow for the efficient processing of representations.
- The use of the Council's consultation software will need to be maximized to ensure the majority of responses are received via the online consultation form (held in Citizen Space). This will reduce the time required to process the responses.
- Technical terms / planning jargon and the use of acronyms will need to be explained.
- A number of the proposed sites are current planning applications. This will need to be made clear in the consultation material so that respondents understand the context of the site on which they are commenting.
- There is a need for clarification on the role of this update and the forthcoming Somerset Local Plan. It will need to be clearly set out that this work relates to the Mendip Local Plan Part II and not the emerging Somerset Local Development Plan.

# Consultation Arrangements

## Time Period for Consultation

Consultation on the proposed site allocations document will take place from late February to early April 2024. Exact dates are still to be finalised. The SCI advises that the consultation should be over a minimum of six weeks. There will be some additional days as the consultation runs over Easter Bank Holidays.

## Who are we Consulting?

The council will notify:

- 1) Specific Consultation Bodies as set out in Appendix A of the SCI. This includes town and parish councils.
- 2) Specific organisations and bodies from the groups listed as General Consultation Bodies in Appendix A of the SCI. These will be organisations and bodies with a particular interest around plan-making in the Somerset East (former Mendip) area. These will be identified from contacts which have taken part in previous Mendip Local Plan consultations.
- 3) Landowners/promoters who responded to the call for sites.

There are also specific consultees in relation to the Sustainability Appraisal and Habitat Regulations Assessment:

- The SEA Regulations require the Council as 'responsible authority' to consult specific consultation bodies (Natural England, Historic England and Environment Agency) before making a determination of whether or not a plan or programme is likely to have significant environmental effects.
- The Habitat Regulations require the Council as 'plan making authority' to consult Natural England in determining whether a plan is likely to have a significant effect on a European site or a European offshore marine site and have regard to any representations made by that body within such reasonable time as the authority specifies.

The nature of the consultation means that the Council will particularly rely on Somerset East elected members and responses from town and parish councils. The Council will not be notifying individuals who participated in the Local Plan Part II process given the length of time since this process concluded.

## Availability of Documents

Documents and guidance notes will be published on the Somerset consultation portal: [Somerset Council - Citizen Space](#).

Hard copies of the consultation documents will also be available to view at the Shape Mendip offices in Shepton Mallet. Documents can also be viewed online from other Somerset Council hub offices.

## **Publicity / Consultation Methods**

The SCI advises that a variety of methods will be used to advertise the consultation and encourage response.

This consultation will be publicised in the following ways:

- In local press covering the Somerset East (former Mendip) area
- Via the Somerset Consultation portal - [Somerset Council - Citizen Space](#)
- On the Mendip Local Plan pages - [Adopted Local Plans \(somerset.gov.uk\)](#)
- Through posts on the Somerset social media channels
- Via online briefings for stakeholders
- In the Plan-IT newsletter (see below)

Given the narrow scope of this site allocations exercise and extent of permitted sites, this consultation will not involve public meetings or in-person 'drop-in' sessions.

## **Plan-It Newsletter**

Details of this consultation will be publicised via the Plan-It Somerset newsletter. The newsletter is sent out to:

- a) individuals and organisations who have contacted the council and expressed an interest in being involved with the development of local plans and planning policy.
- b) individuals and organisations who have self-subscribed.

The online link to register for Plan-IT newsletters is <https://www.somerset.gov.uk/email-updates>.

## **Process for Responding to the Consultation**

Responses to the consultation can be made:

- Online via the response form on the Council's consultation portal - [Somerset Council - Citizen Space](#).
- By email to [planningpolicyeast@somerset.gov.uk](mailto:planningpolicyeast@somerset.gov.uk).
- By post to Planning Policy, Council Offices, Cannards Grave Road, Shepton Mallet, BA4 5BT.

Online and hard copy response forms will contain notices to ensure General Data Protection Regulations are followed. This will clarify that personal data is only required and retained

where proportionate and necessary, is only gathered where explicit consent has been provided, is kept securely, and is not disclosed to others.

### **Handling of Responses**

Response submissions will be acknowledged when submitted via the consultation portal. The Council may publish redacted submissions to the consultation, but this will only be as part of the material at Publication Stage (Regulation 19).

The Council will produce an updated consultation statement containing a summary of responses to the consultation and any revisions or actions taken as a result.

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# Consultation Documents

## Draft Site Allocations Report

The main subject of this consultation is a **Draft Site Allocations Report**. This identifies the proposed housing allocations which will count towards the 505 dwellings and outlines the process in the choice of sites.

The site allocations report is supported by a **summary of site options by settlement**. This will include maps of available land promoted in the call for sites with brief details from the sustainability appraisal and site assessments. It will be published separately as an appendix to the main consultation report.

The Council will also publish documents containing the site assessments in more detail.

## Sustainability Appraisal and Habitat Regulations Assessment

The Council is also consulting on the following:

- Sustainability Appraisal Scoping Report
- Sustainability Appraisal Report (Regulation 18) - this includes a schedule of Sustainability Assessments for individual sites as an appendix
- Habitat Regulations Assessment Report

## Supporting Documents

A number of monitoring reports are referenced in the main consultation document and will be available online:

- Statement of 5-year housing supply
- Brownfield Register 2023
- Monitoring Report 2023
- Village growth monitor

The council may also publish information on sites not confirmed as available.

