



Planning Policy Team,  
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## Stogumber Neighbourhood Development Plan

### Council's observations on the submission draft published for consultation between 18 November and 13 January 2017

#### General

It is clear that Stogumber Parish Council have invested a lot of time into the production of their Neighbourhood Development Plan (NDP) and want it to be a wide ranging document covering a broad number of subjects. West Somerset Council (WSC) Officers and Members recognise this and it is to be commended.

WSC has seen a number of iterations of the Stogumber Neighbourhood Development Plan (SNDP) as it has been developed and note that there have been changes to the document which have accommodated some of our advice. Officers and Members acknowledge the difficulty the Parish Council had in undertaking its NDP as the West Somerset Local Plan to 2032 (WS LP) was being developed and subsequently adopted. We know that some SNDP policies evolved from a desire to have more detailed and prescribed conditions for development from those policies adopted in the WSC LP. However the substance of a number of WSC's previous observations remain.

As with all previous advice and observations (appended to this document) it has always been WSC's intention to maximise the chances of the SNDP being able to meet the basic tests at the examination, pass the referendum, and ultimately be a planning policy document which the Council can adopt and which will amplify and support existing development plan policies for the Parish of Stogumber.

Some policies as drafted could be considered to be at odds with strategic policies contained in WSC's adopted LP, National Planning Policy and guidance issued by the Secretary of State, and therefore potentially fail to meet a test of the basic conditions. Our other observations are about the effectiveness of policies, and are intended to help strengthen, make more effective, provide confidence and certainly in the policies. For NDP policies to carry full weight in planning application decisions; the Local Planning Authority (LPA), as the body that rules on planning applications, would need to be certain policies were also reasonable, deliverable and justified.

#### Policy Conformity

**Repetition of policies:** There are a number of locations throughout the plan where SNDP policies are repeated. As a Development Plan should be read as a whole, irrespective of the size or type of development 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. In addition Government guidance on drafting policies states they should avoid undue repetition (Reference ID: 12-010-20140306), whilst this is in relation to Local Plan the principles are applicable to the SNDP.

SNDP policies repeated:

EN4: “all relevant policies of this Plan will still apply to such sites”;

In EN7, C2, C4, C5, C11, EC1, EC2, EC3, EC6, EC7, there is repetition of one or more of the following SDNP policies:

EN1 “maintaining or enhancing landscape character of the Parish [and]...built character of the village and hamlets”

EN3 “maintain or enhance the setting of Stogumber”

EN5 “reflect or compliment the established local character and distinctiveness”– Design & Appearance of Development.

In addition the repeated policy sentence on transport “proposals would not have significant harmful impacts on the local road network in terms of vehicles visiting the site” amalgamated into the SNDP EN8 Transport & Development would then be applicable for all development. In the same was the repeated policy sentence on amenity “proposals would not have significant harmful effects of the amenities of residential and other neighbours” be amalgamated into EN2.

**Title Page:** In accordance with the Planning Practice Guidance the document needs to specify the date it relates to, therefore we would suggest that the second line “Draft amended.....January 2016” is replaced with “to 2026” or “2016 to 2026”.

**Introduction:** para 1 line 2; planning law does not allow the planning system to control the rate at which development is delivered. We suggest removal of “to be spread evenly over the ten year period in order to make it easier to”.

**EN2 Location of development:** as currently drafted it is suggested that this policy conflicts with national policy and the WS LP.

The Hamlets: Whilst the National Planning Policy Framework (NPPF) acknowledges that the role of housing can support broader sustainability of villages and rural settlements, the NPPF and Planning Policy Guidance make clear that 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, they are between 0.7 and 2km (as the crow flies) from Stogumber which is the focus of rural community activities and services. Stogumber is defined as a sustainable settlement in WS LP policy SC1, the hamlets are not. WS LP removed settlement limits from the hamlets and Stogumber. A map identifying the extent of the continuous built up area of the sustainable settlements produced for the WS LP Examination will assist with development in Stogumber, but WSC maintain that the hamlets should be treated as open countryside.

Quarrying: Whilst WSC understand that the text relating to quarrying was, in part, shaped by input from Somerset County Council as the Minerals and Waste Authority’s, however, it is contrary to national policy and guidance. It seeks to influence something which is the preserve of the Minerals and Waste Authority

defined as “excluded development” in the planning legislation. WSC sought legal advice which concluded that the text relating to quarrying is a policy, or at the very least implying provision, on “excluded development” and as such it is contrary to S38B(1)(b) of the Planning and Compulsory Purchase Act 2004 (added by the Localism Act 2011). This also applies to the supporting text, and text on pg.31 under sub-title Quarrying.

Previously developed land first: whilst it is an understandable desire for the parish to see Brownfield land developed ahead of Greenfield, the national planning policy framework has a presumption in favour of sustainable development. In addition, the 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 in the SNDP.

**EN4 Larger Development Sites:** Is there 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 seeks onsite provision of affordable housing in developments over ten dwellings, in the primary villages in lieu financial contributions from developments of 6 or more dwellings are sought. Any variation from this approach appears unlikely to have the “significant benefit” the SNDP states, and the robust locally based evidence to support this does not appear to be in the SNDP.

It could also be interpreted that as currently drafted this policy conflicts with the WSC LP policy SC1 supporting text which states that Limited Development is “up to ten dwellings” for each Primary Village. It is not evident if there is robust locally based evidence to support an increase in this as implied in the SNDP policy.

The policy would also conflict with SNDP statement in the para 1 line 2 of the introduction, which asks for development to be spread evening across the Plan period. Taking WS LP policy SC1 for limited development (“limited development” means individual schemes of up to ten dwellings providing about a 10% increase in a settlement’s total dwelling number during the Local Plan period, limited to about 30% of this increase in any five year period) in Stogumber this would restrict a developer to construct and sell only one or two houses a year. This is contrary to the NPPF presumption in favour of sustainable development.

**EN6 Flood Risk:** As drafted elements of this policy are contrary to national planning policy and guidance, and local planning policy (WS LP CC2).

The first 2 paras repeat the supporting text and do not in themselves constitute a policy, we suggest that they be deleted and the reference to Doniford Brook and the Street between Hill Farm and Cottiford be put in the supporting text.

