

## Catle Cary and Ansford Neighbourhood Plan Regulation 16 Consultation

### Summary of Comments Received



Section/ Policy	Comment
Policies	<p>There are no specific comments to make regarding the proposed policies but this should not prejudice any future responses consultees may make on site specific applications as they come forward through the planning process, and which will be considered on their merits under the appropriate policy at the time.</p> <p>The groups aim of maintaining a sustainable neighbourhood was welcomed</p>
Policy DP1	<p>There may be occasions when maintenance and improvement works are needed to services. Some works would be a permitted development but certain works will require express planning consent from the local planning authority.</p> <p>The requirements under Policy DP1 should recognise that infrastructure development and maintenance by utility companies by its nature needs to be functional and considerations such as security and health and safety must take precedence over appearance. While we seek to ensure design is as sensitive to its location as possible, there are often constraints on location (due to existing below ground infrastructure), materials (for example requirements to meet national security standards) and size/form (driven by operational requirements).</p> <p>Concern was raised that Policy DP1 may be overly restrictive when seeking consent to undertake maintenance/improvement works to existing infrastructure. In response to development requirements, there may also be a need to construct new above ground infrastructure during the plan period.</p> <p>Policy should be amended so that it reflects the needs of infrastructure development.</p>
Policy DP1 – Environmental Footprint, bullet point c	<p>It is submitted that it is beyond national planning policy guidance to require all new housing to be carbon neutral in construction and function. Guidance promoting the efficient use of natural resources is provided at Paragraph: 013 Reference ID: 26-013-20140306 – it does not state that all new housing should be carbon neutral. Guidance on the materials to use to ensure good design is provided at Paragraph: 028 Reference ID: 26-028-20140306 – it describes the use of innovative construction materials and techniques but does not state that development should be carbon neutral.</p> <p>The Government’s current standards for energy efficiency are set through the National Building Regulations, currently Part L 2013 (as set out in Fixing the Foundations, HM Treasury, July 2015). All new homes are far more energy efficient than older building stock</p>

	<p>owing to the requirements of Building Regulations. The Neighbourhood Plan should not set different targets or policies outside of the national Building Regulations framework. In 2015 the Government dropped its aim to achieve zero carbon homes by 2016 as at that time there was no practical technically feasible way of achieving a solution to move from Part L 2013 to zero carbon.</p> <p>While the Neighbourhood Plan can be aspirational in its desires it will become part of the development plan used for the purposes of determining planning applications. The Neighbourhood Plan should not use bullet point c) referred to above to refuse applications that meet industry standard requirements. Currently detailed building regulation details on construction materials and precise energy efficiency ratings are not required to be submitted for the purposes of securing planning permission. Design and Access Statements will contain details relating to energy efficiency and the design philosophy on which a scheme is based but they are not required to provide details relating to Building Regulations</p> <p>It is proposed to remove the reference to new housing being carbon neutral in design and function from the Neighbourhood Plan as this is beyond national planning policy requirements.</p>
HOU1	<p>No objection in principle to the identification of the 5 brownfield sites for residential development. However, it is unclear what research has been undertaken to ascertain whether these sites are developable and deliverable. Clearly, these sites have been identified for housing for a number of years and no development has taken place. At present there is no evidence available that these sites will come forward and be developed within a reasonable period of time</p>
Paragraph 3.1 b) & HOU2	<p>Paragraph 3.1 (b) is translated into Policy HOU2 of the Neighbourhood Plan (p.23) which seeks to 'strongly resist' additional development at the 'direction of growth' while the supply of dwellings granted through extant planning permissions is greater than the minimum requirement expressed in the Local Plan (of 374) unless it can meet a clearly identified local need for affordable or social housing from within the Neighbourhood Plan area.</p> <p>There are numerous reasons why brownfield development may not be coming forward at the town, including viability. While the NPPF encourages making the best use of land, including the redevelopment of brownfield sites, it is for the Local Plan making process to evidence a plan period supply of housing and in particular a five-year supply of housing sites. At the time of preparing the adopted Local Plan the Direction of Growth policy at Castle Cary identified the Council's preferred area for the future growth of the settlement for the plan period and this was considered acceptable by the Local Plan Inspector.</p> <p>The Neighbourhood Plan should therefore not constrain or frustrate this policy, even if there are brownfield sites in the town suitable and available for the delivery of new housing over and above the adopted 'Direction of Growth' location for new development. Indeed, a mix of</p>

