



Ann Rhodes
Planning Policy Team
West Somerset Council
West Somerset House
Killick Way
Williton
Taunton
TA4 4QA

6 January 2017

Dear Ms Rhodes,

Please find attached completed proforma with comments relating to the Stogumber Neighbourhood Development Plan.

I am writing in my role as Power of Attorney for personal welfare of Mrs Anne Howe, who is resident in the village and joint owner of the property of Central Stores Stogumber.

I am concerned that the proposals as currently worded will have unintended consequences for Mrs Howe, who is registered disabled, which in my opinion could impact on her personal welfare and financial affairs.

My concern is that some of the wording in the plan, particularly "resists the loss of these essential services by safeguarding their premises unless a better alternative is available" could be considered placing pressure on a vulnerable adult and therefore I consider a higher priority to safeguard the welfare of a vulnerable individual above that of a building which is privately owned and not a community owned asset.

I am in agreement with the objections raised by Mr and Mrs Howe, that the issues of Central Stores as a property and Central Stores as a service need to be considered separately from each other in the plan. The plan as a whole is not "concise, precise, or supported by appropriate evidence" (the standards set out in <https://www.gov.uk/guidance/neighbourhood-planning--2>) and therefore I am in agreement with the revised wording set out in the proforma, which will hopefully remove any potential for unreasonable restrictions and prevent the unintended consequences described above.

Please can you confirm receipt of this letter and representation form, and keep me notified of details about the examination into the Plan and the Local Authority's decision in relation to the Neighbourhood Plan.

Yours sincerely,


Nathalie Delaney





For official use only

Reference: SIX MBU NPTN.
Received: 9th JAN 2017.
Acknowledged:
Scanned: _____

PART A

Please complete Part A in full, in order for your representation to be taken into account at the Neighbourhood Development Plan examination.

Full Name	Nathalie Delaney
Address	Flat 4 [REDACTED] Road [REDACTED]
Postcode	[REDACTED]
Telephone	[REDACTED]
Email	[REDACTED]@gmail.com
Organisation (if applicable)	
Position (if applicable)	
Date	04/01/2017

PART B

Please complete Part B overleaf, identifying which paragraph your comment relates to by completing the appropriate box.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies through the examination.

The majority of examinations are expected to be through written representations. However should the Inspector decide there is a need for an oral examination, please state below whether you would like to participate.

- No, I do not wish to participate at an oral examination
 Yes, I wish to participate at an oral examination

Please note the Inspector will determine whether an oral examination is necessary.

If an oral examination is require, please outline why you consider that your participation is necessary.

To which part of the Neighbourhood Development Plan document does your representation relate?

Paragraph Number	C12 Essential Services	Policy Reference:		Map	
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Do you support, oppose, or wish to comment (Please tick one answer)

- Support
- Support with modifications
- Oppose/Object
- Have Comments (about The Plan, Examination or Referenda)

Please give details of your reasons for support or opposition, or make other comments here: Please be as precise as possible

Current text of Neighbourhood Development Plan: (C12 and preamble)

The Plan resists the loss of these essential services by safeguarding their premises unless a better alternative is available.

...

The loss of the village shop (Central Stores) and the pub (The White Horse) will only be permitted if they are to be replaced with services and facilities of an equal or higher quality and value to the community on the same site or another site within the Parish.

Should these services be shown to be no longer needed or viable, any proposed alternative use should provide equal or greater benefits to the local economy and community.

Objection

The wording that "any proposed alternative use should provide equal or greater benefits" is restrictive and creates a significant imbalance between the rights and obligations of the property freeholder and those of the village.

As set out in the *Responses to the formal consultation 7 December 2015 to 29 January 2016*, Anne Rhodes (Policy Officer, Planning and Environment) advised that the policy in C12 may have unintended consequences and that there are current permitted development rights.

Although the wording has been amended to reflect development rights, the wording of the plan "safeguarding their premises until a better alternative is available" as it stands remains prescriptive and limits building usage which may have unintended consequences.