Para 3, is contrary to national and local planning policy, which sets out clear guidance on development in such areas. In addition the policy supporting text “On recommendation by the Environment Agency, development within flood zones 2 and 3 will not be supported” is factually incorrect. Development in flood zones 2 and 3 is subject to Sequential (unless minor development) and Exceptions tests. These processes provide evidence demonstrating that flood risk has been accurately

assessed, alternative locations considered and how development can manage any flood risk; thereby providing assurance to the LPA as the decision maker on development proposals impact and mitigation.

It is suggested that either the policy is reworded to reference the principles in the Exceptions and Sequential Test or removed and, so as not to lose the principle concerns around local flooding, changing it to a Community Aspiration.

**EN7 Renewable Energy:** this policy follows on from national policy and local policy (WSC LP policy CC1), but goes further by adding wind turbines to the list of renewables. Government guidance states that “in the case of wind turbines, a planning application 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” (PPG Reference ID: 5-005-20150618). As the SNDP does not currently allocate a site for wind turbines it is contrary to this and PPG ID ID: 5-032-150618.

**EN8 Transport & Development:** whilst reducing the need to travel for work, services and facilities is encouraged in national and local planning policy SNDP policy EN8, as currently worded, could be viewed as inconsistent with WS LP policy TR2 and TR1 if it wishes to refuse development which does not reduce the need to travel by private car. WS LP acknowledges that some journeys to services and facilities will be to larger service centres and this cannot always be achieved with sustainable transport. Stogumber village does not have a direct bus route and whilst the West Somerset Steam Railway is planning a trial commuter service in 2018 through to Bishops Lydeard and in the future Taunton, this is not yet a permanent service. In addition, the Somerset Strategic Housing Market Assessment (SHMA) also notes that for the WSC area development is likely to result in unpreventable outward migration.

References elsewhere in the SNDP to “proposals would not have significant harmful impacts on the local road network in terms of vehicles visiting the site” should be amalgamated under EN8 to allow them to be applied across all development.

**C3 Housing Delivery:** Amount of Development: para 1 sentence 1, 14 dwellings in Stogumber and 5 in the Hamlets, is contrary to WS LP policy SC1. SC1 sets out that Stogumber will have limited development, individual schemes up to ten dwellings providing about a 10% increase in a settlement’s total dwelling number, during the Local Plan period, limited to about 30% of this increase in any five year period. The Hamlets are defined as being in the Open Countryside and development will be considered under Policy OC1. OC1 states development may be permitted for rural workers dwellings for established employment, direct or identified local affordable housing need, and that development would be subject to a functional and economic test. If the dwellings in SNDP policy C3 are intended to be open market dwellings, without locally based evidence to support this, which is not evident in the SNDP, means the SNDP policy is not in compliance with the Basic Conditions.

**Affordable Housing:** The affordable housing requirement threshold and amount of units in the SNDP policy (33.3% on sites of 3 or more units) is different to that set out in WSC LP policy EN4 (35% on sites of 11 or more units). The SNDP policy is also contrary to Practice Guidance on affordable housing thresholds. Without robust

locally based evidence to support a lower threshold, which is not evident in the SNPD, the policy is not in compliance with the Basic Conditions.

**Principle Residency Clause: para 6:** When delivering affordable housing, particularly Low Cost Home Ownership properties, the Council includes a clause in the Section 106 Agreement stating that the property must be the purchasers sole principal home. This is to restrict the sale to purchasers who actually need to the assistance offered by the scheme rather than the homes being purchased as buy to let or second homes. Whilst we can understand the Parishes desire to extend such a clause to open market housing, we cannot see any robust locally based evidence demonstrating that Stogumber Parish has a high rate of second home ownership which is restricting the ability of people to have their principal home in the parish. Has this clause has been tested and how will it will be consistently applied by decision makers. What are the effects on property value, mortgage availability, affordability and desirability? How would principal residency be checked?

**Space Standards:** Where is the evidence of this need to restrict dwelling sizes and the viability information to support it?

**Removal of Permitted Development Rights:** In addition to the comments previously made we are unsure how the removal of PDR supports the SNPD aims to “maintain and enhance the strength of the local community, particular by helping it meet its own needs”.

**C4 Live-Work:** The NPPF supports policies which “facilitate flexible working practices” and the WS LP policy EC6 sets out criteria for live/work developments. It is usual to apply conditions to planning consent to secure or define the minimum % of floor space which is commercial and residential, the use class (usually B1, B3 or Sui Generis) and remove permitted development rights. But the SNPD policy C4 is overly restrictive in requiring the majority of floor space to be business use and to condition the nature of the business. In addition it is not clear why there needs to be a condition on the occupant(s) of the residential floor space, particularly if the two uses are “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 policy EC6).

**C10 The Beacon Field:** WSC recognise the value of having a policy for the Beacon Field to set out the value of its development for the community. It is suggested that by including known potential future uses this is effectively allocating the site. If the intention is to allocate, a map with the extent of the allocation outlined in red on an OS base map would be required. If the list of potential uses are just examples of what might be favoured options, then we suggest they should form part of the accompanying text.

**C11 Car Parking:** WSC recognise the concerns of the Parish regarding parking in a village with a historic core that evolved before the introduction of the motor vehicle. In seeking a solution we suggest clarifying in the text that it is only new development that can be asked to mitigate for its own impact, it cannot be asked to mitigate for existing congestion impact. Any in-lieu contributions for provision would form part of a Section 106 agreement, which Somerset County Council, as the Highways Authority, would request as part of the application process and be responsible for administration of.



**EC2 Visitor accommodation:** Self-catering Units: restricts the floor area of accommodation to 80m.sq (less than the national standard for a single story three-bed (five person property) and 1m.sq more than the standard for a two-bed property over two floors). This would preclude units for larger families or groups (i.e. guides/scouts, a group of walkers). Is there any evidence to support such a restriction? In addition a restriction of occupation to 28 days in one calendar year seems unnecessarily restrictive. The planning permission for self-catering tourism accommodation, would be conditioned to make clear that it is not for the general rental market.

Camping and Glamping: permitted development rights allow land to be used for up to 28 days in a twelve month period for camping. Therefore this policy would not be applicable in those cases. It is not clear why the policy should need to stress that permission be conditioned as visitor accommodation and a temporary permission. The former is explicit by nature of the application, is there justification for the latter?

In addition, it is not clear why it is necessary to restrict sites to 5 units of modest accommodation (we presume this is pitches) only. There is no definition of what constitutes modest, so it is difficult for a decision maker to consistently apply such a standard.

