

**Martock Neighbourhood Plan Submission**
**South Somerset District Council Comments**
**Strategy and Commissioning Team October 2020**

<b>Section/ Policy</b>	<b>District Council Comments</b>
Para 5.8 - Companion Documents	<p>It should be made clearer that the Environment Manual is for guidance only and cannot be relied upon to “help ensure that the requirements of the Neighbourhood Plan are satisfied”. It would appear from the Contents page that the document is incomplete, with several sections still to be included.</p> <p>The Village Design Statement can be a material consideration in a planning application but has little formal status. It describes itself as a ‘Supplementary Planning Document (page 2 bullet point) and states “It can be used to assess the quality and appropriateness of any development requiring planning consent”. The reference to ‘Supplementary Planning Document’ should be deleted. The Annexes of this document are not complete.</p> <p>The Flood Guide, Villages design Statement and Environment Manual have not been ‘Submitted’ under Regulation 15 and it would be helpful if their limited weight could therefore be clarified as being for general guidance only; and that they will not form part of the statutory Neighbourhood Plan. It is expected that the relevant contents of these documents has been translated into specific policies in the Neighbourhood Plan.</p>
Para 6.2 - ‘Our Vision’	<p>The Planning Practice Guidance states that “Neighbourhood planning provides the opportunity for communities to set out a positive vision for how they want their community to develop over the next 10, 15, 20 years in ways that meet identified local need and make sense for local people”. Although the Plan’s Aims and Objectives are clear, the Vision in this case simply states “Living in harmony with our surroundings” and is perhaps a little ambiguous with no clear physical outcomes described.</p>

Policy Mart8 - Views and Vistas	This Policy would be more helpful if it were more specific about the principal features in each of the views that required such protection. As it is, there is no detailed explanation of the scope and extent of the views and it may be difficult to actually apply the Policy in the determination of planning applications. Furthermore, we would question the identification of Key View 1 South from Coat Road shown on Map 4, which is over a development site that has gained planning permission for 120 dwellings.
Paragraph 8.6 - (Built Environment and Heritage)	The Plan states that “A Conservation Area appraisal exercise is taking place (during 2018) for Martock, which will review the boundary and appraise the special architectural and historical character of the Conservation Area.” For clarification, no such review has taken place to date.
Policy Mart9 - Heritage Assets – Para 8.13 ('Martock Schedule of Local Heritage Value')	<p>The Neighbourhood Plan correctly states that the preparation of a schedule of ‘Locally Listed Buildings’ is a matter for the Local Authority, but it should clarify that, until such time as any such schedule is produced and adopted by the District Council, the identification of such assets of local heritage value will have limited weight and cannot form part of the statutory Neighbourhood Plan. It may be appropriate to include potential locally recognised assets of heritage value in an Appendix and state that, as a project, the Parish Council will work with the District Council in its preparation of a Schedule of Locally Listed Buildings in due course.</p> <p>The policy also refers to heritage assets which in its broadest sense applies to all records identified on the Historic Environment Record – this numbers 274 in total. We question whether the policy is in fact intended to apply to ‘designated heritage assets’ (as defined by the NPPF) that includes scheduled monuments, listed buildings and conservation areas. If the policy is intended to apply to all heritage assets, then reference should be made to the significance of assets and decisions to be taken are proportionate to the asset’s importance. The policy currently reads that significance applies to the proposal rather than the asset.</p>
Mart10 – Local Green Space	<p>Several of the proposed sites are situated within the Martock Conservation Area, which already affords some protection from inappropriate development. It may not therefore be necessary to provide additional designation as Local Green Spaces. The spaces already safeguarded in this way are:</p> <ul style="list-style-type: none"> <li>• B - Church Close Amenity Area</li> <li>• E - Martock Churchyard</li> <li>• F - Old Methodist Churchyard</li> <li>• H - Pair Trees</li> <li>• M - The Village Green</li> <li>• N - Middle Street Field</li> </ul>

