

ILMINSTER NEIGHBOURHOOD PLAN

Response to Inspectors Comments

19th October 2022



Report Prepared by ECA for Ilminster Town Council Neighbourhood Plan Development Group.

1. INTRODUCTION

1.1 This report has been prepared by ECA and has been amended following discussions with Ilminster Town Council on the 6th November 2022. This report sets out the responses to the Inspectors' comments raised as part of the Regulation 16 phase. A number of actions have been raised as a result of the letter and a response shall be provided to each in turn.

1.2 Inspector comments are written in *italics*, ECA's recommended actions are written in blue. The neighbourhood plan has been amended and tracked changes version provided which shows the additional text in red and any removed text with a line through.

2. LETTER POINT 1.

2.1 I can confirm that I have received a copy of the draft Plan and most of the accompanying documentation, including copies of the original Regulation 16 representations. However, there are a number of what appear to be mistakes in the presentation of the documents, which are unhelpful and therefore need to be clarified/corrected. It also appears that some of the Appendices to the Consultation Statement have not been provided.

2.2 A revised package of all the documents has been collated and is available on the link in the email.

2.3 More particularly, Appendix D to the Plan is identified as the Consultation Statement. However, that document is entitled Regulation 14 Version and dated 11 December 2020 and there is a separate document, produced by ECA and dated 8 October 2021, entitled Regulation 14 consultation report. I have assumed that together the two documents are intended to comprise the Consultation Statement required to be submitted under Regulation 15 (1)(b) of The Neighbourhood Planning (General) Regulations 2012.

2.4 Appendix D Consultation Statement and the Regulation 14 consultation report do comprise the Consultation Statement required to be submitted under Regulation 15 (1)(b) of The Neighbourhood Planning (General) Regulations 2012. The dates on these documents have been updated to reflect the current submission.

2.5 Regulation 15(1)(d) requires the submission of a Basic Conditions Statement. Again, this is included as an appendix to the Plan and is described on the title page and in the footer as the Regulation 14 Version dated 11 December 2020. Table 1 refers to compliance with the National Planning Policy Framework (NPPF) February 2019, however, page 4 refers to the more recent 2021 NPPF. Again, I have had to assume that the Basic Conditions Statement has been updated.

2.6 Regulation 15(1)(d) requires the submission of a Basic Conditions Statement is described on the title page and in the footer as the Regulation 14 Version dated 11 December 2020. This has been removed. Reference to NPPF 19 not 21 is an oversight and has been amended throughout the docu-

ments.

2.7 I have noted, and also have been referred to by others, to a number of errors in the Plan itself, for example references to housing allocations that are no longer in the submitted Plan and mistakes on the Proposals Map, which will need correction if the Plan were to proceed to referendum.

2.8 Errors mentioned in the regulation 16 comments from SSDC have been edited as per the table.

| Section /Page / Number /para-graph / Policy | District Council Comments | Town Council suggested actions |
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| Para-graph 1.1 | There are eleven overall aims – “Twelve” should be amended. Additionally the Plan has fourteen policies rather than “fifteen”. | agreed and amended |
| Para-graph 1.3 | It is suggested that “..the South Somerset District Council (SSDC) adopted and Local Plan Review” is amended to ‘...the adopted South Somerset Local Plan and emerging Local Plan Review’. | agreed and amended |
| Table 1 | Stage 7 – it is suggested that “SSDC” is written in full. Stage 8 – it is suggested that ‘by the Local Planning Authority’ is inserted after “Adopted”. | amended amended |
| Para-graph 3.5.1 | It is suggested that “South Somerset District Council (SSDC) Adopted and Local Plan Review” is amended to ‘...the adopted South Somerset Local Plan and emerging Local Plan Review’. | amended |
| Para-graph 3.7 | This paragraph has been deleted and paragraphs 3.8 and 3.9 now need to be re-numbered in the final version of the Plan. | amended |
| Para-graph 4.4.2 | “Figure 3” should be revised to ‘Figure 2’. | Figure 2 is the principles of one planet living – no change. |
| Table 4 | The dates of the HRA and SEA will need to be updated in the final version of the Plan. | amended |
| Para-graph 5.3.1 | It is suggested that “...the Adopted and Local Plan Review...” is amended to ‘...the adopted South Somerset Local Plan and emerging Local Plan Review.’ | amended |
| Para-graph 6.3.1 | There are 11 aims listed. | amended |
| Para-graph 7.2.1 | There are 11 aims listed. | amended |