### **Policy Effectiveness**

There are a number of policies which as currently drafted may not achieve the desired outcome of the Parish Council.

**O1 Overall Objectives for Development:** It is suggest that these objectives do not need to be a policy. They set out the overarching aims of the SNDP, but on their own it would be difficult for a decision maker to consistently apply them with confidence when determining a planning application. In addition there is no need to reiterate national and local strategic planning policies. Therefore, as the specific policies for housing, employment, and community facilities reflect the principles of the objectives policy, there is unnecessary duplication. It is suggested that O1 is combined with its supporting text to create Stogumber Neighbourhood Development Plan Objectives rather than a policy.

**EN5 Design & Appearance of Development:** There may be good reasons to remove trees and hedges as part of a development, and it is noted that the SNDP policy does not explicitly prevent this. The supporting text of SNDP policy EN5 could encourage tree management works be carried out in accordance with best practice, BS3998 (2010). WSC would have some control of this in conservation areas or trees with TPO's, in other areas not at present.

**C1 Local Community:** Whilst the desire to preserve community services and facilities is understandable, as worded the policy would have unintended consequences. It could result in vacant, derelict buildings as the viability of service or facility provision is a commercial one and not something that planning has control over. If SNDP aim is for a safeguarding policy it could be made more effective with the addition of timescales for viable marketing, at a reasonable competitive price, of the service or facility.

**Housing:** supporting text pg.15 sets out the current make-up of dwellings in the village. It may be helpful to set out what the future need would be. Such information can be obtained from the Somerset SHMA and an up-to-date Parish Housing Needs Survey.

**C2 Housing Sites:** Para 4, we understand the desire to types and tenures of housing mixed across a development. In our experience Affordable Providers (AP) prefer affordable units to be grouped together for ease of maintenance and management. Whilst affordable housing for developments in Stogumber is likely to be in lieu financial contributions, should a development provide on-site affordable, this policy would be requiring something not in line with AP best practice. It is suggested that this current AP practice is made clear in supporting text.

Para 5, density as a bench-mark for provision of affordable housing is not in conformity with WS LP policy SC8 which sets a number threshold. In addition, how would a density threshold be consistently applied? There may be constraints on the site which restrict the developable area or valid viability issues which result in negotiation about the level of affordable housing provision. In addition, the SNDP affordable housing provision exceeds that required in the WSC LP (see comments under SNDP policy C3).

**C3 Housing Delivery:** Type and Tenure of Affordable Housing: para 3 sentence 2 and 3, the policy does not need to specify type and tenure of affordable housing as this is likely to change over the 10 year life of the Plan. As a housing needs survey has not been undertaken as part of the development of the SNDP it is suggested that “Currently this is known to be two bed units, including bungalows. As up to date assessment of needs changes then so will the requirements of this policy” is removed and replaced with “As defined by up-to-date housing needs”.

Allocation Criteria for Affordable Housing: para 4 and 5. Whilst criteria for allocation of affordable housing appears in Section 106 agreements, it is a Housing Authority matter not a planning matter. WSC has a statement of intent for allocating affordable housing, which includes time limits to ensure that if no-one fulfilling any of the criteria were to come forwards after a specified period of time then the Tenancy (if rented) or sale (if Low Cost Home Ownership) could be granted to anyone who is in need of the accommodation and is unable to afford to buy or rent on the open market. The SNDP criteria is more restrictive, limiting cascading for three years and then one year is too restrictive. As of January 2017 there are two people registered on Somerset Home Finder looking for affordable houses in Stogumber village. Therefore, our concern is the unintended consequence of vacant homes which people in housing need could not access, to everybody’s detriment.

**C5 Residential Institutions for Older and Disabled People:** We would suggest that clarity needs to be provided in the supporting text as to what type of use class the applied to this policy i.e. sheltered accommodation, nursing homes, residential homes, secure units (dementia care?), assisted living, etc. In addition it is suggested that the transport element would be more effective in EN8 transport & development, as the plan should be viewed as a whole and as part of EN8 would be an overarching policy for all development.

**C6 School and C7 Village Hall:** 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. Suggest that the text be incorporated in the supporting text under sub-title School and Village Hall. In addition it is suggested that the subheading Village Hall be removed and the supporting text put under the sub-heading School and Village Hall for consistency.

**C8 School & Village Hall Site:** The SNDP policy aims to protect the services provided by the School and Village Hall as they provide a valuable service to the local community. We are not sure how the application of these policies could be applied if the sites are in different ownerships. In addition as worded, the policy requirements 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 the school and village hall sites unviable. The risk is that if one or both of these services were closed that the sites could become derelict and an eyesore in the village. The Parish Council have tried to address this by stating that relocation without enabling is acceptable where the development is of equal or greater use to the community. To enable a decision maker to consistently apply the policy requires clarification as to the definition of “greater use to the community”.

**C9 Existing Open Space:**SNDP policy repeats some elements of WSLP policy CF1, namely “where a development proposal would result in the loss of such facilities, equivalent or greater replacement facilities serving the same area must be provided as part of the proposals” which is the same requirement as bullet point 1 of the first para. As the guidance says that policies need not be repeated, suggest refereeing CF1 in opening sentence of SNDP C9 and deleting first bullet point. To strengthen the policy it is suggested that the valued existing public open spaces listed in the second half of the policy are designated as Local Green Spaces, adding the cricket club to the list.

**C12 Essential Services:** The SNDP policy seeks to go further than WSLP policies EC5, SC6 and CF1 by requiring they are replaced with a service and facility of an equal or higher quality and value. It is suggested that this is overly restrictive and onerous, particularly when the closure of such businesses is a commercial decision, outside of the influence of planning. Such a condition may also have unintended consequences of leaving buildings vacant and deteriorating. Any development at the pub or shop sites could be made unviable. National planning policy is clear that planning must not place an undue burden on development, or make it unviable by the nature of the conditions.

**C13 Church:** WSC understand the desire of the Parish to preserve the fabric and furnishings of the Church of St Mary the Virgin (St Mary’s). However, the 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.



**EC3 Business Space:** WSC are not aware of any demand for new retail space. If there is such a demand, it would help if the policy defined the size, scale and design that constituted a “harmful impact” to help decision makers consistently apply such a policy.