## Format of the Consultation Documents

The Council have been advised by the Planning Inspectorate that it does not have to publish the whole of the Local Plan Part II each time with proposed changes. The focus of the Regulation 18 consultation is the proposed sites. The final publication document will contain more detail on the sites / allocation requirements in policy and other 'consequential' changes. The council may also highlight any minor corrections to the adopted plan at this stage.

# Consultation and Engagement to Date

## Commencement Notice for the Local Plan Part II Limited Update

Notice was given to all statutory consultees of the Council's intent to prepare an update to the Mendip Local Plan Part II. The form of the notice is shown in Appendix 1. Notices were sent out from 24<sup>th</sup> July 2024. Four responses were received - two from statutory consultees and two from Parish Councils.

## Call for Sites Exercise

A call for sites exercise, covering the Somerset East area, took place between 24<sup>th</sup> July and 4<sup>th</sup> September 2023 inviting details of land available for housing development or re-confirmation of sites previously identified through the Local Plan Part II.

This was specifically focused on landowners and development industry contacts. A list of consultees that were notified can be found in Appendix 2. The call for sites letter is shown in Appendix 3.

Publicity for the call for sites exercise was via:

- Somerset Council Local Plan pages and the Consultation Portal 'have your say'.
- A 'Somerset Matters' article in the local press (Mendip area).
- Social media channels (twitter/X).
- Officer updates to the Somerset Agents Forum and Somerset East Agents Forum.

## Responses to the Call for Sites

The Council received 141 submissions to the call for sites. The Council also identified 30 additional sites for consideration.

Submissions made to call for sites	141
Re-promoted sites	83
New sites	51
Sites in planning	30
Total candidate sites	164

## Engagement in Preparation of Proposals

An online briefing for Parish Councils was held on 26th September 2024. Copies of the slides can be found online - [Adopted Local Plans \(somerset.gov.uk\)](https://www.somerset.gov.uk).

A briefing for Somerset East division members was held in July 2024, followed by an in-person workshop and online briefing.

Internal briefings were held with Somerset Council technical officers (minerals/waste, highways, flooding, ecology) providing input to site options in the preparation of consultation reports.

#### Duty to Co-operate Meetings with Bath and North East Somerset (BaNES)

Officers have had regular meetings with neighboring planning authorities including Bath and North East Somerset (BaNES). There have been additional meetings to discuss responses to the call for sites and land promoted on their boundary. BaNES are currently commencing their own development plan review (2022-2042).

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# Next Steps

Following the Regulation 18 consultation, the Council will produce a final version of the proposed sites and changes to the Local Plan Part II (Regulation 19). This Initial Consultation Statement will also be updated with a summary of responses to the consultation and any revisions or actions taken as a result.

There will be a further six week consultation period where representations can be made. These responses, along with all the consultation documents, will be submitted to the Planning Inspectorate and considered by the Local Plan Inspector at Examination.

A summary of this timetable is set out below:

<b>MENDIP LOCAL PLAN PART II</b>	
Late February - mid April	<p><b>Consultation on Proposed Site Allocations</b> (Regulation 18)</p> <p><b>Consultation on Sustainability Appraisal Scoping Report and Sustainability Appraisal Report</b></p> <p>Supporting Documents:</p> <ul style="list-style-type: none"> <li>• Initial Consultation Statement (Regulation 18)</li> <li>• Summary of site options by settlement</li> <li>• Individual site assessments</li> </ul>
April - June 2024	<ul style="list-style-type: none"> <li>• Collation and review of responses</li> <li>• Recommendations for changes to sites in light of submissions</li> <li>• Finalising site allocations policies</li> <li>• List of other changes to Local Plan Part II</li> <li>• Updates to SA, HRA and Consultation Report</li> <li>• Updates to Policies Map</li> </ul>
Late June – early August 2024	<p><b>Final Site Allocations</b> consultation (Regulation 19)</p> <p>Consultees invited to make representations on the final site allocations report. Representations made are submitted to the Planning Inspectorate for examination.</p>
August / September 2024	Finalise representations and submission documents
By 30th September 2024	Submission to Planning Inspectorate
October 2024	Examination process starts. Appointment of Inspector. Examination dates scheduled.
Nov 2024 - Spring 2025	Examination period / Hearings (if required). Inspectors Report and adoption.

# Appendix 1: Combined Notice

## Call for Sites Consultation – Statutory Notification

**Mendip Local Plan Part II – Sites & Policies - adopted 2021 with revisions December 2022.  
Notification of policy changes to an adopted Development Plan**

Dear Sir/Madam

I am writing to notify<sup>2</sup> you that Somerset Council is commencing a limited update to the adopted Mendip Local Plan Part II (Sites and Policies) Plan. Mendip Council became part of the new Somerset Council on 1<sup>st</sup> April 2023. The Mendip Local Plan Parts I and II remain in force for the determining Planning applications former Mendip District area.

