

South Petherton Neighbourhood Plan Submission

South Somerset District Council Comments

Spatial Policy Team: November 2017

Section/ Page/ Policy	SSDC Comments
Neighbourhood Plan	
General	For clarity and for the purposes of referencing, it would be really helpful to have the paragraphs numbered please.
Page 19, second bullet	The up-dated Authority Monitoring Report 2017 was published in October 2017.
Policies NE1 and NE2	<p>South Petherton is designated a 'Rural Centre' in the Local Plan, where provision for development will be made that meets local housing need, extends local services and supports economic activity appropriate to the scale of the settlement. It has an important role within its wider rural hinterland, serving a number of surrounding hamlets; and has been previously been comparatively successful in attracting new housing development. A relatively large amount of new employment floorspace has also been provided, albeit mostly at Lopen Head a short distance to the southwest. It appears to have a buoyant village centre with a wide range of independent shops and services; together with a good range of community facilities.</p> <p>The District Council is presently unable to demonstrate a five year housing land supply and can only show 4.2 years supply; and the amount of new housing built in the larger towns has, in many instances, fallen short of that sought by the Local Plan. South Petherton could be an important settlement for the delivery of housing in the future and it would not be appropriate to restrict this as set out by these Neighbourhood Plan policies.</p>
Policy NE2 ii	The rate of build-out of any development is not within the control of the District or Parish Council, being in the hands of the developer. Neither does it necessarily bear any relationship to the scale of development granted planning permission. The Parish Council acknowledge that larger scale developments designed correctly could have as little impact on the settlement as something 'small scale'. The policy could not be implemented and it is suggested that this part is deleted.
Policy NE2 iii	There appears to be little evidence or definition of what constitutes "up-to-date local needs". Developers of open market housing will respond to what they feel the market will support. See separate comments on Policies H1 and H3.
Policy NE2 b)	The South Somerset Landscape Character Assessment dates from as long ago as 1993 and has no formal status.
Previous Map 1 – Conservation Area	Apologies for any misunderstanding regarding the proposed change to the boundary of the Conservation Area – the local authority is awaiting the formal approval of the proposed changes by the Parish Council before commencing public consultation.

Policy BEH1	Please see separate comments on the Design Statement.
Housing p49	The third paragraph seems to offer only limited justification for restricting the size of dwellings that should be granted permission. The data 'suggests' a shortage of dwellings with fewer bedrooms and other evidence seems circumstantial and anecdotal. The mix of dwelling sizes in South Petherton is actually very similar to that across the County as a whole.
Housing p50 Small Sites	Following a change to the national guidance in respect of planning obligations, these can no longer be sought in relation to developments of five or fewer dwellings. Policy H4 of the current Local Plan seeks contributions for affordable housing on small sites, but the Policy is no longer used.
Policy H1	<p>It is not clear what the "threshold for affordable housing requirements" are.</p> <p>Previous comments still apply; ie The Policy does not specifically state what "a reasonable period of time" is. However, by imposing this before an affordable dwelling can be allocated, an unnecessary void loss would be imposed on the landlord at some point in the future. It is also unnecessary because the current Homefinder system allows for preferences to be given (in this case to those with a very local connection) over and above others <i>who have bid at the same time</i>. In the event that nobody bids who meets both the local connection criteria and the size/eligibility criteria, the landlord can move straight to looking at other bids in the same list made at the same time to find somebody with a connection to the 'doughnut ring' of secondary parishes.</p>
Policy H2	If a Section 106 agreement requires that a dwelling should remain affordable in perpetuity, this will take precedence over the so-called Right (or opportunity) to Acquire by tenants of a Registered Provider (RP); and in these circumstances, the RP would not be in a position to offer this. The Policy would benefit from clarification to underline the importance of applying Section 106 requirements. However, a Section 106 agreement could not override any statutory Right to Buy a Council house.
Parish Design Statement	
Page 9 NH Guidelines for Preserving/ Promoting Natural Heritage -1	It is not absolutely clear what the "areas of high landscape value" are, although the supporting text suggests some examples. Should the location and extent of these be shown on a map for clarity?
Page 11 R Guidelines for the Roads -2	This should explain what "sufficient parking" comprises.
Page 12 CA Guidelines for development within the Conservation Area -3	Natural stone in new developments is often a poor use of the material and can look incongruous if poorly designed. Conditions attached to planning permissions often require the submission and approval of materials and there is no reason why this practice shouldn't continue. The guideline should be reworded to avoid reference to issues of viability and availability as these issues can be over-complex on small scale developments. The guideline is currently overly onerous.
Page 12 CA Guidelines for development within the Conservation Area - 4	The same comments apply to windows as with the use of natural stone.

Page 12 CA Guidelines for development within the Conservation Area -5	There doesn't appear to be any evidence to support the requirement for a vertical emphasis to windows. If there is, it should be referenced in the supporting text.
Page 12 CA Guidelines for development within the Conservation Area -7	If a site is within the defined Development Area, one would question how new buildings may not be acceptable in planning terms if they merely encroach on existing spaces like gardens. The guideline does not take account of permitted development rights.
Page 16 G General Guidelines - 2	The same comments apply as with CA7
Page 16 G General Guidelines - 4	The same comments apply as with CA3 – especially as it refers to developments not within the Conservation Area. It should be deleted and replaced with a requirement that materials are submitted as a requirement of a condition attached to any planning permission.
Basic Conditions Statement	
Page 17 Section 7B	There is an error in the reference to the East Devon Local Plan.
Page 26 Section 7C Policy D1	CIL took effect in South Somerset in April 2017.