**General drafting matters:**

**WSC Local Plan references:** The WSLP is now adopted so references such as “West Somerset Local Plan is likely to plan for” recommend amended to reflect adoption “West Somerset Local Plan plans for”.

**Introduction:** para 10: it is helpful to describe the neighbourhood plan area but not necessary to single out one policy in the introduction (EN2).

**Figures 1, 2 and 3:** for clarity it is suggested “NP” in the key not be abbreviated and read “Neighbourhood Plan”

**Figure 4:** shows “Future Graveyard”, but there is no mention of this in the document text. Is it in an organisations (C of E, Parish Council, etc.) plan or is it a community aspiration which the Parish Council would like to reflect?

**EN1 Local Environment:** It is suggested that referencing WSLP policies NH1 and NH2 may show the higher level strategic policy EN1 adds local detail to. As there is currently no conservation area appraisal for the Stogumber Conservation Area appendix 1, and figures 5 and 6 goes some way to assisting application decisions for Conservation Area Consent. It would be valuable to have them in the supporting text for EN1.

**EN2 supporting text:** for clarity, to avoid unintentional confusion, it is suggested the bracketed references to C2, C4 C5, C11, EC2 an EC3 make clear these are SNDP policy reference numbers and not the TCPA use class references.

**EN3 Setting of Stogumber:** It is suggested that supporting text references WSLP policy EH14, effects on setting, and the national character areas to show link to higher level strategic policies.

**EN6 Flood Risk:** The first two paragraphs should be in the supporting text as it sets the context for the policy. In addition as the location and way that primary source data for fluvial (river) and pluvial (surface water) flooding is published may change, suggest that reference to it should be in the supporting text.

**C1 Local Community:** para 3, last sentence: the term “strongly” before supported is a subjective term. It is suggested that this does not add value to the policy intention and is therefore removed.

**Housing supporting text:** pg.15, second sentence: whilst not a policy implies policy with statement “...will not be permitted” in relation to development which does not “strengthen our community” is contrary to the basic conditions as the statement is factually incorrect because it is contrary to the presumption in favour of sustainable development.

**C2 Housing Sites supporting text:** para 1 last sentence: phrase “social enclaves” is negative, suggest positive words “promote social integration”.

Para 2 sentence 1: is contrary to WS LP and Affordable Provider best practice, suggest it is removed.

**C10 The Beacon Field:** the name Beacon Field is repeated twice in para 1 sentence 2. Remove second reference as this does not change emphasis of policy.

**C12 Car Parking accompanying text:** there is reference to the work starting on the permanent Beacon Field car park in 2016. If this has started the text should read “...work to create it started in 2016”, if it has yet to happen is the sentence needed as the accompanying text to the Beacon Field mentions the planning permission and the main text of SNDP policy C11 is about additional parking for the village.

### **Conclusion**

As currently drafted the SNDP may not meet the basic conditions set out in the Regulations. There are policies which conflict with planning legislation, advice issued by the secretary of state and local strategic planning policies. There is the potential that some policies will have unintended consequences to the detriment of the Parish and for the impact of some policies to render development un-deliverable.

There are policies which may pass the basic condition but could be made more effective, to provide the Local Planning Authority (LPA), as the body that rules on planning applications, with the certainty that policies were reasonable, deliverable and justified.

The basis of this response has been discussed with the Portfolio Holder and Leader of the Council.

## Rhodes, Ann

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**From:** Rhodes, Ann  
**Sent:** 24 February 2016 16:25  
**To:** 'Julian Spicer'  
**Subject:** Stogumber Neighbourhood Plan

Dear Julian

My sincere apologies for the lateness in sending the Officer comments to you. I hope that they are helpful.

It is clear that the Stogumber Neighbourhood Plan Group (SNPG) have invested a lot of time in the production of their Neighbourhood Development Plan (NDP). Officers recognise the considerable hard work that the Neighbourhood Plan Group has put into the document to-date.

As with all previous advice and observations it has always been the Council's intention to maximise the chances of the NDP being able to meet the basic tests at the examination, pass the referenda, and ultimately be a planning policy document which the Council can adopt and which will amplify and support existing development plan policies.

The comments below are supplementary to those submitted on previous occasions by Officers.

### **Arboriculture Officer:**

No additional comments.

### **Landscape Officer:**

- Good points about visual harm of poor or inappropriate development
- The Plan focuses on built form – trees and other vegetation which make positive contribution to this built form could be mentioned
- Advise mentioning other landscape features – stream, pond, sandstone walls also make positive contribution to rural character of area.
- Transport – new pavements may create a suburbanising/suburban feel
- Public footpaths – any thoughts or comments on the value/lack/use of these?
- Open Spaces – churchyard and square should not be reused, protected
- EC6 reuse of agricultural buildings – consider adding element about proposals being supported if they would not harm protected species
- Appendix – a good selection of images

### **Heritage Comments:**

- Good to see reference to character and setting of village
- Stogumber has a Conservation Area (designated 1985/6). The designation (because of the rules at the time it was designated) has no appraisal. Have the Plan Group thought about doing a Conservation Area Appraisal? This could inform boundary amendments (are there important buildings, open spaces, etc. which should be included/excluded) or strengthen protection of specific elements of importance like the churchyard and square.
- Nice use of maps to show historic areas, Listed Buildings zones of ages of buildings to show how the village grew which supplements the images in the appendix showing description of Stogumber

### **Housing Enabling Officer:**

No further comments.

### **Leisure Development:**

- Would suggest that should they ever wish to replace both School and Village Hall that they do not go for a combined building, our experience is they do not work very well as a combined space.
- There isn't much mention of the Children's playground. 69 residents, 17% of the population, appear to be under 19. I note the idea is to attract more families to the village, but nowhere does there appear to be any mention of a plan to increase the capacity for children's and teenage play. Have they plans to ask developers to contribute towards facilities for the extra families they wish to attract?
- If Beacon Field is designated as public open space will it be more difficult to build a school or community hall on it in the future?

### **Development Management:**

The Development Management Team have no additional comments to make at this time.

