



Summary of representations submitted to independent examiner for the West Monkton & Cheddon Fitzpaine Neighbourhood Development Plan Review (WM&CF NDPR)

Summary

31 representations were received during the Regulation 16 period of consultation which ran from 5 November 2021 to Friday, 17 December 2021 (43 days). These were submitted in their entirety to the independent examiner in accordance with Regulation 17(d). Below is a summary of these representations.

No.	Person/Organisation	Comment
1	Environment Agency	<p>Supports the amended policy revisions especially those adapting to climate change, connecting open spaces, and creating opportunities for nature.</p> <p>Support sustainable development, in particular the encouragement of resource efficiency, waste minimisation and recycling.</p> <p>Support Policy H5: and methods to address the Climate Change emergency through water efficiency/resilience, and low carbon emissions through design and materials. We would encourage exemplar targets.</p> <p>Concept of Water Sensitive Urban Design (WSUD) is encouraged.</p> <p>Support R1: especially alongside watercourses. Inappropriate lighting can adversely affect wildlife commuting river corridors.</p>

		<p>Support R2: Encourage connectivity of green and blue spaces and dual-purpose flood attenuation.</p> <p>Support R3: directing development away from flood zones 2 and 3, encouraging natural flood management schemes – a holistic concept and most effective when not limited to individual development sites. Links to Water Sensitive Urban Design and preservation of soils.</p> <p>Support: wastewater infrastructure improvements; encourage wetlands and reed beds; requirement of planning obligations on phosphates stripping, carbon sequestration and bio-diversity net gain; support contributions for environmental gains on or off site.</p>
2	Highways England	The scale of development and associated policies proposed within the draft Neighbourhood Plan are considered unlikely to result in a severe impact on the safe and efficient operation of the strategic road network.
3	NHS Somerset	Primary Care Trusts were abolished on 31st March 2013 and superseded by Clinical Commissioning Groups (CCGs). The NHS is going through a period of change and it's likely that CCG will be abolished 31st April 2022 being replaced/and or incorporated into an Integrated Care System (ICS). Can the documents please be updated to remove reference to PCTs and include reference to Clinical Commissioning Groups or their successors.
4	A Hunt	<p>Plan is inconsistent and inaccurate and too many changes have not gone out to public consultation or scrutiny.</p> <p>Change Record Pg.3 says “crown Farms sold” is referred to as minor change, land use locally will not change. NDP Pg.19 says, “Land Use has not changed”. A significant difference. Change NDP to say “will not”.</p> <p>Housing Vision and Objectives para “In exceptional circumstances...” under change record show as minor, surely it is significant. Some wording is copied from Rural Solutions Landscape Response, this is pushing significant change through the backdoor.</p>

		<p>Revised Plan should go out to proper consultation and debate. Everything appears to be online, many pensioners are not tech savvy, public meetings need to be held where implications of NP can be explained.</p> <p>NP not fit for purpose.</p>
5	Somerset County Council	<p>Map 9 should be updated to include the recent improvements made on the A3259 corridor, and there is now a network of routes through the Monkton Heathfield area and along the A38 relief road.</p> <p>T1 – Add reference to: the recently published Local Cycling and Walking Infrastructure Plan (LCWIP) for Taunton; Local Transport Note 1/20 also now provides guidance on the design of cycle infrastructure.</p> <p>TA1 – for context support of development of bus infrastructure would benefit from reference to the Bus Service Improvement Plan (BSIP) for the county.</p>
6	Gladman	<p>In general support of the Policy Intentions.</p> <p>H1 – as stated in previous consultation on the plan, whilst recognising the issue of an ageing population the policy would apply to all residential developments across the neighbourhood plan area. Gladman are pleased to note that compliance with this policy is subject to viability and a demonstrated need, however we consider the policy is far too prescriptive in requiring housing for older people to be provided at specific storey heights. This is not a reasonable requirement of any development nor is it reflective of the market realities of providing accommodation for older people, which is generally provided at a higher density than that suggested by the policy. This is considered to be an unsubstantiated design requirement which does not conform with the NPPF (see, for instance, paragraph 60).</p> <p>WMCFNP must be consistent with national planning policy and the need to take account of up-to-date housing needs evidence and the direction contained in any emerging Local Plan.</p>
7	Historic England	No issues associated with the Plan upon which we wish to comment.