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| Figure 3 | <p>The Green Corridor annotation appears to be missing or is incorrectly shown on the key.</p> <p>ILM3: Designated Local Green Space ..” it is suggested this is amended to ‘Local Green Space designations and Green Corridor assets’ as not all the areas denoted by the map are Local Green Space as defined by the NPPF.</p> <p>“...Fig 5..” should be Fig 4.</p> | <p>amended</p> <p>amended</p> |
| Policy ILM1 | <p>The Council considers that criterion e. does not read well with the introductory text to Policy ILM1. To address this it is suggested that criterion e could be included as part of d as follows:</p> <p>d) Conserve and enhance local landscape character and features, including trees, hedgerows and waterways by:</p> <p>i) ensuring all new development includes a strategic landscape plan and associated management for the whole site to include hard and soft landscaping which enhances the local landscape.</p> | <p>amended</p> |
| Figure 4 | <p>The full extent of the Ilminster Conservation Area is not shown. Some elements denoted on the map extend beyond the Neighbourhood Area (NA). To address this it is suggested that there should be a caveat/disclaimer included at the bottom of the map to acknowledge that some elements are outside the NA but influence environmental assets within the NA.</p> <p>It is suggested that “Local Green Space” is revised to ‘Local Green Space and Green Corridor assets’. This will address the fact that not all the assets are LGS as defined by the NPPF.</p> <p>It is unclear what the dark blue line that extends beyond the NA denotes.</p> | <p>Note says * some parts of the Conservation Area are outside the Neighbourhood Plan Area but influence environmental assets within the Neighbourhood Plan Area</p> <p>Amended</p> <p>Delete</p> |
| Policy ILM2 | <p>Criterion a. SSDC have published evidence on Tree Canopy cover in the District https://www.southsomerset.gov.uk/media/5325/ssdc-tree-canopy-cover-report-2021-final.pdf</p> <p>It is suggested that it would be more appropriate to reference the TCC aim for between 20% and 30% tree canopy cover on new developments. This aligns with the evidence base. It is also suggested that it may be more proportionate to apply the policy to major development rather than “All development..” .</p> | <p>‘all’ changed to ‘all major development’.</p> <p>Amended to ‘a. Ensure a 20 to 30% tree canopy cover across the site.</p> |
| Paragraph 8.7.2 | <p>It is suggested that the final sentence is amended to the following ‘Information pertaining to phosphates including the Somerset Levels & Moors Phosphates Budget Calculator can be found online.’ The Somerset Levels and Moors Phosphates Mitigation Solutions Report, 2022 has now also been published, https://www.southsomerset.gov.uk/services/planning/phosphates-and-nutrient-neutrality/somerset-levels-and-moorsramsar-site/</p> | <p>amended</p> |

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| Paragraph 8.7.7 | It is unclear to SSDC if it is the intention of Ilminster Town Council to seek all funding options or for local residents to do this. this may require the text to be revised to provide clarification. | added – and Ilminster Town Council |
| Policy ILM3 | <p>Criterion a. – it is suggested that “.. of designated local green spaces* and well signposted routes..” is revised to ‘designated local green spaces, green linear assets and well signposted routes.’ Criterion d. It is suggested that “site allocations” is amended to ‘development proposals’.</p> <p>Table 8:</p> <p>(H) Areas of this LGS extend beyond the Neighbourhood Area which is not appropriate. Part of the proposed LGS includes the track running through part of the area proposed as ILM2 in the Local Plan Review Preferred Options. The supporting Landscape Assessment identifies a central recreation/ riparian corridor. The corridor through Shudrick Valley is not a Public Right of Way, but a permissive route by the landowner. The route is included in the Three Peaks Walks https://www.ilminsterexperience.co.uk/wp-content/uploads/2018/06/Route-Map-2018-v1.0.pdf (P), (Q) and (R) Areas of PROW should be deleted. The PPG states the following:</p> <p>What about public rights of way?</p> <p>Areas that may be considered for designation as Local Green Space may be crossed by public rights of way. There is no need to designate linear corridors as Local Green Space simply to protect rights of way, which are already protected under other legislation.</p> <p>Paragraph: 018 Reference ID: 37-018-20140306 Revision date: 06 03 2014</p> | <p>amended</p> <p>amended</p> <p>Figure 3 and 4 maps amended to remove Local Green Spaces outside of NP area. Delete P Q and R Local Green Spaces</p> |
| Paragraph 8.8.1 | The reference to the NPPF should be updated to 2021. b. should be paragraph number 8.8.2 – otherwise it reads as part of the NPPF definition of GI. | <p>amended</p> <p>amended</p> |
| Paragraph 8.8.6 | See comments under Policy ILM3. | removed p q r |

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| Policy ILM4 | Policy ILM12 does not allocate sites for development, it applies to all housing development. Currently at SSDC all planning applications for major housing development would be expected to make contributions towards strategic facilities which would include sports halls. An alternative approach would be for the NP to include text to state that a certain percentage of the neighbourhood portion of any CIL receipts would be committed to such a facility. The Indoor Sports Facilities Needs Assessment, 2019 https://www.southsomerset.gov.uk/media/1964/indoor-sports-facilities-needs-assessment-final.docx notes that there is no sports hall provision within Ilminster. The key strategic recommendations include to “Retain a watching brief in respect of ensuring that sufficient day-time access is available to indoor sports and other facilities across the district.” https://www.southsomerset.gov.uk/media/1970/leisure-facilities-strategy-feb-2019.pdf | amended to refer to the local plan. |
| Table 9 | It is suggested that Table 9 could include the Tree Canopy Cover in South Somerset 2021 study if relevant aims and targets are included in ILM2 as suggested. | added |
| Paragraph 8.10.2 | It is suggested that “...has been agreed through a planning application for employment land.” is amended to ‘is being addressed through a planning application for a mixed use scheme on Station Road’. | amended |
| Policy ILM5 | Criterion b. – it is suggested that this should be more inclusive so it is clear that it applies to a wide range of economic development including business hubs. | added ‘Employment uses such as’ |
| Policy ILM6 | As currently written the Policy does not flow. It is suggested that the opening paragraph it is suggested that it should state ‘Applications will be supported where they support the retention and enhancement of existing entertainment venues, and improve Ilminster's profile and performance as a:....’. Criterion g. can then be deleted. | ECA recommend the wording to state: ‘Applications will be supported where they retain and enhance Ilminster’s day and night time economy, shopper and visitor offering, entertainment venues, and improve Ilminster’s profile and performance.’ |