### **Planning Policy:**

#### **Policy Conformity**

- Some of the policies repeat what is already set down in national legislation or guidance (eg: the flood risk policy). There is no need for the SNDP to repeat such policy, but if there is a locally specific issue where by a policy would add detail (and value) to the relevant higher level policies that would be, in principle, an acceptable approach.
- Some policies, as currently drafted, are in conflict with the emerging West Somerset Local Plan. For example: hamlets in the Parish as being appropriate locations for development (EN2 Location of Development, C3 Housing), West Somerset emerging Plan specifies 35% affordable housing but the SNDP policy (C3 Housing) equates to 33%. If there are unique specific circumstances why development should be permitted which differs from the emerging Local Plan it is for the SNPG to provide the robust evidence to back it up.

#### **Policy Effectiveness**

- There is the opportunity for the SNPG to strengthen policy. For example; undertaking an appraisal of the Conservation Area to strengthen protection of the historic character of Stogumber.
- Some policies involve a statement or criteria of a qualitative nature, it is not clear why these policies are needed and what their benefit is and how they would be satisfied (eg. EN4 Larger Development Sites, O1 Overall Objectives).
- Some policies seek to restrict or impose a standard on development (C3 Housing ). Is there objective evidence for standards and that such a restriction would not make development unviable?
- Some policies may have unintended consequences (eg. C12 Essential Services). The risk is that if the business is unviable the building will remain empty, deteriorating, and becoming an eyesore. There is also the matter of current permitted development rights (shops to residential).

We hope that the above is of assistance. As with all previous advice and observations it has always been the Council's intention to maximise the chances of the NDP being able to meet the basic tests at the examination, pass the referenda, and ultimately be a planning policy document which the Council can adopt and which will amplify and support Local Authority development plan policies.

Regards

Ann Rhodes

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Please consider the environment and think before you print



## Rhodes, Ann

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**From:** Rhodes, Ann  
**Sent:** 10 September 2015 13:25  
**To:** Julian Spicer  
**Cc:** James Shorten; stogumberpc@outlook.com  
**Subject:** RE: Stogumber Neighbourhood Plan

Dear Julian

Thank you for your e-mail of the fourth September. I hope that the following is helpful.

### Comments

The Development Management Team have no additional comments to make on the Stogumber Neighbourhood Plan (The Plan) at this time. You will be aware of previous Policy comments, some of which we note have resulted in amendments to The Plan. Additional changes in line with those previous comments would strengthen The Plan and make it more effective. However, notwithstanding those comments, The Plan as it is could progress through consultation, submission and Examination.

### Timescales

The Regulations recommend six weeks for the pre-submission consultation undertaken by the Neighbourhood Plan Group. During this time we will send a copy of The Plan to Lepus Consulting for SEA screening, the screening report we will then send to the SEA process statutory consultees. The responses you get back will determine whether there needs to, or you would like to, make changes to The Plan. It is useful to produce a summary sheet of the responses, the issues they raise and the Neighbourhood Plan Groups response to it. I estimate that pre-submission consultation to final Plan will take a minimum of 2-3 months.

During the pre-submission consultation time you can prepare your submission documentation. The Regulations only require The Plan, a basic condition statement, a summary of consultation and the SEA screening report (or SEA if applicable). During the pre-submission consultation time the Council will start to prepare web pages and response forms for the next regulatory stage, pre-examination consultation.

Once the Council has checked all the required submission documents have been received it will upload these to the website and portal. The Council should be able to start the six weeks consultation within a couple of week of receiving the submission documents. During this time the Council will probably commence the process of inviting expressions of interest from potential Examiners. At this stage any representations received will be passed directly to an Examiner, therefore the timescale from submission to close of pre-examination consultation should be around 2 months.

It is for the Examiner to decide how long, and what form, the Examination will take. At present I cannot put a timescale on this, other than to say that generally the length of Examinations seem proportionate to the length and complexity of The Plan, and the number of representations received.

I hope that the above is helpful.

Kind Regards

Ann Rhodes

## Rhodes, Ann

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**From:** Rhodes, Ann  
**Sent:** 04 August 2015 12:16  
**To:** Julian Spicer  
**Cc:** Jan Leeming Parish Clerk; James Shorten  
**Subject:** RE: Stogumber Neighbourhood Plan

Dear Julian

Thank you for your e-mail. I did receive all the attachments, it is much appreciated that you checked as TDBC servers may irrationally delete and block items.

Please accept my apologies for firstly not confirming I had received your e-mail and secondly for not getting comments back to you on the draft Plan. I am afraid that this is because of an unexpected bereavement in my family, which has meant that I have not been in the office much the couple of weeks in the middle of July. This was then unfortunately followed by a second bereavement at the end of last week. I will be out of the office the latter part of this week and all of next week. However I will be back the week commencing 17<sup>th</sup> August.

I have received comments from back from Landscape, Heritage and Housing Enabling which are below. I thought it would be useful to give you these now rather than making you wait. I am waiting for feedback from Development Management and of course you are also waiting for comments from myself. There may be some contradictions when comments are looked at as a whole, because these are an individual officers views based on their specialism.

### **Landscape Comments:**

- A positive introduction
- Good use of maps – possibly addition of a smaller scale to show location of Stogumber would be advantage
- Good points about visual harm of poor or inappropriate development
- Environment Section – reference to national landscape character area but not the Local Landscape Character Area; which is area 5 Doniford Stream and Quantock Fringe.
- The Plan focuses on built form – trees and other vegetation which make positive contribution to this build form could be mentioned
- Other landscape features – stream, pond, sandstone walls also make positive contribution to rural character of area.
- Transport – new pavements may create e a suburbanising/suburban feel
- A358 – is talked about but if referring to something outside the Parish Boundary must say in in consultation with Parish X
- Public footpaths? – any thoughts or comments on the value/lack/use of these?
- Open Spaces – churchyard and square should not be reused?
- EC6 reuse of agricultural buildings – consider adding element about proposals that would harm protected species
- Appendix – a good selection of images

### **Heritage Comments:**

- Good to see reference to character and setting of village
- Stogumber has a Conservation Area (designated 1985/6). The designation (because of the rules at the time it was designated) has no appraisal. Have the Plan Group thought about doing a Consecration Area Appraisal? This could inform a boundary amendments (are

there important buildings, open spaces, etc. which should be included/excluded) or strengthen protection of specific elements of importance like the churchyard and square.