Following a statutory review (Judicial Review) judgement upheld on 16<sup>th</sup> December 2022, Mendip Council was subject to a High Court Order to strike out and re-consider five housing sites in the Part II Plan totalling just over 505 dwellings. This obligation has now passed to Somerset Council which has started work to re-assess these and alternative sites across the former Mendip District. The [remaining sites](#) and policies in the Mendip Local Plan Part II are not affected by this update.

An update to the Order was made on 14<sup>th</sup> July 2023 which sets dates by which consultation will take place on proposed housing sites and policies. These are:

- A preferred options sites consultation by 31<sup>st</sup> December [2023](#) (Regulation 18);
- Publication of proposals by 31<sup>st</sup> March 2024 (Regulation 19); and
- Submission to the Planning Inspectorate for examination by 1<sup>st</sup> July 2024.

The Council is currently inviting submissions of suitable sites or confirm/update existing available land already in our records for consideration. This will be used as evidence in the re-assessment. See [Mendip Local Plan Part 2 - Call for sites - Somerset Council - Citizen Space](#). The deadline for this Mendip call for sites survey is Monday 4<sup>th</sup> September 2023.

The call for sites is only for housing sites in the former Mendip District area and capable of delivery within the Mendip Local Plan Period to 2029. The scope of the review is defined by the High [Court](#) and it is not considered the Council will be looking to allocate more than 505 dwellings in this exercise. Existing and application sites may also count towards the 505 total. No changes to the growth targets or the adopted spatial strategy are [planned](#) and the review of site allocations will focus on the towns and primary/secondary villages identified in the Local Plan Part 1.

Information and updates on the site allocations review and legal background can be found online – see [Adopted Local Plans \(somerset.gov.uk\)](#) (select Mendip area). If you have any further enquiries or questions, please use this email address [planningpolicyeast@somerset.gov.uk](mailto:planningpolicyeast@somerset.gov.uk)

This review is separate from Somerset Council bringing forward new a development plan for the unitary authority area. This will replace the adopted plans in the former districts. Details on the timescales for the Somerset wide plan will be published later this year.

Yours sincerely

Andre Sestini

## Appendix 2: Call for Sites Consultees

<b>CALL FOR SITES - SUMMARY OF EMAIL AND WRITTEN NOTIFICATIONS</b>			
		Contacts	Date
Group	Description of Contact		
1	SHLAA Contacts with an email address	158	24.07.23
2	SHLAA contacts - private -without an email address	28	27.07.23
3	Local Planning Authority contacts	3	
4	Local Plan Part II Database - developer contacts	187	24.07.23
5	Somerset East Agents Forum	117	24.07.23
6	Somerset East Councillors - emailed 14th July and briefing 25th July		
7	Pre-application contacts	10	31.07.23
8	Towns,Parishes, Adjoining Parishes - combined notice/ link to survey	95	27.07.23
9	Statutory consultees - combined notice - link to survey	49	27.07.23
10	Others	1	
		648	

SHLAA refers to Strategic Housing Land Availability Assessment

# Appendix 3: Call for Sites Letter

## Call for Sites Consultation Letter

Dear Sir/Madam

### **MENDIP LOCAL PLAN PART 2 - CALL FOR SITES**

You are receiving this letter as you previously submitted site details to the former Mendip District Council of land available for development between 2015-2022.

This Council is now updating its information for the Mendip area and this letter contains details of how you can confirm the land is still available for development.

Please use this email: [planningpolicyeast@somerset.gov.uk](mailto:planningpolicyeast@somerset.gov.uk) if you wish to be removed from this contact list or this is no longer relevant.

### **Background**

Following a Judicial Review, five housing allocations totalling just over 505 dwellings were removed from the Mendip Local Plan Part II in December 2022. The Council is required to review and re-assess these sites and other available land district wide. Identified sites will be subject to consultation and re-submission to the Planning Inspectorate for examination.

### **Types of sites and how to submit**

The Council is inviting agents and landowners to submit suitable sites or confirm/update existing available land already in our records for consideration.

Submission of sites should be through the Somerset Council Consultation Portal which can be found [here](#). [Citizenspace - Call for Sites](#)

It should be noted that this call for sites is only for:

- (1) Housing land or mixed use sites including housing
- (2) Sites capable of housing delivery within the Mendip Local Plan Period to 2029

We are encouraging use of an interactive map which allows you to add new sites or update previous records.

### **Deadline and 2023 Somerset call for sites**

The deadline for this Mendip call for sites exercise is Monday 4<sup>th</sup> September 2023.

### **Further Information**

Additional information on the review can be found online – see [Adopted Local Plans \(somerset.gov.uk\)](#) (select Mendip area).

It is also envisaged the policy team will holding meetings with developers or promoters to discuss development proposals for this exercise.

The Council expect to publish preferred options before the end of 2023.

Please use the email address [planningpolicyeast@somerset.gov.uk](mailto:planningpolicyeast@somerset.gov.uk) if there are any technical difficulties or questions on the call for sites.

Yours sincerely

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**Andre Sestini**

Principal Planning Policy Officer  
**Somerset Council**