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| Policy ILM7 | <p>Not all development proposals will require an archaeological evaluation. It is suggested that criterion h. is amended as follows to reflect the approach taken by SSDC's archaeological advisor:</p> <p>In recognition of Ilminster's archaeological resource, development proposals within the Area of High Archaeological Potential or that are likely to have an impact on a heritage asset of archaeological interest identified on the Historic Environment Record will be required to provide an archaeological assessment where appropriate.</p> <p>It is suggested that the following text is included in the supporting text – perhaps between paras 9.6.3 and 9.6.4 of the Plan:</p> <p>Where a proposal is likely to affect a heritage asset with archaeological interest, the application will be referred to the Local Planning Authority's archaeological advisor and, where appropriate, archaeological assessment may be required in advance of determination of applications (in line with the requirements of the NPPF paragraph 194).</p> | <p>amended</p> <p>added</p> |
| Policy ILM8 | <p>This policy will not be applicable to all developments therefore it is suggested that it commences with 'Where appropriate new development will.....'</p> | <p>amended</p> |
| Policy ILM9 | <p>This policy will not be applicable to all developments therefore it is suggested that it commences with 'Where appropriate new development will.....'</p> <p>Should "adjacent" be 'access' otherwise it does not make sense?</p> <p>Suggest that reference to Policy ILM10 is deleted – see comments in relation ILM10.</p> | <p>amended</p> <p>should be access – amended</p> <p>deleted</p> |
| Policy ILM10 | <p>Proposals a.-g. are unlikely to be used in the determination of planning applications, they are strategic aims and may be more appropriately listed separately in an appendix as 'Projects' to be overseen by the Town Council. If the Examiner is minded to retain the Policy then it is suggested that the opening paragraph could be amended to read:</p> <p>'The Town Council through its own strategies and work with partners will improve the following Ilminster gateways and road junction as identified in Figure 1 of the Ilminster neighbourhood Plan Proposals Map – this includes.....'</p> | <p>deleted.</p> |
| Policy ILM11 | <p>It is suggested that 'Development' is inserted as the first word of the policy prior to "Proposals".</p> <p>It may be more appropriate to state 'contribute to' instead of "provide" given the context of this policy.</p> | <p>Development proposals in Ilminster's Town Centre will be supported where they contribute to:</p> |
| Paragraph 10.9.3 | <p>"Table 11" should be revised to 'Table 12'.</p> | <p>amended</p> |

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| <p>Policy ILM12</p> | <p>SSDC has now published the Local Housing Needs Assessment 2020 link and the Update, 2021 link . These documents do support the provision of some M4(2) and self-build homes.</p> <p>Paragraph 17 of the 2021 document states: The evidence supports the need for a target of 25% of all housing to meet M4(2) standards, with an additional 10% of dwellings needing to be delivered to M4(3) standard. However, we would note the government consulted in 2020 around the future of the technical standards and it may be that all new dwellings will be required to be M4(2) standard in the future, but the outcome of the consultation is still awaited. With regard to self-build the document recognises that SSDC are meeting their legal requirements in this area and that the system is working well for those seeking bespoke properties. However, paragraph 20 of the 2021 document notes that within this group there are likely to be some households who are seeking to help design their own house, often from customising the interior or set exterior, meanwhile other households will be seeking affordable homeownership dwellings where they can be heavily involved in the building of their final property. It is for these two groups that South Somerset could see to work more proactively.</p> <p>It is suggested that the *note regarding sites of less than ten dwelling may cause uncertainty for decision-makers and applicants. It is suggested that it would be more appropriate to apply the policy to major development (10 or more dwellings).</p> <p>As written it is unclear if the “20 or more dwellings” applies to the mix of house types and sizes. It is suggested that this could be resolved by re-ordering paragraphs 2 and 3.</p> | <p>agree, this is the evidence to date.</p> <p>Agree this is the evidence to date.</p> <p>changed to major</p> <p>amended</p> |
| <p>Paragraph 11.5.1</p> | <p>The Development Area as shown on the INP inset map reflects the adopted SSLP. The Canal Way site is identified as a Direction of Growth in the adopted SSLP (Policy PMT3). It is suggested that text is amended to state:</p> <p>The Development Area for Ilminster as defined in the adopted South Somerset Local Plan 2006-2028 and replicated in the INP provides the potential for more infill and windfall development provided it is in accordance with the other Development Plan policies.</p> | <p>amended</p> |
| <p>Paragraph 11.7.1</p> | <p>“Table 12” should be revised to ‘Table 13’.</p> | <p>amended</p> |