- It may be useful to show all the Listed Buildings on a map
- It may be useful to show zones of ages of buildings, how the village grew, to help supplement the images in the appendix showing description of Stogumber

### **Housing Enabling Comments:**

Comments relate to Housing Enabling and in particular Policies C3 and C5

C3:

- Paragraph 2 - The mechanism for securing affordable housing could be expressed more clearly.
- Paragraph 2 - Financial contributions are mentioned but not defined. Is there a figure for developers to work it into scheme viability?
- Paragraph 3 – if the definition is left at 'Local needs affordable units shall be of a type and size to meet known local need' this will enable flexibility for the plan to change with changing assessments of need
- Paragraph 4 – Cascade could, subject to further consideration, be workable
- Paragraph 5 – The Plan might want to define what they mean by 'wider waiting list'
- Paragraph 6 – Principal Residency housing is an unknown quantity. A number of Neighbourhood Plan Groups are looking at this but often have other supporting reasons (Lakes, Peak District, National Parks). Is there any tested evidence on its effects on value, mortgageability and desirability?.
- Paragraph 7 – minimum standard given for the internal floor area of a dwelling is only 50m<sup>2</sup>. This is below (admittedly not significantly) Housing Association accepted standards for a one bedroom 2 person dwelling. The largest permitted dwelling is also smaller than the accepted standard for a four bedroom 6 person dwelling.

C5:

- I would ask the Parish, if looking at new provision for Older and Disabled people, to bear in mind the Magna provision at Deane Close in the village. This is a sheltered housing scheme consisting a mix of both one and two bedroom bungalows numbering around 20 in all, some of which have been specifically adapted.

I hope that the comments from Landscape, Heritage and Housing Enabling are helpful. They would not in themselves prevent your Plan progressing to Submission, they may help make it more effective and provide more certainty to policies which would be used in the decision making process for planning applications. I will chase Development Management and myself to get remaining observations to you.

Kind Regards

Ann Rhodes

Policy Officer (Planning and Environment)  
Taunton Deane Borough Council and West Somerset Council

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web: [www.westsomersetonline.gov.uk](http://www.westsomersetonline.gov.uk)

## STOGUMBER NEIGHBOURHOOD PLAN – CLARIFICATION

Arising out of the discussions at the meeting on 23<sup>rd</sup> March 2015 on the Stogumber Neighbourhood Plan, there are a number of points which it is felt require some further explanation. These are as follows;

### ***Development Plan***

Following the changes introduced through the Localism Act 2011<sup>1</sup> and associated Regulations,<sup>2</sup> the composition of a ‘development plan’ and the planning policy framework within it, has changed significantly. Up to 1991, the development plan in most areas comprised the Structure Plan and Local Plans, although the latter could be selective in terms of their geographic extent (specific towns and/or other settlements) especially in rural counties. The Planning and Compensation Act 1991<sup>3</sup> amended the 1990 Act<sup>4</sup> to introduce the statutory obligation on lower tier local authorities to produce a district-wide Local Plan. This was subsequently amended to an area-wide (Local Planning Authority – LPA) Local Plan following the granting of strategic and local planning powers to the National Parks through the Environment Act 1995.<sup>5</sup> Concerns were raised as to the content in terms of policy (a common accusation was that Local Plans appeared to contain; ‘a policy for every eventuality’) and detail included in area-wide Local Plans and the length of time it was taking LPA’s to bring these through to successful adoption – the adopted West Somerset Local Plan<sup>6</sup> is an example of one of these documents.

Following publication of the Planning and Compulsory Act 2004,<sup>7</sup> the structure of development planning was amended. Structure Plans (outside of the seven metropolitan areas) were replaced by Regional Spatial Strategies (RSS) at the strategic planning policy making level and LPA’s singly, or jointly with their neighbours, were empowered to produce Local Development Frameworks (LDF’s) which would comprise a portfolio of documents addressing local planning issues pertinent to their area but, constructed within the strategic policy framework provided by the RSS. Under this new regime LPA’s were expected to produce called Core Strategies, which were intended to provide the strategic planning policy framework at the local level. This is the origins of the emerging West Somerset Local Plan to 2032.<sup>8</sup> The changes introduced through the implementation of the relevant elements of the Localism Act have meant that the RSS has been dispensed with as the strategic level of policy-

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<sup>1</sup> H.M. Government; Localism Act 2011: Chapter 20 (as amended); The Stationary Office; 2011.

<sup>2</sup> H.M. Government; Town and Country Planning, England: The Town and Country Planning (Local Planning) (England) Regulations 2012; The Stationary Office; 2012; ISBN 978 0 11 152192 2.

<sup>3</sup> H.M. Government; Planning and Compensation Act 1991, Chapter 34 (as amended); H.M.S.O.; 1991; ISBN 0 10 543491 4.

<sup>4</sup> H.M. Government; Town and Country Planning Act 1990, Chapter 8 (as amended); H.M.S.O.; 1990; ISBN 0 10 540890 5.

<sup>5</sup> H.M. Government; Environment Act 1995, Chapter 25 (as amended); H.M.S.O.; 1995; ISBN 0 10 542595 8

<sup>6</sup> West Somerset Council; West Somerset District Local Plan – Adopted April 2006; West Somerset Council; 2008.

<sup>7</sup> H.M. Government; Planning and Compulsory Purchase Act 2004: Chapter 5; HMSO; 2004; ISBN 0 10 540504 3

<sup>8</sup> West Somerset Council; West Somerset Local Plan to 2032, Publication Draft – January 2015; West Somerset Council; 2015

making,<sup>9</sup> below national policy, and the LDF, now referred to as the Local Plan, is expected to fulfil this role within the area to which it applies. Neighbourhood Plans, which were introduced through the same Act,<sup>10</sup> provide the opportunity for local communities to produce planning policy documents which can deal with issues at a very detailed and local level. These documents and their policy content are expected to be produced so that they are in general conformity with the relevant (up-to-date) Local Plan and its policies or, where these are silent on specific issues, the National Planning Policy Framework (NPPF).<sup>11</sup> The (up-to-date) Local Plan and its policies is expected to provide the context in which the Neighbourhood Plan and its policies add detail and local application.

For Neighbourhood Plan policies to be effective they must be seen to be adding detail (and value) to the relevant higher level policies in the Local Plan (or the policy advice in the NPPF where the Local Plan is silent). Where a general policy exists within the Local Plan that a corresponding policy in the Neighbourhood Plan develops and adds detail to, it might be prudent to establish the link between them within the supporting text of the latter document. This will make clear to users who are un-familiar with the area and policies, the strength and consistency of the policy framework and, enhance its credibility/status, if these are then used for decision-making.