8	Natural England	<p>R3 - Suggested revised wording: Given the proximity of the Somerset Levels and Moors Ramsar Site, compliance with Natural England’s phosphate’s planning advice will also be required.</p> <p>Suggested revised wording: correcting reference to the SAC with On 17 August 2020 SWTC received a letter from Natural England about high levels of phosphates in the catchment of the Somerset Levels and Moors Ramsar Site.</p> <p>Support Bio-diversity Net Gain within the Plan. Please also look at NE guidance on preparing NP.</p>
9	J Scanlon	<p>Object to Housing Section - attempt to create a loop hole within the document which would enable Rural Solutions to bypass the NP intent re housing development by using the close links already established with the Country Memorial Park (referred to as a partnership by the developers). Close links have included a joint presentation, a proposed joint planning applications and country park management member in employ as project manager by developers.</p>
10	National Grid	<p>National Grid assets falling within the Neighbourhood area boundary:</p> <p>Electricity Transmission Asset: ZZ ROUTE TWR (004 - 082): 400Kv Overhead Transmission Line route: HINKLEY POINT - TAUNTON 1; and</p> <p>Gas Asset: High-Pressure Gas Pipeline.</p> <p>Please see guidance on development close to National Grid infrastructure</p>
11	N Wilson	<p>Object to para 3.i “In exceptional circumstances...” it fails to meet the established requirements for being lawful.</p> <p>It would influence determination of planning applications, it would require a S106, it would “buy a planning permission” this is not permitted. There must be more than a trivial connection between the development and the intervention or interventions which the proposed contribution will fund. Something of benefit to the local community or wider public does not in itself make that matter a material consideration for planning purposes – see</p>

		<p>Tesco Stores Ltd v Secretary of State for the Environment [1995] 2 All E.R. 636</p> <p>Aberdeen City and Shire Strategic Development Planning Authority v Elsick Developments Company Ltd [2017] P.T.S.R 1413.</p> <p>Sainsbury's Supermarkets Ltd) v Wolverhampton City Council [2011] 1 A.C. 437</p> <p>(Peter Wright) v Forest of Dean District Council [2016] J.P.L. 1235</p> <p>Newbury District Council v Secretary of State for the Environment [1981] AC 578</p> <p>The Country Park could be delivered without new homes development. The Country Park is not necessary.</p> <p>"In exceptional circumstances..." also fails Paragraph 16(d) of the NPPF requiring policies to be clearly written and unambiguous. As currently drafted, the draft objective would not be fit for purpose. This would result in the whole area becoming a developer's charter, and would be the opposite of what we need to achieve in the NP.</p> <p>Suggest para is deleted and following new policy added: "Where it has been demonstrated that there is an existing shortfall in publicly-available recreational space within the vicinity of a proposed development, such development will be required to make a proportionate contribution towards the delivery of such publicly-available recreational space. Development which is proposed within the existing countryside will not be permitted to make such a contribution, as such development would itself be unacceptable in planning terms due to its location within the open countryside."</p>
12	J Harrar	Object to para 3.i "In exceptional circumstances..." paragraph should be amended to explicitly say building in open countryside, conservation areas or existing farmland should not be catered for.
13	B Harrar	Object to para 3.i "In exceptional circumstances..." paragraph should be amended to explicitly say building in open countryside, conservation areas or existing farmland should not be catered for.