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| Para-graph 11.7.3 | <p>“2. Until a Neighbourhood Plan reaches an advanced stage or is adopted, all planning applications will need only to be determined against the NPPF.”</p> <p>This statement is not accurate. Until a neighbourhood plan reaches an advanced stage planning decisions should be in accordance with the Development Plan unless material considerations indicate otherwise, which includes the NPPF.</p> | amended |
| Para-graph 11.7.4 | The Brownfield Register was updated in 2021 and now includes 6 sites in Ilminster. Details can be found here. | amended |
| Glossary | <p>Adopted South Somerset Local Plan (2016-2028) – date of Plan is 2006-2028</p> <p>Infrastructure Funding Statements – it is suggested that the description is amended to ‘An IFS is a document that must be published each year by a “contribution receiving authority”. A contribution receiving authority is any authority which issues a Community Infrastructure Levy (CIL) liability notice or receives money or in-kind works from a Section 106 agreement.’</p> <p>Local Plan Review (2020-2040) – It may be useful to note that two rounds of Reg 18 consultation on the Local Plan Review have taken place. However, in the context of Local Government Reorganisation and the move to a new unitary Somerset Council on 1 April 2023 the existing councils will no longer be progressing new plans through the statutory process based on their individual geographies. Existing county and district councils are working closely to scope the content and timescales for new Development Plan(s) to be prepared in the future as part the single unitary council. Further information can be found here .</p> <p>National Planning Policy Framework (NPPF) – suggest the addition of ‘most recently’ prior to “updated”.</p> | <p>amended</p> <p>added</p> <p>added</p> |
| Section /Page Number/ Para-graph/ Policy | District Council Comments Appendix C - The Design Guide | Town Council suggested actions |
| Para-graph 1.5 | Reference to NPPF needs to be updated to 2021. | amended |
| Para-graphs 1.6-1.7 | <p>The 2018 reference to the PPG is now out of date the Design section was updated in 2019.</p> <p>It might be useful to reference the 2021 NPPF section on Achieving well-designed places and the emphasis on creating high quality, beautiful and sustainable buildings and places</p> | amended |

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| Para-graph 1.11 | Points 5 and 6 are repeated. | deleted |
| Para-graph 2.1 | This paragraph refers to “general characteristics of Ilminster”, characteristics are mentioned in Policy ILM7 – there needs to be clarity in the policy and the correct links between the policy and the design guide to ensure intentions are clear for applicants and decision makers. It is suggested that The Ilminster Conservation Area Appraisal (2016) and The Ilminster by Design (2001) are added to the list in paragraph 1.11. | amended |
| Para-graph 2.4 | Should “Inter-dispersed be ‘interspersed’? “century” should have a capital ‘C’. The full-stop is missing at the end of the paragraph. | amended amended |
| Para-graph 31. | “...sometimes follow contours...” the ‘ing’ is missing from the end of “follow”. | added |
| Street scene features in Ilminster, page 22 | Bottom left photograph – “The low wall defines a clear boundary...” suggest this is amended to ‘The low wall and railings defines a clear boundary...’ Bottom middle photograph – the ‘s’ is missing from the end of “side”. | amended amended |
| Neighbourhood Plan Identifications | Please see comments above on the Neighbourhood Plan regarding the map. | map amended |
| Para-graph 37 | “CO” should be CO2 | found on p49 - amended |
| Page 50 (document) | It is suggested that the “Biodiversity” section could include a reference the implementation of Biodiversity Net Gain through the Environment Act 2021. | added |
| Page 51 (document) | It is suggested that “Sustainable Drainage Systems such as ...” is revised to state ‘Sustainable Drainage Systems include measures such as..’. | amended |
| Page 51 (document) | “Green” should have a lower case ‘g’. | amended |
| Page 52 (document) | Passive solar gain: the full-stop is missing at the end of the section. Energy efficiency: the ‘e’ from the end of “reduc” is missing – image may have obscured some words. Renewable technologies: “bei..” should be ‘being’ – image may have obscured some words. | added image moved. |

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| 3.8 Bio-diversity, trees and green infrastructure | First line: "have" should be 'has'. It is suggested that "the green chain" is amended to 'the green corridor'. | amended. |
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3. ANNEX Q5

3.1 *On page 40 of the Plan, the Ilminster Green Corridor is incorrectly shown as green when the key shows it as brown. Please confirm that the proposals map will be corrected if the INP is made.*

3.2 The map has been amended.

4. ANNEX Q6.

4.1 *I note that the Consultation Statement, appended to the Plan as Appendix D, only lists workshop events held in 2019. Please provide details of any other public meetings held to discuss the draft Plan, with dates, venues and numbers that attended, and information on any other events/exhibitions/displays where engagement took place with the local community as part of the Plan making process.*

4.2 The following events were held to discuss the progress of the Neighbourhood Plan:

- 2nd December 2019 – Ilminster Town Council – Ilminster Neighbourhood Plan Group meeting – Discuss progress of NP – ECA and steering group in attendance.
- 13th February 2020 – Isle Barn, Winterhay Lane – Ilminster Neighbourhood Plan Group meeting – Progress of NP – ECA and steering group in attendance.
- 29th February 2020 – Ilminster Neighbourhood Plan Group meeting – Progress of Neighbourhood Plan – Steering group.
- 16th March 2020 – Ilminster Town Council – Aecom meeting to discuss SEA. – Aecom and ECA.
- 16th March 2020 – Ilminster Town Council Land owners meetings x2 – Discuss allocations – ECA, steering group, Dillington Estate and landowners/agents.
- 23rd March 2020, zoom – Discuss progress of NP. – ECA and steering group in attendance.
- 29th June 2020, zoom – Ilminster Neighbourhood Plan Group meeting – Discuss progress of NP. – ECA and steering group in attendance.
- 23rd September 2020, zoom – Ilminster Neighbourhood Plan Group meeting – Discuss progress of NP. – ECA and steering group in attendance.
- 9th December 2020, zoom – Discuss progress of the NP. – ECA and steering group