Neighbourhood Plans are not supposed to be 'stand-alone' policy documents except where there is no current up-to-date Local Plan or it is silent on the policy matters addressed within the former document. Where Neighbourhood Plans have been produced in parallel or slightly behind an emerging Local Plan, the level of consistency and conformity should be very high and potential areas of conflict in respect of policy application in the determination of a development proposal should (in theory) be minimal. If this route has been followed and there are likely to be inconsistencies between the two these are likely to be raised as issues at the Examination stage into the Neighbourhood Plan.

Once a Local/Neighbourhood Plan is adopted, it becomes the latest statement on the policies within the areas to which it applies, until such time as it is superseded and/or the higher-level policy context in which it was drafted has changed (e.g. some of the 'saved' policies in the adopted West Somerset District Local Plan until the publication of the NPPF, when the emerging West Somerset Local Plan to 2032 is adopted, some of the 'saved' policies in the West Somerset District Local Plan will be superseded/replaced). If a planning policy has been drafted in the context of and/or relies on, a higher-level policy or adopted policy document that has subsequently been deleted or superseded (as it is no longer consistent with higher level policy and/or guidance), then the former policy no longer retains its development plan status. It is effectively down-graded to background information or, at best, 'material consideration' status if it subsequently used to inform decision-making on a development proposal. It would be unwise of the decision-maker in this circumstance to use it as the primary reason, if a refusal decision was to be issued.

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<sup>9</sup> H.M. Government; Town and Country Planning, England: The Regional Strategy for the South West (Revocation) Order 2013 – Statutory Instrument 2013 No. 935 (S.I. 2013 No. 935); The Stationary Office; 2013; ISBN 978 0 11 153856 2.

<sup>10</sup> H.M. Government; Localism Act 2011: Chapter 20 (as amended); op. cit.

<sup>11</sup> Department for Communities and Local Government; National Planning Policy Framework – March 2012; Department for Communities and Local Government; 2012; ISBN 978 1 4098 3413 7



### ***Effectiveness***

An important 'test' for policies in a Neighbourhood Plan can be described as; "*what do they add to the existing policy framework?*" This should be applied where there is an existing up-to-date Local Plan with relevant policies. If it is adding further detail (e.g. geographical location, materials, context, etc..) and/or other-considerations/tests to the process, and it is clear why in the local context these are being applied (through the supporting text), then it has an effective role to play. If it is just repeating existing higher level policy tests, then its inclusion must be questioned and, it is unlikely to be used in the final determination of a development proposal as the higher level (Local Plan) version of the policy is likely to be used. Also, its indirect impact in this form, on other policy-making within the Neighbourhood Plan needs to be considered. If there are a number of this type of (duplicating) policy, they could, collectively diminish the effectiveness (perceived and real) of the 'original' policies in the document when it is used by persons who are unfamiliar with the local area and the general policy approach.

One of the criteria under which the use and application of development plan policies in the West Somerset LPA area, is that, policies should not be read in isolation but, that all policies that are directly relevant in the assessment/determination of a development proposal should be considered. Where there is a high degree of consistency and commonality at all levels (NPPF, Local Plan, Neighbourhood Plan) and the policy approach is extended and made more detailed at each successive level, then the weight behind the correct use of the Neighbourhood Plan policy will be considerably enhanced when it is applied in the decision-making process.

Care should also be taken in the use and number of policies that are essentially aspirational in nature. If the prospects of delivering the development outcome expressed in such policies during the plan period is very low, then it must be questioned as to why it is needed to be included. Such policy proposals could be interpreted as safeguarding land/property for a future use that is either vague or, yet to be determined. In such instances, others might argue that 'safeguarding' in this way could also constitute blight and a case for compensation by the owner (present or future) be constructed as a consequence. If the Neighbourhood Plan were to include a significant number of this sort of policy it could also have the unintended effect of indirectly diminishing the application and use of those policies that are 'effective' and could be used in the decision-making process where a number of aspirational policies are deemed to be related to the proposal.

Further considerations in the drafting/inclusion of policies in a Neighbourhood Plan should be;

- a) "*can they be enforced?*" and,
- b) "*at what cost?*"

There seems little point in including policies in a development plan document if, there are no prospects of the consequences of a breach of the conditions that have been included on a planning permission issued reflecting the requirements of such a policy, being implemented and/or successful. If the intention behind such a policy being included is primarily to 'bluff' people into thinking it would be applied the, the question

has to be asked, “*how often would the circumstances arise that would justify its usage?*” If the answer to this is likely to be, “*none*” or, “*very rarely*”, then the justification for its inclusion must be questioned. ***Although the Neighbourhood Plan is essentially created by the local community, the application of its policies in terms of decision-making, will be carried out by individuals (LPA Development Management officers, Planning Inspectors, Secretary of State and potentially, Judges), who may be unfamiliar with the particular local circumstances and context which generated the policy’s inclusion in the first place.***

### ***Descriptions***

Given that a Neighbourhood Plan is usually concerned with a relatively small geographic area when compared with that of a Local Plan, it offers the opportunity to describe and explain the characteristics in far greater detail than the latter development document. It provides one of the few opportunities where the phrase ‘local distinctiveness’ can be given full expression. It is the level of detail in the descriptions that will assist those decision-makers, especially where they are unfamiliar with the location(s), to get a better understanding of what they are looking at, as well as appreciating the qualities (whether they be groups of buildings, buildings set against a near/far landscape feature, specific features on buildings such as ornate windows or decorative barge-boards on gable ends, etc.) that the local community see as valuable and important to them. Places are currently mentioned in terms of locations but these could (possibly) be enhanced by inclusion of a description of a direction of travel. Frequent mention of ‘local’ landmark places, buildings, features, fields, etc., that have names given to them, and known by, the community (*e.g. Farmer x’s meadow, y hill, the Old Bakery, view from the top of zz looking eastwards towards..., etc.*) and, makes them Stogumber/Vellow/Capton-specific, would be particularly informative. It may well be that local people responding to individual development proposals may make reference using this type of label which, may mean nothing to the individual decision-taker.