14	M Durk	<p>Object to para 3.i “In exceptional circumstances...”</p> <p>In the Summary of Significant changes and a Change Record the para is not specifically referenced. This para is a Significant/Substantial change.</p> <p>There is no consideration of its potential impact on the environment or sustainability, it appears ‘by stealth’, and potentially opens the door to developers anywhere in the NP area arguing they will improve public space, or whatever else, in return for support.</p> <p>The degree of change implicit within this paragraph (which reads like a policy) have not been explained and local people have not had a chance to consider its implications and either give support or objection.</p> <p>The Parishes have been, and continue to be, working with a developer who seeks to add housing around Cheddon Fitzpaine in ‘Green Wedge’ and Open Countryside land. The insertion of this paragraph verbatim, on the suggestion of the developer’s agents, has not been tested with local people and adds to deep suspicion. At no time since the revised draft was signed off internally (May 2021) have the Parishes made reference to the change, despite a public event with the developers and numerous Parish Council meetings and questions from parishioners</p> <p>Remove the para or hold a referendum to allow local people to make a decision on the Plan before proceeding further.</p>
15	W Hughes	<p>Object to para 3.i “In exceptional circumstances...”</p> <p>Delete the para, it encourages developers to submit applications for inappropriate and unnecessary housing for sake of country park.</p>
16	R Hughes	<p>Object to para 3.i “In exceptional circumstances...”</p> <p>Delete the para, it encourages developers to submit applications for inappropriate and unnecessary housing for sake of country park.</p>
17	C Cordrey	<p>Object to para 3.i “In exceptional circumstances...”</p>

		<p>There has been no indication of such a paragraph or intent earlier in the process and therefore parishioners have been unaware of it and may still be unaware of its inclusion.</p> <p>This para is not highlighted in the Change Record, nor identified as Significant/Substantial, nor highlighted by a change of text colour and therefore is effectively 'concealed' within unaltered text, which would readily be missed by anyone looking for the changes in this draft document.</p> <p>It is not an Objective, even though it has been included as such. It is a Policy. Policies require justification, there is none.</p> <p>This para has been included verbatim from text submitted by Rural Solutions Landscaping (RSL), on behalf of a developer, in response to the earlier consultation. The developer wants to build houses in open countryside in and outside the village of Cheddon Fitzpaine and on land adjacent to Maidenbrook Country Park, in return for benefits for the Country Park. The Parish Councils and the developer have been in negotiations for many months prior to this current draft being submitted.</p> <p>Parishioners have been given no opportunity to comment on this aspect of the Neighbourhood Plan, nor of the Parish Councils relationship with this developer in order to achieve what they erroneously perceive as 'planning gain'.</p> <p>Inclusion of this paragraph, alongside the PCs collaboration with this developer, would make it impossible for the PCs to be objective when a planning application is submitted.</p> <p>The wording of the paragraph is ambiguous 'exceptional circumstances' / 'proportionate' / 'community aspirations' are all unqualified words or terms.</p> <p>It would have wide ranging implications across the 2 parishes, opening the door for any developer proposing development on greenfield sites or open countryside. The wider ramifications across the Plan area do not appear to have been considered at all.</p>
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18	A Stickler	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>It implies support for planning permission for housing might be given if the developer offered community benefits. This might carry weight in the planning review process and could be constituted an unlawful inducement.</p> <p>This is proposed by a developer who has a vested interest in new residential development on land in Cheddon Fitzpaine near to the current Country Park and who have suggested an extension to the park including facilities such as a cafe and observatory that are totally unsuitable for the Country Park's purpose and location. The Country Park reference is irrelevant, as this land has already been acquired and is sufficient for its main intended purposes.</p> <p>This reads like a policy statement but has not been included in the policy section. Its presence in the plan could still be used as an implication of policy. Such changes should undergo considerably more scrutiny and be subject to a referendum.</p> <p>Remove the para or reword to exclude any residential development in open countryside.</p>
19	H Stickler	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>It is not clear what constitutes "exceptional circumstances" or "proportionate new housing" actually means and therefore this could be open to interpretation.</p> <p>The para may be used to give the go-ahead to future planning applications to build on open countryside within Cheddon Fitzpaine where "benefits to community" and "delivery of wider aspirations" can be argued to be in agreement with the development plan.</p>