The intention behind the section is to support the community services of the shop and pub. There are no objections to this intention.

However the wording does not enable flexibility in usage, nor recognise the current trends in market climate. Nearby villages of Bicknoller, Roadwater and Crowcombe all have a volunteer-run community shop, indicating that a commercial privately-owned village shop is unlikely to be viable in today's commercial market. Therefore this wording is an unreasonable restriction to place on a privately-owned business and property.

As such an alternative equal service would be financially unviable, and to include a clause about "greater benefits" linked to the usage of the property freehold creates the inequity in the proposal.

The current owners are running the shop as a "labour of love", but despite marketing the services to all residential properties in the local area as well as making a number of other changes in the business model, have seen a continuing trend in decreased footfall and reduction in operating margin. The building requires upkeep and modernisation, and if the property were to be rented as a commercial space, the rental income would not cover the required renovations and therefore this is not a financially viable alternative use for the property.

The wording also does not specify what equal or better alternatives would be acceptable, nor specifically which services are considered important. For example, many residents in Stogumber including those without access to transport use online shopping as their alternative to the village shop grocery service, and this provides them with the services they require. Therefore as the wording is unclear and despite the intention being one of support, the unintended consequences may be that by focusing on the property rather than the services contained within, this may result in losing the services that residents find vital. Central Stores provides many services, for example a laundry service, and would an alternative provision, without access to a dry cleaner, be considered a "lesser" service, and therefore unacceptable? This is surely not the intent of the Plan authors, however it could be construed from the current wording.

Therefore the issues of Central Stores **as a property** and Central Stores **as a service** need to be considered separate from each other.

Considering the service out of the context of the property opens up a whole range of alternatives to the residents of the village which may provide greater benefit. Alternatives could include incorporating the service into other community assets (for example the village hall) or other locations (pub, church, or cricket club). There may also be potential to look at combining the service with facilities (C7 Village Hall) which would enhance that component of the Neighbourhood Development Plan.

The respondent appreciates that consultation was carried out in order to develop the plan, including a survey which asked the following three questions to residents:

5. Encourage, support and protect the shop and Post Office (Central Stores) and

the pub (The White Horse) as essential pillars of the community.

5a. Support changes necessary to maintain the vitality and viability of the businesses.

5b. Planning permission for change of use should not be granted.

In terms of methodology, the questions are not specific to a single factor. By this I mean that the survey is asking multiple questions within a single question, without corresponding responses to enable robust analysis and validation of responses. As this was a bespoke survey, the questions were not validated questions, and this affects the robustness of conclusions from survey data for decision-making purposes. The wording of some of the questions could potentially have introduced bias in the responses through being "leading" or "loaded" questions, and unspecific wording meaning that questions are open to interpretation by respondents, affecting the validity of the conclusions drawn. By wording statements as "agree" or "disagree", this does not account for strength of opinion. Robust surveys use Likert scales to assess strength of opinion.

There were 44 responses to question 5, and there are 702 residents in the village. Therefore the survey response can not be concluded as being representative of the population as a whole. As the survey had 53 questions this will have affected response rate, and introduced a potential bias. Also, as the number of respondents is less than 100, percentages are not an appropriate way to summarise the data, without expressing the statistical uncertainty that results from sample 44 out of 702. In order to robustly sample a population of 702, a responding sample size of 249 is required to be within a 95% confidence interval.

Therefore, the pure quantitative (numerical) analysis of these questions should not be relied upon for decision making. This is reinforced by some analytical errors in presentation (rounding, incorrect calculation by including "no opinion" responses in total), which will have had an impact on perception of results and a lack of demographic data to check whether the sample was representative of village demography.

The free-text analysis of the qualitative (text) responses is perhaps more indicative of the views of respondents. Throughout the survey, respondents in the free text encouraged support and usage of the shop and pub **services** in order to enable them to remain viable.