Mart12 - Infrastructure	<p>The Community Infrastructure Levy (CIL) took effect in South Somerset in April 2017; and is used alongside S106 agreements to provide infrastructure and to mitigate any undue harm arising from development. The District Council will use receipts collected via CIL to fund infrastructure, but this need not necessarily be directly linked to the development(s) from which it is collected. If a Parish Council has a Neighbourhood Plan in place, it too will receive 25% of the receipts collected within its area; they can spend this on anything they feel is necessary as a result of the development that has taken place within their parish area.</p> <p>Policy Mart12 and its supporting text appears to fail to recognise the CIL or the roles that the District Council and Parish Council have in funding infrastructure. It is difficult to suggest a minor adjustment to the Plan to reflect this, although reference could perhaps be made to developers funding necessary infrastructure related to the impact of development through S106 of the Act if CIL payments could not be used for this.</p>
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<p>Map 6 - Martock/Bower Hinton Settlement Area Boundary</p>	<p>The Planning Practice Guidance states that “Where a neighbourhood plan is brought forward before an up-to-date local plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:</p> <ul style="list-style-type: none"> <li>• the emerging neighbourhood plan</li> <li>• the emerging local plan (or spatial development strategy)</li> <li>• the adopted development plan</li> </ul> <p>with appropriate regard to national policy and guidance”.</p> <p>The District Council is currently undertaking a review of its Local Plan for the period 2016 - 2036 and carried out public consultation on its Preferred Options Document in 2019. The Neighbourhood Plan correctly acknowledges that Local Plan Review suggestion that 330 new dwellings should be provided for Martock/Bower Hinton for the period 2016-2036 “would be an acceptable contribution to the overall district target. At 30<sup>th</sup> October 2018, there had been 45 completions between 2016 and 2018 and there were 75 commitments (in planning approvals). <i>The residual housing requirement is 210 dwellings.... this would equate to 10.5 (11) new homes per year over the 20-year LPR period.</i>”</p> <p>The Preferred Options include three allocations in Martock – MB1, MB2 and MB3 that could provide this residual requirement, but two of these areas are currently excluded from the Settlement Boundary (see map at <a href="https://southsomerset.inconsult.uk/consult.ti/PreferredOptionsConsultation/consultationHome">https://southsomerset.inconsult.uk/consult.ti/PreferredOptionsConsultation/consultationHome</a>) The third - MB2 is the subject of a resolution to grant planning permission for 120 dwellings with an appeal withdrawn and is rightly included (Ref 19/00064/FUL). It is considered by the District Council that all three areas should be included in the Settlement Boundary to avoid the possible need for an early review of the Neighbourhood Plan when the new Local Plan is adopted, probably in about 2022. The two areas MB1 and MB3 are consistent with Policy Mart13 in that they would form “logical extensions to the existing built-up area”.</p> <p>Please note that the next iteration of the Local Plan Review (Publication Plan – Regulation 19) will cover the Plan Period 2020-2040.</p>
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<p>Mart1 and Mart13 - Protecting and Enhancing Biodiversity and Accommodating Growth</p>	<p>Since the Submission of the Neighbourhood Plan, Natural England has published new guidance in respect of protecting the Somerset Levels and Moors Ramsar Site from pollution arising from additional Phosphates within the catchment, in which the Parish of Martock is located.</p> <p>The Ramsar Site is designated for its internationally important wetland features including the floristic and invertebrate diversity and species of its ditches. The interest features of the Somerset Levels and Moors Ramsar Site are considered unfavourable, or at risk, from the effects of eutrophication caused by excessive phosphates. Although improvements to the Sewage Treatment Works, along with more minor measures to tackle agricultural pollution have been secured, these will not reduce phosphate levels sufficiently to restore the condition of the Ramsar Site features. The scope for permitting further development that would add additional phosphate either directly or indirectly to the site, and thus erode the improvements secured, is necessarily limited.</p> <p>The guidance from Natural England advises that, in light of the unfavourable condition of the Somerset Levels and Moors Ramsar Site, before determining a planning application that may give rise to additional phosphates within the catchment, competent authorities should undertake a Habitats Regulations Assessment (HRA) proceeding to an appropriate assessment where a likely significant effect cannot be ruled out.</p> <p>Additional residential units within the catchment are likely add phosphate to the designated site via the waste water treatment effluent, thus contributing to the existing unfavourable condition. Natural England therefore advises that the District Council carries out an appropriate assessment of planning applications that will result in a net increase in population served by a wastewater system, including new homes. Applications for residential development within the catchment are likely to be subject to HRA and mitigations to achieve nutrient neutrality. This could impact on proposed development capacity figures, unless additional land is utilised to achieve the necessary nutrient neutrality mitigations.</p> <p>Given that the Neighbourhood Plan proposes a change to the development area and therefore could accommodate additional residential growth, then it would be reasonable to include reference to this issue within the supporting text.</p>
<p>Mart14 - Local Green Gap; and Map 7 - Stapleton and Coat Local Gap</p>	<p>As is the case with the proposed Settlement Boundary, the intended Green Gap includes a Local Plan Review Preferred Options site (MB1). Whilst the principle of the Green Gap is supported, the boundary should be re-drawn to exclude this area for the reasons outlined above.</p>