#### Possible example

*“..approaching Stogumber village from the south-west, along Station Road, having climbed upwards through the wooded defile from the railway station, after the right-hand bend, the land suddenly opens out. On the left there is a bank which then gives way to a large open field [local name?] on the side of a prominent hill [local name?] whose apex is 430 feet/131 metres above sea-level and, on the right the land is more gently sloping open space and is currently occupied by the cricket club complete with pavilion at the rear, which in turn is set against the Quantock Hills in the distance..”*

This will help to orientate the individual user. Reference to immediate landscape in relation to more distant, also provides greater depth and understanding as to what is being viewed. Whilst the existing version contains some descriptive material and, importantly, some reference points within the different landscapes, these tend to be rather generalised (*e.g. “..cob cottages dating from the 1500’s to 1700’s and 1800’s, often rendered, with slate, tile or thatched roofs..”* – most settlements in England with up to 5,000 inhabitants could use this to describe parts of their community). The

Pevsner architectural guides<sup>12</sup> might be a useful starting point for such information along with that recorded by Somerset Heritage Services on its Historic Environmental Record Service (HERS) on-line data resource.<sup>13</sup>

Although this may sound a bit like an early 20<sup>th</sup> century travel-guide, it will help to generate an understanding of the importance of the building detail, groups of buildings, features, views, etc., of the local landscape and how they relate to one another. It was evident from both the recent discussions about the Neighbourhood Plan that character, landscape settings etc., are highly valued by at least some elements of the local community, otherwise the decision to proceed with the Neighbourhood Plan to this stage, and the local knowledge that has informed it would not have enabled it to progress to the point at which it is currently at. The Neighbourhood Plan is one of the few opportunities for the local community to 'sell' what they see as important to themselves, to a wider audience who may be determining what sort of development is approved and how it will affect what they treasure in the future. An important element within these descriptions are that they are clear in what they are describing. Everyone sees the world slightly differently and places a level of importance on what they are viewing. If the community does not, through the Neighbourhood Plan, attempt to explain, about its location, what is important to them, no-one else is likely to and, it will be left to the individual decision-maker, who may not be local to the area, to make a judgement on how they see the area and the elements that comprise it. What they see, and how they see it, may not be the same as those of the local community.

### **Information**

One item that did not come up during the meeting was the presentation of statistical information in the appendices to the latest draft of the Neighbourhood Plan. Whilst the ONS does allow some of the Census data to be analysed in great detail at the local level for research purposes, it is very careful in the way that it makes this available via its own web-site. On the publicly accessible parts of the Neighbourhood Statistics web-site, it is not possible to obtain basic information for seven of the Parishes in West Somerset (Clatworthy, Elworthy, Minehead Without, Oare, Skilgate, Strington and, Treborough) from the 2001 and 2011 Census returns.<sup>14,15</sup> It applies a minimum threshold of 100 persons within a defined geographic area for which it will make data publicly available. ONS does permit access to smaller geographic areas with lower overall totals (e.g. Census Output Areas – COA's) for individual research and analysis purposes. However, care must be taken in the use and presentation of data from such sources especially if it is to go into the public domain.

The tables used in the appendices at the rear of the Stogumber Neighbourhood Plan are broken down by type and/or qualifying criteria in great detail. In numerous instances the data is in single figures and in some instances as low as one. In such cases, it is possible that, using the criteria in the table that produce such numbers, an

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<sup>12</sup> Pevsner, N and Orbach, J.; Buildings of England, Somerset: South and West; Yale University Press; 2014; 2<sup>nd</sup> ed.; ISBN 978 0 300 20740 8.

<sup>13</sup> Somerset County Council; Historic Environmental Record Service (HERS); Somerset County Council; 1984> (data-set).

<sup>14</sup> Office for National Statistics; Census 2001: Neighbourhood Statistics – West Somerset Parishes; Office for National Statistics; 2004 (2001 data-set).

<sup>15</sup> Office for National Statistics; Census 2011: Neighbourhood Statistics – West Somerset Parishes; Office for National Statistics; 2013 (2011 data-set).

individual may be able to identify themselves as being the subject represented by that number. The Data Protection legislation<sup>16</sup> exists to protect the individual from the use (intentionally and, un-intentionally) of personal information they may have provided through surveys, which could specifically identify them. The information as currently presented in the Neighbourhood Plan could be interpreted as doing this (contrary to Section 33(4) of the Act) as it appears to reverse the process that is used to anonymise the individual data source. This can be achieved by aggregating upwards similar data together in order to 'hide' the individuals. I would strongly advise that any data about population of the type shown in the tables in the February draft of the Neighbourhood Plan be aggregated-up so that the minimum figure shown is ten or more.<sup>17</sup> The alternative would be to suppress any numbers representing population of less than ten, using a common character or characters (many organisations use either, n/a [not available], a dashed line or, asterisk[s], to denote this). This would help to prevent any possible claims by residents of the Neighbourhood Plan area that they could be identified in this way.

## **Conclusion**

To sum up the points I have made above;

- The strength of a development policy comes through its consistency with higher level policy and guidance. This is best expressed through highlighting the linkages between them.
- The effectiveness and usefulness of policies in decision-making will derive from the way it adds detail to higher level policy and/or guidance
- More is not better when it comes to policies. A policy to cover every eventuality is not essential. If it is not a local issue, it might be better to remain silent.
- There is little point in using a policy as a 'bluff' if the capacity or capability does not exist to enforce it or it cannot be enforced for other (legal) reasons
- Aspirational policies should only be used occasionally and selectively. The extensive use of such policies might result in unintended consequences.
- Accurate detailed description of the area and its features will help sell their relative merits and facilitate the decision-making process possibly more than the policies themselves.
- Data on population presented in tables should be aggregated up to a minimum of ten or suppressed to safe-guard against any possible claims using Data Protection legislation.

I hope this provides some clarity on the points I was endeavouring to make at the meeting. I think the most important factor for the contributors to remember when producing this Neighbourhood Plan is to remember who is going to use it for decision-making purposes. Also, how can the document be made to make that decision-making process easier.

*Martin Wilsher, 31MAR15*

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<sup>16</sup> H.M. Government; Data Protection Act 1998, Chapter 29 (as amended) ; H.M.S.O.; 1998; ISBN 0 10 542998 8.

<sup>17</sup> The Statistics of Trade Act 1947 which relates to the collection of data about business (and is still in force), requires an aggregation of a minimum of 21 commercial organisations to comprise the data source before the relevant information can be released into the public domain.