- 23rd March 2021, Town Council – Presented draft NP and outlined time scales – ECA and steering group in attendance.
- 26th June 2021 – Consultation session in the Town Centre – advertised and open to the public.
- 27th June 2021 – Consultation session in the Town Centre – advertised and open to the public.
- 30th June 2021, Regulation 14 meeting – Shrubbery Hotel, with approximately 60 people in attendance. It was advertised and open to the public. The regulation 14 version of the plan was displayed on boards and in paper form for people to review. Links to the website were also provided for review in their own time. A presentation was given of the proposal.
- 10th July 2021 – Consultation session in the Town Centre – advertised and open to the public.
- 24th July 2021 – Consultation session in the Town Centre – advertised and open to the public.
- 6th October 2021, zoom – Discuss amendments to NP. – ECA and steering group

5. ANNEX Q.7

5.1 *In respect of the **Regulation 14 Consultation Report**, please provide me with a list of the statutory and non-statutory consultees. The Report at paragraphs 3.1 and 3.3 states that they are attached as Appendix C, but that appendix deals with written representations. Also, whilst paragraph 3.5 refers to Appendices E and G, and paragraph 4.45 refers to Appendix F, these are not listed in the contents and are not included in my copy of the document. Please provide me with these appendices.*

5.2 There are errors on the appendix letters in this report. Paragraph 3.1, 3.2, 3.5, and 4.45 have been amended. Appendix A is a copy of the consultation leaflet. Statutory Consultee responses are attached as Appendix B. A copy of written representation responses are Appendix C. A copy of the results of the questionnaire is enclosed as Appendix D. Appendix E is a list of the statutory consultees and non-statutory consultees.

6. ANNEX Q8.

6.1 *Please advise me as to where in the Regulation 14 Consultation Report dated 8 October 2021 I find the representations made about the policy ILM12 housing sites. Please confirm whether the Report addresses the representations made by the Save Shudrick Valley Group (SSVG), which were 'lost' and subsequently found. Please direct me to where I can read the ITC/INP Development Group response to those representations.*

6.2 In the Regulation 14 Consultation Report dated 8 October 2021 representations made about the policy ILM12 housing sites can be found at the back of the report in Appendix B, C and D of that document.

6.3 The Report addresses the representations made by the Save Shudrick Valley Group (SSVG), specifically on pages 116 to 150. The changes made to the plan as a result of these comments are specifically outlined within the document itself.

7. ANNEX Q9.

7.1 *The questionnaire at Regulation 14 consultation was available online and in hard copy. Please confirm whether they had the same text/questions, and if not, why that was, and provide them either as a link or hard copy.*

7.2 The text for the Paper Questionnaire was the same.

8. ANNEX Q10

8.1 *Please advise on the most recent population and household data, including any information from the 2021 census.*

8.2 There has been a rise in the number of people living in South Somerset. On census day, 172,700 people were living in the area. This is up 7 per cent from 161,243 in 2011. South Somerset's population is now 48.9 per cent male and 51.1 per cent female, meaning there is now a slightly higher proportion of women in the area than 10 years ago. A decade ago the population was made up of 10.6 per cent under-10s and 21.6 per cent over-65s, but this has changed to 10 per cent and 25.5% respectively in 2021.

9. ANNEX Q11.

9.1 *I am concerned that, as drafted, policy ILM1 on Views lacks the necessary clarity for a land use planning policy. The policy identifies 20 views that cross the town, some of which are short range and some long distance, but the Plan lacks any clear explanation as to why they were selected and what is important about the views shown. Please direct me to the detail of the evidence in support of policy ILM1, including why the views shown are considered to be of particular relevance to the landscape setting of the town and what it is about the views that is deemed to warrant protection. I am also interested to hear how it is envisaged that parts b. and c. would be applied in the determination of planning applications.*

9.2 The Peripheral Landscape Study Ilminster, Conservation and Design Unit, SSDC (November 2007) was a basis for identifying views. Views are a particular issue in Ilminster because of valley position which means that the town is encased by the green valley slopes and green spaces form the backdrop to mainly viewpoints.

9.3 The 20 views were selected as part of a walkabout with the Ilminster Steering Group and Forum members. The methodology was taken from the Chard Neighbourhood Plan and did a walkabout and assessed the view points.

9.4 The views were considered important if they were public views that add to the green backdrop to the historic buildings. Views were public views only from places people have a connection with.

9.5 Points B and C of the policy will be used in the determination of planning applications by respond to heights and spaces between buildings. Any extension or new builds would need to respond to public views in their design. Any development should maintain and allow views through sites from the public realm to the views and vistas beyond.

10. ANNEX Q12.

10.1 *Government guidance requires that policies in a neighbourhood plan should be clear and unambiguous.² In that respect, I find policy ILM2 as drafted lacks the necessary clarity and will require significant revision if it is to meet the Basic Conditions. In particular, it is unclear what is meant by ‘areas of high recreational amenity’; ‘significant trees’ which are not TPO trees; ‘facilitate a Green corridor’ and whether this is different from the Green Corridor also referred to in policy ILM3 and shown on the Proposals Map. Further, the provision of a 10m buffer adjacent to all existing and new habitats appears an arbitrary and excessive requirement that would appear to preclude any new development, as even a backyard or abandoned plot is a habitat. Unless the ITC can explain otherwise, I am presently minded to recommend deletion of that part of the policy.*

10.2 Policy ILM2 meets the Basic Conditions as the NP seeks to ensure that the ecology, biodiversity and trees within Ilminster are protected for current and future generations and in order to mitigate against climate change and flooding. It seeks to ensure that proposals are sympathetic to the environment and habitats of species to safeguard and enhance biodiversity in line with the NPPF requirements.