		<p>This para has been proposed by a developer (as detailed in the list of amendments) who has a vested interest in building on open space land in Cheddon Fitzpaine and therefore stands to gain from this amendment.</p> <p>The Country Park should not be "enabled" by the development of new houses, this is not lawful. Land for the Country Park already exists.</p> <p>This para clearly supports the building of houses on open countryside which is in direct contradiction to the ethos of the Cheddon Fitzpaine Development Plan which should be to preserve the heritage status of the village.</p> <p>Remove the para or reword to exclude any residential development in open countryside and preserve Cheddon's heritage status.</p>
20	M Lown	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>This para comes from Rural Solutions, a specialist company in obtaining planning in AONB, engaged by a potential developer in the area. In Jan 2020 the PC's quoted SWT preplanning discussion 'It was felt that the Planners considering the pre-planning application advice were working to Policy, and not towards this unique opportunity'. The para 3i was inserted to try and overcome the difficulties, and ease a future planning application and loopholes.</p> <p>Cheddon is not a sustainable development. It has many listed buildings, a 13th century church and a 500 year historic link with Hestercombe. As a consequence of this on page 30 of the NP it states (page 36 of the pdf revised plan) During this period of growth, the historic settlements and surrounding countryside will be protected to maintain and enhance the locally distinctive characteristics of the area for future generations. The inclusion of the para directly contradicts this policy.</p> <p>Para should be removed or at the very least rewritten to say: "Where it has been demonstrated that there is an existing shortfall in publicly-available recreational space within the vicinity of a proposed development, such development will be required to make a proportionate contribution towards the delivery of such publicly-available recreational space. Development which is</p>

		proposed within the existing countryside will not be permitted to make such a contribution, as such development would itself be unacceptable in planning terms due to its location within the open countryside."
21	E Lown	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>This is wholly inappropriate and ambiguous. What is proportionate? Who decides?</p> <p>It directly contradicts the paragraph on the previous page which states, (in bold type) " During this period of growth, the historic settlements and surrounding countryside will be protected to maintain and enhance the locally distinctive characteristics of the area for future generations".</p> <p>This para is perceived to have been added by a developer in an attempt to insert a loophole into the plan to help facilitate a forthcoming application.</p> <p>Para should be removed</p>
22	R Burnett	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>Para suggested by Rural Solutions, a specialist company in obtaining planning in AONB, engaged by a potential developer in the area. Para is inappropriate. Cheddon is one of the historic settlements which on P36 of the NP (Vision and Objectives Section) states during periods of growth, the historic settlements and surrounding countryside will be protected to maintain and enhance the locally distinctive characteristics of the area for future generations.</p> <p>Remove the para</p>
23	N Reece	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>Para is wording suggested by Rural Solutions.</p> <p>The Country Park is an amazing resource but its unethical for its expansion to be a bargaining tool.</p>

		<p>Cheddon Fitzpaine and West Monkton are both historic villages and for that reason are both conservation areas The Parish Councils have stated in their policies these villages and the open countryside around them should be protected.</p> <p>Para wording is open to interpretation what are 'exceptional circumstances? What constitutes 'proportionate new housing?</p> <p>Remove para</p>
24	C Wilson	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>This allows housing in otherwise protected areas. Such development not normally supported/allowed – e.g. building in open countryside, major development in conservation area, bypassing settlement limits and sizes rules.</p> <p>Para drafted by major developer who proposes quadrupling size of Cheddon with nearly 100 new homes on land currently protected, being designated open countryside, farm land, or a conservation area.</p> <p>Para gives validity to avoid and bypass normal, well drafted and supported rules, to fit their development plans.</p> <p>Remove para or clarify "Such development will not be considered if it involves any new housing in either Conservation Areas or areas currently designated as open countryside or farmland, or that contravenes existing rules regarding existing settlement sizes and limits."</p>
25	D Spencer	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>Para suggests that should potential developers provide funding or direct support for facilities like Maidenbrook Country park then they can demonstrate 'exceptional circumstances' and build on green belt land with little or no planning considerations. the development of public facilities and open spaces like the country park are vital, but should not in any way be linked to further property development that is not warranted or needed.</p>