	<p>size and type of sites allows for a range and mix of housing products to come to the market including affordable housing to meet local needs.</p> <p>In order to meet Basic Conditions requirements, it is necessary for the Neighbourhood Plan to be in general conformity with the strategic policies<sup>2</sup> of the development plan. Policy LMT1 comprises the strategic adopted development plan policy for the future growth of Ansford and Castle Cary therefore it is necessary for the emerging Neighbourhood Plan to be in general conformity with Policy LMT1.</p> <p>Objection to the neighbourhood plan seeking to restrict development at the Direction of Growth, especially when a site could help to enhance permeability and connectivity in that area between sites that are already granted planning permission and to enhance infrastructure for walking and cycling.</p> <p>Request that Castle Cary and Ansford Neighbourhood Plan should not seek to limit new development in the Direction of Growth area identified in the adopted South Somerset Local Plan 2006 -2028, either in the text of the document or through proposed Policy</p>
INF 1	<p>Objection to this policy as planning permission has already been gained for the new school development in association with permission 15/02347/OUT, and the existing site will not have enough space for facilities or classrooms to adequately provide for pupils and a high standard of education.</p>
INF 2	<p>Objection to this policy as the site will be used for education purposes in the form of a new primary school. Youth Facilities will have to be accommodated in another location, therefore a change to the policies map to reflect this is also required.</p>
Replies of No Comment	<p>Historic England, Scottish and Southern Electricity</p>
General comments	<p>Support objectives which contribute to out-commuting and which encourage travel by sustainable modes.</p> <p>Concerns raised about the wording and policies in the regulation 16 draft. The NHP group are encouraged to make the changes as suggested to ensure that the plan is in accordance with SSDC local plan in terms of the growth area and location of the new primary school. There is further evidence on the feasibility studies carried out at the Primary School which have led to the decision to relocate to the new site.</p>
Paragraphs 1.1 - 2.5	<p>It's important to ensure that the Neighbourhood Plan does not contradict or undermine the planning policy context for the area that has been established through the adopted Local Plan.</p> <p>Concern was raised that contradictions between the emerging Neighbourhood Plan and the adopted Local Plan which could make the Neighbourhood Plan unsound.</p>
Paragraph 2.10	<p>Agree in principle with this paragraph.</p>

Paragraph 3.1	<p>Concern regarding the lack of development of a number of identified brownfield sites within the defined settlement limits was noted. These are sites which have been identified for development for many years but nothing has happened.</p> <p>Reference to the Direction of Growth which is identified in the adopted Local Plan was also noted. The reason for the identification of the Direction of Growth is to provide:</p> <ul style="list-style-type: none"> <li>• certainty in relation to where greenfield development would be acceptable in Castle Cary.</li> <li>• provide a range and choice of sites which are attractive to both developers and future residents.</li> </ul> <p>Objections were raised on the potential embargo on additional development in the Direction of Growth pending the development of existing brownfield sites. Such a position is totally contrary to national planning policy and the adopted South Somerset Local Plan.</p> <p>The NPPF does not introduce a sequential assessment where brownfield sites should be developed before greenfield sites and the NP cannot guarantee the delivery of brownfield sites within the urban area. Whilst the Neighbourhood Plan states that it will work with the District Council and local land owners to help unlock and bring forward brownfield sites, it is unclear what can be done. Clearly, there are fundamental issues with these sites if they need to be 'unlocked'. This approach will cease future housebuilding in Castle Cary/Ansford and as a result will: -</p> <ul style="list-style-type: none"> <li>• not provide much needed additional open market housing;</li> <li>• not provide affordable housing to which there is an identified need; and</li> <li>• reduce supply of housing and consequently increase its cost.</li> </ul>
Paragraph 3.1 (d)	<p>Agree with the principle stated in paragraph 3.1 (d), however, the adopted South Somerset District Local Plan which has been the subject of an independent examination has carefully considered the future planning of the area by identifying a Direction for Growth for the town. The Neighbourhood Plan should not attempt to undermine that concept and as presently drafted this is what is going to happen.</p>
Paragraph 3.1 h	<p>Cannot agree with this and require its removal regarding the primary school. The new Primary school site has been selected due to there being insufficient space on the current site for the appropriate expansion. The exiting site will not be satisfactory for the future, and the new site proposed will enable the provision of an appropriate sized school with adequate hall, sports facilities and other requirements</p>
Page 12	<p>Pleased to note that the Neighbourhood Plan seeks to support the level of new dwellings required by the adopted Local Plan. However, it should be noted that the level of new homes set in the adopted Local Plan is not a target or ceiling beyond which no additional development is acceptable.</p>