10.3 Policy seeks to ensure it is sustainable by ensuring that the ecology, biodiversity and trees within Ilminster are protected for current and future generations and in order to mitigate against climate change and flooding. It seeks to ensure that proposals are sympathetic to the environment and habitats of species to safeguard and enhance biodiversity in line with the requirements in the adjacent policies.

10.4 Define ‘areas of high recreational amenity’; – an area that is communal and available to all for social and recreational purposes including indoor or outdoor space, playgrounds, sports pitches or facilities, tennis courts, lawn bowling greens, swimming pools, exercise or entertainment rooms and other similar uses. This has been added to the glossary.

10.5 Define ‘significant trees’ which are not TPO trees; – any living woody perennial plant characterized by a main stem or trunk having many branches and having a diameter of 12 inches or more measured at breast height. For bifurcated or multi-trunked trees, the diameters of the individual stems are added together to determine if a tree meets the 12-inch minimum diameter to qualify as a significant tree. These definitions have been added to the glossary.

10.6 Define ‘facilitate a Green corridor’. – An environmental term used to convey the idea that individual sites rich in biodiversity need to be linked together in a ‘corridor’ to facilitate the passage of wildlife between them. This is particularly important for migration, pollination and generally to increase the potential gene pool for species which would otherwise be marooned and unable

to move around as required by their life cycles. This was in the glossary. The green corridor is the same as defined in ILM3.

10.7 The comment regarding the provision of a 10m buffer adjacent to all existing and new habitats is supported in the emerging Policy EQ6 of the South Somerset Local Plan. The policy supports the implementation of the UK Forest Standard and resists the loss of woodland and expanded where possible to provide buffers to core areas of woodland. Policy EQ7 of the emerging plan supports the implementation of the UK Forest Standard and resists the loss of woodland and expanded where possible to provide buffers to core areas of woodland. No figure is given in this policy regarding distance.

10.8 Planning in a climate emergency written by the Centre for Sustainable Energy and the Town and Country Planning Association seeks to provide buffer zones to developments to allow for wildlife to navigate through a town and encourage biodiversity. There is no reference however to a set distance. <https://www.cse.org.uk/downloads/reports-and-publications/policy/planning/renewables/neighbourhood-planning-in-a-climate-emergency-feb-2020.pdf>

10.9 The RSPB released guidance in Farming for wildlife, buffer strips on grassland. It identifies the benefits of buffer strips for wildlife and biodiversity. This document suggests a buffer strip of 2 to 6 metres for wildlife in these areas and it forms the guidance for subsidies for farming stewardship schemes. This is justification for such a buffer strip adjacent to developments in the neighbourhood plan. https://www.rspb.org.uk/globalassets/downloads/documents/farming-advice/buffer-strips-on-grassland-advisory-sheet-england_tcm9-207690.pdf

10.10 The university of Reading (ECIFM) outlines Basic Conservation Measures in their research and suggest in the management features image a 1.3m hedge, 1m grassy bank/nesting strip, 1m sterile strip and 6m of conservation headland making a total of 9.3m suggested. We are therefore of the opinion that a minimum of 6 metres should be the standard in Ilminster. http://www.ecifm.rdg.ac.uk/field_margins_and_conservation_strips.htm

10.11 Whilst there may not be specific policy or guidance that says the ecological buffer zone must be 10 metres wide from the top of the river bank on either side of a watercourse. The Environment Agencies expert opinion is that 10 metres provides the minimum width of buffer for the function of wildlife habitats whilst being able to facilitate informal access for enjoyment of the river. The Environment agency seeks to encourage such buffer zones and the policy wording will help to support this. This was outlined in the reply to an Inspector as part of the Reading Local Plan. See the following link to the letter and the Reading Local Plan. https://images.reading.gov.uk/2020/01/EP048_Information_from_Environment_Agency_re_10m_Buffer.pdf

10.12 Rivers and the land adjacent to rivers form an important and effective part of a network of linked habitat corridors to allow the movement of species between suitable habitats, thus promoting the expansion of biodiversity. It is important that rivers and their associated corridors are protected from development through the establishment and appropriate management of buffer zones, and that

opportunities are taken through redevelopment and the planning process to enhance their wildlife and landscape value.

10.13 This approach is supported by the Section 6 of the Environment Act 1995 which states that is the duty of the Environment Agency to promote conservation of inland and coastal waters and to promote the conservation of wildlife dependant on the aquatic environment. By implementing this duty we have gained improvements to habitat and the aesthetic value of the river corridors while improving connectivity for people and wildlife and enhancing ecological networks.

10.14 The Environment Agency letter refers to out of date policy which has been replaced with the policies below. Also plans that have now been superseded with the Local Plans referred to below. The buffers for Readings Local Plan are referred to in the allocations on pages 171, 177 and 178 on the below link.

https://images.reading.gov.uk/2019/12/Local_Plan_Adopted_November_2019.pdf

10.15 The following national policy also promotes net gains in biodiversity and ecological networks including river corridors and their ecological buffers in the National Planning Policy Framework (NPPF).

