



**Ann Rhodes (Planning Policy)**  
 The Deane House, Belvedere Road,  
 Taunton, TA1 1HE  
 01823 356484  
 a.rhodes@tauntondeane.gov.uk

## Summary of representations submitted to independent examiner for the Stogumber Neighbourhood Development Plan (SNDP)

### Summary

14 representations were received during the Regulation 16 period of consultation which ran from 18 November and 13 January 2017 (57 days). These were submitted in their entirety to the independent examiner in accordance with Regulation 17(d). Below is a summary of these representations.

Person/Organisation	Comment
Cllr Trollope-Bellew	A great deal of hard work has been put into tis Plan. I believe it is sound and should be adopted.
Crowcombe Parish Council (CPC)	CPC have previously passed comment on items in the plan at draft stage and councillors were pleased to see these comments have been taken on board and reflected in the current document.
Environment Agency (EA)	The EA supports the submission and has no comment to make, although it is noted that our earlier flood risk response has been incorporated within the plan
Exmoor National Park (ENP)	<p>Propose policy EN2 – Whilst supportive of SNP in general; policy on location of new development has very wide interpretation that could result in different form of development in the open countryside.</p> <p>Defined Neighbourhood Area lies outside ENP; however policy should have appropriate safeguards for protecting nationally designated landscapes (ENP), as not clear where there are site previously used for mineral extraction or land formally occupied by agricultural buildings.</p> <p>No evidence or justification to clarify what type of development may be supported on greenfield sites in “exceptional circumstances”.</p> <p>Propose policy EN2 modified to include statutory purpose of national park – to avoid harm and ensure impacts of development on protected areas and their setting will be acceptable.</p> <p>Policy EN7 – support Renewable Energy for small scale on-site. However, reference protection of setting of ENP, to be consistent with WS LP NH14</p>

Highways England	Satisfied that policies unlikely to adversely affect strategic road network (M5). In general support policies which reduce in/out-commuting and encourage sustainable modes of transport. Welcome policies seeking to improve local employment opportunities.
Historic England	No comments to make.
Lynton & Lynmouth	Observation: make sure you have a local plan in place before adoption. Lyn Plan usurped, now advisory as emerging EXP local plan will overturn our NDP
N Delaney	<p>Policy C12 – wording is restrictive and creates imbalance between rights and obligations of the freeholder of the shop and those of the village. Wording is not flexible, doesn't take account of current market trends. Wording does not specify what is "equal or better". Focuses is on property not service; therefore unintended consequence is loss of the service.</p> <p>Original survey flawed; asked multiple questions in single question. Some questions leading or loaded. 702 residents 45 responded to question 5; not a robust population sample, making numerical extrapolation and qualitative analysis uncertain. Analysis of text of survey responses shows concern for inflexibility of policy wording.</p> <p>Potential to combine Policy C12 and C7.</p> <p>Suggested additional wording "This Plan recognises the importance of community services...and will continue to encourage and support residents of the village to utilise these services." and "Where services no longer viable in their current form, alternative service provision should be considered within Parish to provide comparable services which are of benefit to the community"</p>
Natural England	No comment to add in addition to previous advice given at draft-plan and SEA screening consultation
R & A Howe	<p>Policy C12 – wording is restrictive and creates imbalance between rights and obligations of the freeholder of the shop and those of the village. Wording is not flexible. Wording prescriptive and limits buildings usage. Doesn't reflect market trends. Does not specify what is "equal or better". Focuses is on property not service; therefore unintended consequence is loss of the service.</p> <p>Original survey flawed; asked multiple questions in single question. Some questions leading or loaded.</p>