	The Neighbourhood Plan therefore needs to ensure that there is flexibility in the overall growth target for housing and employment in the area. This position has been accepted by numerous appeal inspectors in South Somerset, the NP needs to make this position clear.
Housing Data	The housing data is too out of date to be relevant and it should be updated with 2018 information.
Paragraph 5.2	The adopted Local Plan did initially intend to be supplemented with a Site Allocations document which would have proposed a masterplan for the entire site. The District Council subsequently decided not to proceed with the Site Allocations Plan. Since then planning permission has been granted on a number of sites in the Direction of Growth. It therefore is now irrelevant to include this reference in the NP.
Paragraph 5.9	That due consideration is given to the management of additional traffic as a result of the additional dwellings detailed in the Neighbourhood Plan. In particular concern was raised about the increase in traffic on the Hadspen to Cole Road. Ensure that the surrounding roads in neighbouring parishes and towns is considered and mitigating steps taken.
Paragraph 5.10	Issue is taken with this paragraph, the Government's guidance in the NPPF is to boost the supply of housing to meet existing and future needs. If that is to be achieved further planning permissions need to be granted. Additional permissions would assist in more housebuilding.
Paragraph 10.2	This paragraph is also out of date although the explanation of Planning Obligations is accurate it is important to state that for education the per dwelling cost is derived from the need in the schools. If there is space in a school, no obligations will be requested. However if there is a capacity issue in the following education providers the cost per dwelling would be as follows: <ul style="list-style-type: none"> <li>• Early years £853.70 per dwelling</li> <li>• Primary Education £5,463.68 per dwelling</li> <li>• Secondary Education £3,480.54 per dwelling</li> </ul> Therefore the total cost per dwelling could be all education providers together if there are capacity issues in all levels of education. The historic figure quoted in paragraph 10.2 is not reflective of the potential obligations which the developer may be asked for.
Paragraph 10.4	Corrections required, the formula is now: <ul style="list-style-type: none"> <li>• Early years 5 pupils per 100 dwellings</li> <li>• Primary 32 pupils per 100 dwellings</li> <li>• Secondary 14 pupils per 100 dwellings</li> </ul>
Paragraph 10.5	Objection to the statement regarding the location of the new primary school. There has been no evidence brought forward that the new location would lead to increased car journeys or the loss of trade from the town centre. Feasibility studies have demonstrated that the expansion of Castle Cary Primary would not be satisfactory.

Paragraph 10.6	Agreed with this paragraph
Paragraph 10.8	Objection to this statement that site for primary school should be used for youth facilities. This site has planning permission for a school which is required for the growth in the area.
Paragraph 10.10	Objection to the NHP preferred option to extend the existing primary school. The location of the primary school in location of growth must follow the LP Policy, and planning permission gained with conditions on the 21 June 2016.
Monitoring	Concern was raised that there is no indication within the Neighbourhood Plan as to how monitoring will be undertaken and when the Plan will be reviewed. The District Council are currently in the process of reviewing their Local Plan which will carry forward policies until 2038. The Neighbourhood Plan needs to make reference to the Local Plan review and provide a timescale for review
Consultation Statement	Concern raised that the Consultation Statement submitted with the Regulation 15 Neighbourhood Plan does not adequately address the representations made on behalf of Hannick Homes to the Regulation 14 consultation. Representations are made briefly at p.5 under 'Agent for housing developer' and at the top of p.16. and state 'response to a 22-page document' but do not summarise or respond to the points made by the submission. The planning policy points submitted to the Regulation 14 consultation are worthy of consideration by those preparing the Neighbourhood Plan as they reflect National Planning Policy Guidance contained in the NPPF (March 2012) and the online National Planning Practice Guidance. They also reflect the emerging policy position of the Government with regard to the delivery of new homes and the adopted South Somerset Local Plan position, as well as the Local Plan Review Issues and Options position. The Neighbourhood Plan Examiner is duly requested to consider the contents of Appendix 1 is it contains valid planning policy arguments that support our client's representations to the Regulation 16 consultation. Had the Neighbourhood Plan Consultation Document adequately reflected and responded to our client's Regulation 14 submission then it may not have proved necessary to include as an Appendix to this Regulation 16 response. Request that the Castle Cary and Ansford Neighbourhood Plan should not seek to limit new development in the Direction of Growth area identified in the adopted South Somerset Local Plan 2006 -2028, either in the text of the document or through proposed Policy.