10.16 The NPPF 2021 recognises the importance of providing net gains for biodiversity in paragraph 174 seeks ‘... minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;’

10.17 Paragraph 179 states... ‘To protect and enhance biodiversity and geodiversity, plans should:
a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity⁶¹; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; ...’

10.18 Paragraph 180 seeks ‘... d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.’

10.19 The subsequent plan for Wycombe retains the 10 metre buffer in the text, stating in 6.161 Protected habitats are highly vulnerable to direct and indirect impacts from development and adequate buffers are necessary to ensure their continued protection. Some of these are already well established in national guidance or best practice (e.g. 10 metres for most streams or rivers, a minimum of 15 metres for irreplaceable habitat, including Ancient Woodland).

<https://www.wycombe.gov.uk/uploads/public/documents/Planning/Adopted-Wycombe-local-plan/Wycombe-District-Local-Plan-Adopted-August-2019.pdf>

10.20 The White Horse states this in paragraph 3.244. 'Buffer zones are important along watercourses to give species and habitats protection from increased disturbance associated with development. The extent of the buffer is dependent on the size and nature of the development, but it should be a minimum of 10 metres wide, measured from the top of each bank and remain free of any built development. Where a watercourse flows through a development, a buffer zone should be provided on both sides of that watercourse. Larger developments should provide further buffering, and these additional areas can be used for informal recreation.

· <https://www.whitehorsedc.gov.uk/wp-content/uploads/sites/3/2021/03/VOWHDC-Master-1.pdf>

10.21 This evidence should be sufficient to alter the wording of the policy to now state: e. Provide a minimum 6 metre buffer zone adjacent to existing and new habitats* f. Provide a minimum 10 metre buffer zone, preferably 20 metres, from the top of the River Bank adjacent to watercourses, specifically Shudrick Stream and River Isle. Existing point f then becomes g.

10.22 ANNEX Q13.

10.23 *Please confirm that whilst it is not explicitly stated, the intent of policy ILM3 is to designate the 18 sites, listed in Table 8, as Local Green Spaces (LGS), as provided for in the NPPF at paragraphs 101 and 102. Of the 18, I note from paragraph 8.8.3 that 5 (A, B, M, N, G) are the responsibility of the Town Council, whilst 3 ((P, Q, R) are public rights of way which the PPG advises do not need to be designated as LGSs as they are already protected under other legislation.³ Please provide more detailed maps showing the extent of the LGSs and direct me to the evidence for their selection, including details of contact with landowners.*

10.24 The 5 sites, A, B, G, M, and N, are the responsibility of the Town Council and therefore have been removed from the list as they are protected under other legislation, The 3 public rights of way, P, Q, and R have been removed as they do not need to be designated as LGSs as they are already protected under other legislation.

10.25 The selection of these spaces formed part of a walkabout that was undertaken with the Ilminster steering group and forum members and as part of the activities undertaken with local residents at the Site Selection workshop in September 2019. Contact was made with landowners regarding the plan on the 16th March 2020 in the form of a meeting. They have also been formally consulted at regulation 14 and regulation 16 stage and invited to attend the various events held in the town due to being members of the community or stakeholders.

10.26 A more detailed map showing the extent of the Local Green Spaces has been provided. Removed sites A, B, G, M, N, P, Q, R and green spaces renamed - C = A, D = B, E = C, F = D, H = E, I=F, J=G, K=H, L=I, and O=J.

11. ANNEX Q14.

11.1 Please provide further details as to what is meant in policy ILM3 by the term 'Green Corridor' network. If the intention is that the corridor is to be used for walking and cycling, as appears to be suggested in policy ILM9, please explain how this is compatible with the objective set out in policy ILM3 c. to increase biodiversity.

11.2 Policy ILM3 by the term 'Green Corridor' network seeks to increase biodiversity. ILM3 supports development which actively seeks to improve the connectivity of green infrastructure and enhance biodiversity (and not supporting development which further fragments green infrastructure and impacts negatively on biodiversity). While we have a good network of green spaces in our NP area, these are generally not linked. Identifying and securing wildlife links, or green corridors, is essential to ensure the necessary replenishment and maintenance of species diversity for healthy ecological function.

11.3 The intention is to make the green corridors car free spaces where possible to avoid conflict with wildlife. As such are safe places for active travel such as cycling or walking for slower moving and non polluting travel modes which are more compatible with wildlife.

12. ANNEX Q15.

12.1 Policy ILM4, as drafted, refers to planning applications for 'allocated sites covered in policy ILM12' contributing towards the delivery of a new indoor recreational facility adjacent to Canal Way, as shown on the Proposals Map. In that policy ILM12 no longer allocates sites for development, please advise as to how the recreational facility is proposed to be delivered. Where do I locate the evidence as to the suitability and availability of the site shown on the Proposals Map for the proposed development?

12.2 Evidence for location is part of planning permission in the master plan. It is a sustainable accessible location and forms a cluster with other buildings. The building is needed to offset huge numbers of housing being built. Delivery of this facility remains through CIL as part of the Local Plan allocations.

13. ANNEX Q16.

13.1 I have noted a number of references in the Plan to allocations and allocated sites yet the only specific allocation in the submitted Plan is that in policy ILM5 for an Ilminster Environmental Employment Zone. Please explain why the western part of that allocation is shown as extending outside of the development area boundary shown on the Proposals Map and referenced in policy ILM13.