		Remove the para, any connection between support for public open spaces and recreational spaces like the country park should not be a method of overriding wider planning considerations, particularly that may impact on green belt land which should be protected.
26	P Spencer	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>Para suggests that should potential developers provide funding or direct support for facilities like Maidenbrook Country park then they can demonstrate 'exceptional circumstances' and build on green belt land with little or no planning considerations. the development of public facilities and open spaces like the country park are vital, but should not in any way be linked to further property development that is not warranted or needed.</p> <p>Remove the para, any connection between support for public open spaces and recreational spaces like the country park should not be a method of overriding wider planning considerations, particularly that may impact on green belt land which should be protected.</p>
27	Marine Management Organisation	No further comment is required from the MMO because you are not within marine remit.
28	CPRE Somerset	<p>Object to para 3.i "In exceptional circumstances..."</p> <p>The Trustees of CPRE Somerset are opposed to development within the rural setting of Cheddon Fitzpaine's conservation area beyond the settlement boundary. Brochures have recently been circulated in Cheddon Fitzpaine by a Swiss based company 'Somerset Global Investments' and its agent 'Rural Solutions Ltd' proposing such harmful development in exchange for land to enable an extension of the country park.</p> <p>CPRE does not agree that an extension of the country park would constitute 'exceptional circumstances' which would justify development within the setting of the CF conservation area. The brochure circulated by Somerset Global Investments is entitled 'Maidenbrook Country Park and Glebe Farm'. It indicates that some land from the farm would be donated to extend the country park, as part of a scheme to build 4 'rural housing schemes' in locations adjacent to or within the near vicinity of the conservation area (see p.25 of the brochure showing a satellite</p>

		<p>image of the village with the schemes super-imposed). We understand from residents that the agent Rural Solutions Ltd proposed the wording of the new paragraph.</p> <p>This proposed para is vaguely worded and does not add anything of substance to the document as a whole. Furthermore, it could be interpreted as a way to undermine the commitment, expressed elsewhere in the Visions and Objectives section of the document, to protect the historic settlements.</p> <p>We respectfully request that it should be removed.</p>
29	T Walker	<p>Object to para 3.i “In exceptional circumstances...”</p> <p>The inclusion would allow potential developers to use the wording in the NP to say their plans for housing on the site are exceptional and should be granted.</p> <p>Remove para or amend to say “building in open countryside, conservation areas or existing farmland should not be catered for by this para”</p>
30	P Walker	<p>Object to para 3.i “In exceptional circumstances...”</p> <p>This para was included after consultation with Rural Solutions, specialists in obtaining planning permission in AONB and who are engaged by potential developer in area, could lead to developer saying their plans for housing on the site are exceptional and should be granted.</p> <p>Remove para or amend to say “building in open countryside, conservation areas or existing farmland should not be catered for by this para”</p>
31	SWT Council	<p>General: The NPPF and PPG get revised at intervals and it’s not uncommon for changes to paras and references between various stages of the neighbourhood plan process. All references will need to be updated before the Plan is Made.</p> <p>Policies: H1: Support. Policy amended to include supported-living accommodation for older persons. This in keeping with TDBC CS Policy CP4 which seeks a range of housing tenues to meet identified</p>