<p>Mart15 Renewable Energy And Paras. 8.54 and 8.55</p>	<p>The policy cannot enable the development of on-shore wind energy such as small scale wind turbines. The NPPF (para 154 and footnote 49) requires that a proposed wind energy development involving one or more turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.</p>
<p>Mart17 Housing Development</p>	<p>It would be helpful if the neighbourhood plan provided a standard or referred the reader to some guidance on what constitutes “adequate external amenity space, refuse and recycling storage”.</p>
<p>Mart18 - Housing Mix</p>	<p>The Neighbourhood Plan correctly states that the NPPF requires an assessment of “the size, type and tenure of housing needed for different groups in the community and for them to be reflected in planning policies. This is particularly important when it is evident that there is a local housing need that should be met, and limited opportunities to do so”. The Planning Practice Guidance also states that “where they (Plans) do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need”.</p> <p>The Neighbourhood Plan does refer to the most recent SHMA for the District, but paragraph 9.14 goes on to state that “Developers should provide evidence that the proposed housing mix of sizes and types is locally relevant and takes account of the re-housing needs and aspirations of the existing parishioners of Martock”.</p> <p>It should be for the Neighbourhood Plan to expand in detail on any requirement identified through existing evidence; and any additional requirements should be based on further evidence. At present, it is difficult to understand what such further evidence comprises; and it would be onerous for developers to carry out new housing requirement surveys on a case-by-case basis.</p> <p>It would be helpful if the Neighbourhood Plan made it very clear what it means by “small dwellings” in the opening line of Policy Mart18 – the supporting text implies that it means one, two and three bedroom homes but it is suggested that this is made explicit.</p>

<p>Para 9.17 - Affordable Housing</p>	<p>This currently states that “the Government’s new policy is that no affordable housing obligation should be placed on development schemes of 10 dwellings or less”. It should be amended to state that the requirement will not be sought in non-major development - i.e. fewer than 10 dwellings - in accordance with the NPPF. For clarification, Policies HG3 and HG4 of the current Local Plan have not been applied by the District Council to non-major development since the change in Government policy.</p> <p>The Local Plan Preferred Options Document requirement for major schemes to include the provision of 29% affordable dwellings, but the Neighbourhood Plan makes no reference to this.</p>
<p>Mart20 Community Housing</p>	<p>Suggest that the term ‘outside the settlement area boundary’ is ambiguous could be misinterpreted, even though there is a policy test to avoid isolated homes in the countryside. Suggest that ‘outside’ is replaced with ‘adjacent to’ or ‘well-related to’ for avoidance of doubt.</p>
<p>Policy No. Mart21 Self-Build Housing</p>	<p>Suggest “larger housing developments” is amended to “major housing developments” i.e. developments of 10 or more dwellings.</p>
<p>Paras 10.6 and 10.16 - Business Development</p>	<p>For clarification, the Local Plan Preferred Options Document sets a requirement for 3.0ha of new employment land in the Parish; and does not allocate the site at Ringwell Hill for this purpose. It would be helpful if the Neighbourhood Plan made reference to these changes.</p>