13.2 Document reviewed to remove reference to allocations. The map for this zone has been amended to be within the development area.

14. ANNEX Q17.

14.1 Please confirm whether the ITC supports the rewording of policy ILM6 put forward by SSDC in

their comments on the Plan. SSDC suggested opening paragraph should state 'Applications will be supported where they support the retention and enhancement of existing entertainment venues, and improve Ilminster's profile and performance as a:....'. Criterion g. can then be deleted.

14.2 Recommend the wording to state: 'Applications will be supported where they retain and enhance Ilminster's day and night time economy, entertainment venues, and improve Ilminster's profile and performance: Criterion G is then deleted.

15. ANNEX Q19.

15.1 *In that the INP, if made, will form part of the development plan, it should contain policies for the development and use of land. Whilst plans should be prepared positively in a way that is aspirational, they must also be deliverable. Policy ILM8 sets out the ITC's aspirations to encourage shoppers and visitors to come into the town centre, whilst paragraph 10.4.4 refers to the need to reduce, if not remove, all car movements from the centre. Please advise as to whether there was any specific consultation with local traders and businesses and the town's Chamber of Trade on these proposals.*

15.2 Trader engagement occurred as part of overall engagement with residents of the Town. All were invited to attend the various engagement events and some signed up to the mailing list.

15.3 The plan seeks to provide traffic management by encouraging people to walk and bike and to utilise the car parks avoiding on street parking or parking in town. Policies direct shoppers and visitors to the car parks and as the traffic causes chaos.

16. ANNEX Q20.

16.1 *As drafted, policy ILM8 includes a number of matters such as car parking charges, the location of bus stops, street signage, that are the subject of other legislation and do not fall within the jurisdiction of planning control. Consequently, I am presently minded to recommend deletion of parts a. to d., unless the ITC can explain otherwise.*

16.2 Parts a. to d are deleted and moved to an implementation section on page 19. This policy has been combined with policy ILM11 and covers the historic town centre.

17. ANNEX Q21.

17.1 *The PPG advises that neighbourhood plans, when made, are part of the statutory development plan and as such should contain policies for the development and use of land; those policies are to be used in the determination of planning applications. As drafted, policy ILM9 lacks the necessary clarity as to how the ITC's aspirations for safe interesting walking and cycling routes would be secured through the grant of planning permission for development. Therefore, I am again presently minded to recommend the deletion of the policy, unless the ITC can explain otherwise.*

17.2 Any new development would need to provide a permeable network of safe and interesting cy-

cle routes. This would be achieved through the design of large scale developments or where appropriate on smaller sites which are currently restricting access to the network. In addition CIL or s106 money would seek further improvements in the public realm.

18. ANNEX Q22.

18.1 As drafted, policy ILM10 reads as a set of community aspirations or projects that the Town Council wish to pursue and not as a policy to be used to determine applications for the development or use of land. For that reason, I anticipate I shall need to recommend deletion from the Plan, unless the ITC can suggest otherwise (for example, it could instead take the form of separately identified 'Community Aspirations' not forming part of the statutory Plan).

18.2 Policy ILM10 has been deleted and aspirations have been moved to the implementation section on p.18 and 19.

18.3 ANNEX Q23.

18.4 Please confirm whether SSDC's suggested amendments to policy ILM11 are acceptable to the ITC.

18.5 Policy reworded to 'Where appropriate development proposals in Ilminster's Town Centre will be supported where they contribute to:' Policy ILM11 combined with policy ILM8.

19. ILM12 EVIDENCE M4(2) HOMES. ANNEX Q24.

19.1 Please direct me to the source of the justification, in terms of the particular characteristics, circumstances and planning context of the Plan area, which underpins the requirements in policy ILM12 for at least 25% of new homes to be built to the optional building regulations standard M4(2), and an additional 10% being built to the optional standard M4(3) (I have taken this to mean wheelchair adaptable M4(3)(2)(a)).

19.2 Evidence that demonstrates there is a demand in Ilminster for serviced plots for self-build and/or custom build homes can be found in the Housing Needs Assessment written by AECOM (2020). Policy renamed ILM10.

20. ANNEX Q25.

20.1 Please direct me to the evidence that demonstrates there is a demand in Ilminster for serviced plots for self-build and/or custom build homes.

20.2 Evidence that demonstrates there is a demand in Ilminster for serviced plots for self-build and/or custom build homes can be found in the Housing Needs Assessment written by AECOM (2020). In addition the self build register held by SSDC.

21. ANNEX Q26.

21.1 Policy ILM13 is entitled Brownfield Sites, which are identified as previously developed land and defined in the Glossary in Annex 2 to the NPPF. However, the text of the policy refers to 'infilling' within the Development Area which may be on land that is not previously developed, for example a large garden to a house, and the SSDC's comments refers also to the potential for windfall development. Please clarify how the policy is intended to be applied.

21.2 The intention is to apply this policy across all sites within the Neighbourhood Plan Boundary area. This would include brownfield and land within the curtilage of a dwelling however not land that has not been previously developed. The suggestion is to change this policy title to "Previously developed land". The text for the policy is to read 'Any development within the Development Area* will be in strict accordance with The Ilminster Design Guide (see Appendix C) and consider the character of immediately adjoining properties and sites, including:' Policy ILM13 renamed policy ILM11 and Policy ILM14 renamed Policy ILM12.