		<p>need. The latest SWT Local Housing Needs Assessment, by Opinion Research Services, published in August 2021, identified that the only age range that will increase will be those over 65, and within that category those over 85 years of age will more than double by 2040. The c.85% of households over 65 are single or couples without children, and 80% of single person households are those over the age of 85. In addition to an increase in 1 and 2 bed households, partly to accommodate a growing elderly population who wish to stay in private or affordable homes, the LHNS identified that the District will be require an additional 3,705 units of Specialist Older Persons housing by 2040. We support that H1 is subject to a viability assessment.</p> <p>H2: Support the principal. Policy amended to include reference to energy efficient and climate resilient design and materials, whilst retaining original reference to locally distinctive materials. High quality design which appropriately responds to the distinctive local context whilst delivering modern, energy efficient and climate resilient design reflects NPPF (July 2021) para 126 “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve... and para 153 “Plans should take a proactive approach to mitigating and adapting to climate change...Policies should support appropriate measures to ensure the future resilience of communities...” and para 154. “New development should be planned for in ways that...can help to reduce greenhouse gas emissions, such as through its location, orientation and design...” It is also in conformity with SWT Climate Positive Planning Interim Statement and TDBC Core Strategy Policy DM5, which requires “all development, including extensions and conversions, to incorporate sustainable design features to reduce their impact on the environment, mitigate and adapt to climate change, and particularly help deliver reduction in CO2 and other greenhouse gas emissions.</p> <p>H3: Support. Amended to reference current Somerset Waste Partnership recycling practices.</p> <p>H4: Support the principal. Policy amended to expand information on viability assessments and self-build. Statement “viability assessments are only carried out on schemes where less than the policy requirement of 25% affordable housing...is being delivered” reflects current practice SWT and policy which may be subject to change in the future. It may be more appropriate to move that sentence to the supporting text, so that if SWT practice changes (either in terms of percentage of affordable housing required or when we require viability assessments 4 are</p>
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	<p>needed) NP Policy H4 does not risk being out-of-date. Support inclusion of encouraging developers to provide market self-build plots within a development. The SWT Register of Interest for Self-Build and Custom-Housebuilding shows that there is a small need for such residential development within the NP Area. However, SWT is aware that the Register may not fully reflect the latent demand for Self-Build and there may be other persons and groups looking to undertake such a project. In December 2021 a new tenure of Affordable Housing came into being, First Homes. Introduced by Ministerial Statement on 24 May 2021, as of 28 Dec 2021 it required a minimum of the first 25% of affordable housing units to be discount market properties. After this the affordable mix should be as set out in the LPA's DPD (TDBC CS Policy CP4 60% social 40% intermediate). The NP policy asks for 80%/20% split "where there is evidence to support this". In line with PPG Paragraph: 018 Reference ID: 70-018- 20210524 the NP policy does not have to reflect first home because it reached publication stage (Reg14) before 28 June 2021 and subsequently submitted for examination (Reg15) before 28 December 2021. The Parish Councils should note however that First Homes will still apply in the NP Area but will not be a requirement of Rural Exceptions Sites. The NP policy could therefore still be achieved on Rural Exception sites, and for other development sites there would be 25% First Homes and then the possibility of the remainder being Social Rent or the remaining 75% of affordable housing mix being achieving 80% Social Rent 20% Intermediate, subject to viability.</p> <p>H5: Support the principal. Policy builds on general principles of TDBC CS DM5 to deliver significant carbon reductions from new developments and for the urban extensions (now garden communities) to meet higher carbon reduction standards. Note inclusion of the line "...having regard to viability and feasibility: development should consider..." in the second paragraph which allows for applicants to demonstrate why it would not be appropriate to apply this policy.</p> <p>Suggest first paragraph could be clearer. Perhaps "New development, including extensions and restorations, should include appropriate measures, through both design and materials, that address the climate change emergency. [footnote that SCC, SWT have declared a Climate Emergency and the two Parishes support measures to address the Climate Emergency] Development should provide information on performance and certification of energy efficient measures used. Proposals that are highly efficient and those which move towards zero carbon emission buildings will be supported". SWT appreciates that for a policy to be most effective it</p>