	<p>702 residents 45 responded to question 5; not a robust population sample, making numerical extrapolation and qualitative analysis uncertain. Analysis of text of survey responses shows concern for inflexibility of policy wording.</p> <p>Potential to combine Policy C12 and C7.</p> <p>Suggested additional wording “This Plan recognises the importance of community services...and will continue to encourage and support residents of the village to utilise these services.” and “Where services no longer viable in their current form, alternative service provision should be considered within Parish to provide comparable services which are of benefit to the community”</p>
<p>SCC - Minerals &amp; Waste</p>	<p>Acknowledge and welcome reference to SCC Minerals Plan and adopted Waste Core Strategy. Support changes made as result of our previous comments, particularly on EN2.</p>
<p>Sport England (SE)</p>	<p>Important to reflect NPPF para 73 and 74. Be aware of SE role in protecting playing fields and presumption against loss.</p>
<p>T Howe</p>	<p>Policy C12 – wording is restrictive and creates imbalance between rights and obligations of the freeholder of the shop and those of the village. Wording is not flexible. Wording prescriptive and limits buildings usage. Doesn’t reflect market trends. Does not specify what is “equal or better”. Focuses is on property not service; therefore unintended consequence is loss of the service.</p> <p>Original survey flawed; asked multiple questions in single question. Some questions leading or loaded. 702 residents 45 responded to question 5; not a robust population sample, making numerical extrapolation and qualitative analysis uncertain. Analysis of text of survey responses shows concern for inflexibility of policy wording.</p> <p>Potential to combine Policy C12 and C7.</p> <p>Suggested additional wording “This Plan recognises the importance of community services...and will continue to encourage and support residents of the village to utilise these services.” and “Where services no longer viable in their current form, alternative service provision should be considered within Parish to provide comparable services which are of benefit to the community”</p>

WSC

Policy repetition: all relevant policies in the SNDP would be applied to the planning application decision making process. The deletion or amalgamation of the policies or elements of the policies would not lessen their strength or application. EN4, EN7, C2, C4, C5, C11, EC1, EC2, EC3, EC6, EC7, repeat one or more of policies EN1, EN3, EN5.

Title Page: needs to specify the period Plan relates to.

Introduction: planning law does not allow the planning system to control the rate at which development is delivered.

EN2: conflicts with national policy and the WS LP.  
The Hamlets: NPPF acknowledges role of housing to support broader sustainability of villages and rural settlements, but this is where it enhances or maintains the vitality of the rural community or support services in nearby villages. The hamlets have no services or significant employment. Stogumber is the sustainable settlement, hamlets are open countryside.

Quarrying: text shaped by input from SCC as the Minerals and Waste Authority's, however, it is contrary to national policy and guidance as it seeks to influence something which is "excluded development" and preserve of the Minerals and Waste Authority

Previously developed land first: NPPF has presumption in favour of sustainable development. WS LP policy SC1 sets out a development hierarchy with OC1, EC3 and NH8 criteria for development in Greenfield locations. It is therefore not possible to have a sequential test to the location of development unless there is robust locally based evidence to support this, which is not evident.

EN4: Any evidence that sites of 10 dwellings or larger than 0.5ha would bring more economic or community benefit than the development of smaller sites? WSC LP SC4 affordable housing in developments over ten dwellings, in primary village's in-lieu financial contributions from developments of 6 or more. Policy also conflicts with SNDP statement in introduction, which asks for development to be spread evening across the Plan period.

EN6: contrary to national planning policy and guidance, and WS LP CC2.

EN7: Plan does not allocate a site(s) for wind turbines, therefore is contrary to Government guidance: “planning...should not be approved unless the proposed development site is an area identified as suitable for wind energy development in a Local or Neighbourhood Plan”.

EN8: inconsistent with WS LP TR2 and TR1 if it wishes to refuse development which does not reduce the need to travel by private car. Stogumber does not have a direct bus route, and West Somerset Steam Railway is not yet a permanent service. Somerset Strategic Housing Market Assessment (SHMA) notes that WSC area development is likely to result in unpreventable outward migration.