This is a different sentiment to restricting use of the property so that it is always a shop.

Under the question: "Planning permission for change of use of the pub and shop should not be granted." many respondents in free text stated that this would need discussion and not a blanket refusal. Comments include:

"This could prove a real problem for the owners of these businesses if they have been running their business well and not getting the support. ...refusal in the event of business failure would be unreasonable"

"It would depend on the circumstances ... This also limits severely options re use?"

"Not sure.....sadly if we found a situation where they are not viable, boarded and decaying premises would not be to our advantage."

Therefore respondents to the survey also felt that this was an unreasonable restriction on the property owners whilst encouraging support of the services it provides.

Please set out what change(s) you consider necessary to enable the plan to proceed, including any suggested revised wording of any policy or text, related to the objection you have raised. You will need to say why this change will enable the plan to proceed. Please be as precise as possible.

What improvements or modifications would you suggest?

The respondent suggests the following amendments to wording should be implemented to mark the clear distinction between the provision of essential services and the properties in which they stand, and better reflect the intentions of the framers and respondents to the initial survey. It also removes any potential for unreasonable restrictions on privately-owned businesses and property, preventing any unintended consequences.

These amendments create clarity to separate the issues of Central Stores **as a property** and Central Stores **as a service**.

Amendments are shown in **red** and removals shown with ~~strikethrough~~.

Essential Services

Whilst the village shop (Central Stores) and the pub (The White Horse) are commercial businesses, they bring much wider benefits to the village. They are places where people meet, exchange views, and obtain advice and information, helping to connect and bind the community. They reduce the volume of traffic on the roads (as otherwise people would need to shop and socialise elsewhere). They facilitate many of the voluntary services and social events in the village. They help enable elderly residents, and people without access to transport, to remain living in the village. The Post Office gives access to banking and government services and information.

There are now Permitted Development Rights to change shops to houses and flats subject to certain 'prior notification' considerations. These include that the shop should be under 150m² in floor area and taking account of possible transport and highways impacts, contamination, flooding risks, the design or external appearance of the building, and whether there would be undesirable impact on adequate provision of shops where there would be a reasonable prospect of the building being used as such.

This Plan recognises the importance of community services provided by the

village shop and the pub, and will continue to encourage and support residents of the village to utilise these services.

~~The Plan resists the loss of these essential services by safeguarding their premises unless a better alternative is available.~~

~~However, the plan does support diversification of these services in order to maintain their overall viability - such as the addition of a tea room to the village shop.~~

~~C12 Essential Services~~

Where services are no longer viable in their present form, alternative service provision should be considered within the Parish to provide comparable services which are of benefit to the community.

~~The loss of the village shop (Central Stores) and the pub (The White Horse) will only be permitted if they are to be replaced with services and facilities of an equal or higher quality and value to the community on the same site or another site within the Parish.~~

~~Should these services be shown to be no longer needed or viable, any proposed alternative use should provide equal or greater benefits to the local economy and community.~~

~~Diversification of these businesses, in order to support the core business, is also supported.~~

Rationale for changes to wording

This Plan recognises the importance of community services provided by the village shop and the pub, and will continue to encourage and support residents of the village to utilise these services.

By introducing this wording to replace the "safeguarding of premises" wording, this better reflects the distinction between services and the property, and also recognises the free text comments to the survey. This better facilitates the intentions of the Parish Council to preserve the services of a shop and pub.

Where services are no longer viable in their present form, alternative service provision should be considered within the Parish to provide comparable services which are of benefit to the community.

By amending the wording to remove reference to site, and replacing "equal or higher quality" with "comparable" this enables flexibility and responsiveness to changing community requirements of these services. This enables a wider range of alternatives to be considered and may benefit other parts of the Neighbourhood Development Plan when considered alongside other community assets, e.g. Village Hall.

If you have additional representations this form can be reproduced for each item. Please make sure any additional pages are clearly labelled and attached.