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	<p>should be specific. However, in the detailed wording the policy needs to be mindful of matters outside the remit of planning and advice issued by the Secretary of State. In this instance we suggest reference to the Building Regs documents G and L should be in the supporting text and not the policy. Text stating “in line with the NPPF and DM5” is implicit by the fact that the NP should be read in the context of those documents and be broadly in conformity with them, so it doesn’t need to be explicitly stated in the Policy. It also risks the NP Policy being out-of-date when SWT sets our standards in a new Local Plan.</p> <p>The policy is looking to respond to NPPF (July 2021) para 148, para 153, para 154, para 157 and para 170. It attempts to reflect SWT Climate Positive Planning Interim Statement which supports TDBC Core Strategy Policies CP1, CP8 and DM5. It also links to measures required to address the unfavourable condition of the Somerset Levels and Moors Ramsar Site (Natural England Letter to SWT 17 August 2020) which requires consideration of phosphate impact of development within the catchment of the River Tone as part of the determination of planning applications, and development nutrient neutrality to protect the ecology of the Ramsar Site.</p> <p>The Policy seeks to respond to The Somerset Climate Emergency Strategy (SCES) and SWT’s CNCR Action Plan which identify the importance and scale of the issue relating to the retrofit of existing buildings across the district as part of targets to achieve carbon neutrality. There are limited opportunities for the Council to influence the improvement of existing buildings, but planning applications for the conversion or extension of them is one. The SCES and CNCR Action Plan identify projected local risks associated with climate change including that of drought and water stress. The Policy reflects The Somerset Parking Strategy 2013 which expects: All new dwellings to include a 16 amp electric vehicle charging point, in garages or car ports or through shared charge points; and All new non-residential developments (50+ car parking spaces), to include 16 amp electric vehicle charging points in 2% of spaces (rounding down). The Somerset Councils have developed a Somerset EV Charging Strategy.</p> <p>T1: Support the principal. Policy amended to reference an integrated cycle and footpath network (including those along the waterways) within new development and which is mindful of key designations in the wider NP Area as well as linkages into the existing and future planned</p>
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		<p>networks; and the facilities needed to support this. However, may not meet the Basic Conditions as currently drafted.</p> <p>Policy conforms with NPPF (July 2021) para 150 and Annex 2 Glossary, links with the Taunton Cycling Walking Infrastructure Plan and SCC Future Transport Plan and Central Government guidance Manual for Streets II (2010), TDBC CS Policy CP8 and SS1.</p> <p>Policies should pass the test of reasonableness (NPPF (July 2021) para 50). The additional sentence "...in place before or soonest after first occupancy in the case of new developments." may not be feasible on major development or allocations, for example where the site is built-out over a long period of time and occupancy of early phases may begin long before the entire development is completed. Policies must not place an unjustifiable and disproportionate financial burden on development. SWT therefore suggest that the Policy may need to include a sentence that recognises this, for example: "...at the earliest opportunity..." or "...where feasible..."</p> <p>E1: Support. Updated to reflect national policy changes.</p> <p>E3: Understand desire for this policy but may not meet the Basic Conditions as currently drafted. Influenced by a decision by the then TDBC to release some of the employment land within the TDBC CS allocation SS1, land south of Manor Farm, Langaller, for residential use.</p> <p>The text: loss of employment land "...will not normally be supported unless..." the additional text "...where practicable an equivalent area could be relocated..." may be seen as an example of where the NP would support the loss of employment land or buildings. However, it could also be read as a requirement. If a requirement the text "...If purely due to location, where practicable an equivalent area of similar use employment land could be relocated within the NP area..." could be seen as onerous and may make a development, particularly small-scale development, unviable. Policies cannot place an unjustifiable and disproportionate financial burden on development, if it did it would fail the test of reasonableness under (NPPF (July 2021) para 50).</p> <p>suggest that the policy also needs to be mindful that circumstances change and therefore an element of flexibility is required. The Employment Retail and Leisure Study (October 2018)</p>