C3: 14 dwellings in Stogumber and 5 in the Hamlets, is contrary to WS LP policy SC1. Affordable Housing threshold and amount of units is different to WSC LP policy EN4, and also contrary to Practice Guidance on affordable housing thresholds. Any robust locally based evidence demonstrating Stogumber Parish has a high rate of second home ownership? How does Removal of Permitted Development Rights “maintain and enhance the strength of the local community, particular by helping it meet its own needs”.

C4: is overly restrictive “majority of floor space to be business use” and to condition the nature of the business. Why does there needs to be a condition on the occupant(s) of the residential floor space, particularly if the two uses “are integrated with one another and cannot be separated or sold off as separate units and activities at a subsequent point in time” (WS LP EC6).

C10: effectively allocated the site by including only “known potential future uses”, if that is intention map with the extent of the allocation outlined in red on an OS base map would be required.

C11: suggest clarifying in the text that it is only new development that can be asked to mitigate for its own impact. In-lieu contributions for provision would form part of a Section 106 agreement, which Somerset

County Council, as the Highways Authority, would be responsible for administrating.

EC2: restricts the floor area of accommodation to 80m.sq (less than the national standard for a single story threebed (five person property) and 1m.sq more than the standard for a two-bed property over two floors), precluding units for larger families or groups (i.e. guides/scouts, a group of walkers). Restriction to 28 days occupation in one calendar year unnecessarily restrictive. Camping and Glamping: permitted development rights allow land to be used for up to 28 days in a twelve month period for camping. Does policy need to condition permission as visitor accommodation, and a temporary permission? Is it necessary to restrict sites to 5 units of modest accommodation (we presume this is pitches) only. What constitutes modest, to allow it to be consistently apply?

O1: does not need to be a policy.

EN5: There may be good reasons to remove trees and hedges as part of a development, and could encourage good tree management.

C1: could result in vacant, derelict buildings as the viability of service or facility provision is a commercial one and not a planning matter.

C2: Affordable Providers (AP) prefer affordable units to be grouped together for ease of maintenance and management. Density instead of number threshold not in conformity with WS LP SC8. How would it be consistently applied when there may be constraints on site restricting developable area or viability issues which result in negotiated provision?

C3: does not need to specify type and tenure of affordable housing as this will change over the 10 year life of the Plan, and be defined by up-to-date housing needs assessment. Allocation criteria is a Housing Authority matter not a planning matter.

C5: clarity needs to be provided on what type of use class is applied to this policy i.e. sheltered accommodation, nursing homes, residential homes, secure units (dementia care?), assisted living, etc. Suggested transport element would be more effective in EN8.

	<p>C6 &amp; C7: as there is no site allocation in regard to the primary school or village hall the SNDP policies reads as a statement of community support rather than a policy.</p> <p>C8: what if sites are in different ownerships? Requirement for the sites to fully fund a relocation of the school and village hall, and provide other community facilities - such as an enlarged car park – may make development of sites unviable. Risk that if one or both of these services were closed that the sites could become derelict and an eyesore in the village. Requires clarification as to the definition of “greater use to the community”.</p> <p>C9: repeats some elements of WSLP policy CF1. To strengthen policy suggest the valued existing public open spaces are designated as Local Green Spaces.</p> <p>C12: overly restrictive and onerous, particularly when the closure of such businesses is a commercial decision, outside of the influence of planning. May have unintended consequences of leaving buildings vacant and deteriorating. NPPF says planning must not place an undue burden on development, or make it unviable by the nature of the conditions.</p> <p>C13: Church of England’s ecclesiastical buildings are not required to submit to the LPA for listed building and planning permission. They are not exempt from the requirements of planning permission, but it is undertaken through the Care of Churches and Ecclesiastical Jurisdiction Measure 1991 (7) and subsequent rules administered by the Diocesan Advisory Committee and the Chancellor of the diocesan court. This means that alterations to the fabric, fixtures and fittings of St Mary’s are likely to occur outside of the LPA decision making process.</p> <p>EC3: not aware of demand for new retail space. If there is, it would help if the policy defined the size, scale and design that constituted a “harmful impact” to consistently apply such a policy.</p>
--	---