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		<p>identified that overall there was a surplus of identified employment land, but also highlighted that there is an ongoing demand for smaller scale employment sites aimed at the local market. A new SWT 9 Economic Needs Assessment (May 2021) was commissioned to inform decision making and plan making with regard to the type, scale and mix of employment sites and premises needed to accommodate the net changes in the economy going forward.</p> <p>TDBC CS Policy CP2 states that loss of employment will not be permitted unless the overall benefit of the proposal outweighs the disadvantages of the loss of employment or potential employment on the site. Evidence is required that the employment use or land allocation was no longer appropriate or required for other employment generating uses before being released for non-employment generating uses, but not replacement provision. SADMP Policy EC1 provides flexibility to allow some other types of employment generating uses in existing employment areas, these may not be the traditional employment use classifications (for example: C2A Secure Residential Institution). Within the Monkton Heathfield Garden Town development (strategic allocation TDBC CS Policy SS1) land swaps could occur that, overall, would still provide the same quantum of overall land uses; subject to that employment use or new employment generating uses being required. The NP policy could support a land swap where a more appropriate location is identified for employment and where evidence supports this.</p> <p>E5: Support. Reflects TDBC CS Policy DM1 and is consistent with NPPF (July 2021) para 144.</p> <p>R2: Support. Reflects the Original Made NP Objective, which is carried forward in this Revised NP. The additional text in bullet point 1 and 3 adds examples of ways green space can be interconnected and provide net biodiversity gains.</p> <p>In conformity with the NPPF (July 2021) para 98, para 174 d), para 180 and reflects TDBC CS CP8.</p> <p>R3: Support in principle. Additional text reflects TSFAIS, advice received from Natural England on effects of eutrophication caused by excessive phosphates on Levels & Moors Ramsar, NPPF para 120 and TDBC CS CP8.</p>
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		<p>Expansion of the types of “soft” or natural flood management solutions, and statement that they would be preferred, builds on examples listed in the Original Made NP. Text about ownership and maintenance reflects the current published West of England SUD’s Guidance and develops from SCC’s Taunton Surface Water Management Plan, 2013 and the emerging Design and Construction Guidance and Wessex Water SUD’s Adoption Guidance.</p> <p>The inclusion of “...residential extensions/renovations...” is implicit in the Original Made NP, compliant with the statutory definition of ‘development’ which is set out in section 55 of the Town and Country Planning Act 1990. Addition text clarifies that residential extensions and renovations (where they meet the S55 of the TCPA 1990 definition and therefore require planning permission) are included under “New residential...developments” in the Original Made NP policy text.</p> <p>For consistency across the NP Policies SWT suggest any “ref” should appear as a footnote to the Policy or be explained in the supporting text (i.e. “ref leaky damb...FWAG at Allens Brook”, “ref. www.susdrain.org”).</p> <p>SWT suggest that the first sentence is a statement about what the policy is seeking to do and therefore should go in the supporting text.</p> <p>R4: Support. Additional text clarifies types of recreational and community facilities that development could support and improve. In conformity with NPPF (July 2021) para 98, Annex 2 Glossary, and reflects TDBC CS CP5, C2 and SADMP ENV5.</p> <p>R5: Support. Takes account of changes to designation status and ownership of LGS. Would benefit from clarification of how new LGS meet definition of NPPF (July 2021) para 102.</p> <p>R6: Support in principle. Responds to NPPF (July 2021) para 131, para 180, and links to TDBC CS CP8 and SADMP ENV1. However, word plentiful is vague and it should be born in mind that the number of trees would depend on factors such as the location, size of the development and site constraints (location for overhead cables, underground services, etc) which is referenced under some of the bullet points along with caveats of “equivalent replacement”, “like for like” and</p>
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		<p>“appropriate to the location and context”. The policy, as currently worded, includes a ratio for replacement trees of 3 to 1 however, this is a transposing error as the policy is quoting TDBC SADMP ENV2 which requires “...Adequate provision must be made to compensate for this loss...” it does not specify a specific ratio.</p>
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01 August 2022