

SSDC Comments to ECNP (January 2018)

The East Coker Neighbourhood Plan Group has considered the following comments from SSDC Planning Team and the response and any proposed amendments are highlighted in **BOLD red**.

Draft Policy (January 2017)	Submission Policy (December 2017)	Further Comments (January 2018)
1 EC1 – Presumption in Favour of Sustainable Development	<p>Development proposals that reflect the presumption in favour of sustainable development set out within the National Planning Policy Framework will be viewed positively subject to other policies in the Neighbourhood Plan.</p> <p>Where applications are contrary to the policies within the East Coker Neighbourhood Plan, a statement setting out the material planning considerations that outweigh those policies should be submitted with the application, identifying the quantifying the economic, social and environmental benefits that will be achieved as a result of the proposed development.</p> <p>Proportionate to the scheme, developers and applicants should demonstrate how they have proactively engaged and consulted East Coker Parish Council and other community groups and/or residents directly affected by their proposal.</p>	<p>Proactive engagement proportionate to scheme is better than previous policy requirement, but “should” is still retained – please refer to previous SSDC comments.</p> <p>How will the Parish Council proactively engage with developers on these schemes? It might be beneficial for the PC to set out what developers can expect from them or how they wish to engage with developers, and what the developers can expect as a result i.e.: written formal comments for example or would this prejudice the PC from later consideration? It would be useful to define the engagement as it infers a two-way street.</p> <p>The NPPF states:</p> <p>Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably. The onus is on the applicant to engage with East Coker Parish Council and evidence this engagement and the resultant evolution of the design/application.</p> <p>The ECNP Steering group [SG] agreed to leave this policy unchanged and wait consideration by the Examiner.</p>
2 EC2 – CIL/and or S106	<p>Contributions secured through Community Infrastructure Levy and/or Section 106 Agreements or, where appropriate, direct provision, will be used to improve or provide identified community infrastructure requirements or improvements.</p> <p>Potential Future Projects</p> <ul style="list-style-type: none"> • Footpaths and signage, including linking the villages • Play areas at Tellis Cross & Recreation Ground • Environmental Information and Interpretation Plan • Appointment of specialist to help prepare a Parish Design Guide • Additional dog waste bins • Grit bins • School Traffic Management Plan • Speed restriction signs at the entrances to the villages • Improved and coloured surfacing for the pedestrian route from Tellis Cross to the School • Others from survey of local organisations to follow • New changing facilities at Long Furlong Lane • Increase number of football pitches • Refurbish the Cemetery Chapel • T. S. Elliot Exhibition Centre • Sound improvement project at Village Hall • Youth Recreational Plan • Improving mobile reception in the Parish <p>Support any other projects identified as a priority by the Parish Council to address the demands that development places on the Parish.</p>	<p>Policy should set out the limits and limitation of seeking funding from s106 and CIL, too open a wish list at present.</p> <p>There are examples of Neighbourhood Plans with similar policies, which list proposals for CIL etc expenditure.</p> <p>It should be noted, the Health Check made no recommendation in this respect. Also SSDC specifically asked for a list of projects to be included in the plan</p> <p>The ECNP Steering group [SG] agreed to leave this policy unchanged and wait consideration by the Examiner subject to the additional line shown in adjacent column 2</p>

		See Appendix 1 for further details.	
3	ECH1 – Housing Provision	<p>6.19 The base date of 2011 is used in this Policy, as the Census of 2011 provided the most up to date figures, which helped assess potential future population and housing growth for the Parish.</p> <p>Excluding development coming forward under Local Plan Policy YV2 (Keyford), it is proposed that at least 54 additional new dwellings will be provided within East Coker Parish, over the period April 2011 – March 2028 inclusive, subject to any change in higher level policies as a result of the Local Plan Review, once it has been adopted. Applications will only be approved if they can demonstrate that they meet local need, conform to Local Plan policies SS2 and HG5 and will be considered in the light of other Local and Neighbourhood Plan policies.</p>	<p>The amendment which recognises the Local Plan Review seems an acceptable approach – recognition that policy might change at a higher level and therefore NP will need to reflect. Previous comments regarding future growth of Yeovil are still relevant.</p> <p>“At least” has been included which illustrates a minimum, but later design policies are restrictive.</p> <p>Still concerns over the housing number and its justification, Housing Topic Paper.</p> <p><i>Note Health Check response: “However, it is notable that ECH1 now only provides for an “at least” figure. Therefore, this policy does not appear to be in conflict with the strategic policies of the development plan.”</i></p> <p>The ECNP Steering group [SG] agreed to leave this policy unchanged but agreed to add a sentence of explanation to the end of Section 6.19 as follows:</p> <p>The base date of 2011 is used in this Policy, as the Census of 2011 provided the most up to date figures, which helped assess potential future population and housing growth for the Parish.</p>
4	ECH2 – General Housing Considerations	<p>Applications for new housing development will be supported if:</p> <ul style="list-style-type: none"> • They assist in meeting local housing need by providing a mix of housing type, size and tenure including the provision of smaller and accessible units. Providing the opportunity for people living locally to remain in the community, as they become older; • They demonstrate high quality of design, compatible with the character of East Coker, especially in respect of the scale of overall development and individual properties; and • They use materials and detailing that reflect local distinctiveness; notably local stone within the Conservation Areas of East & North Coker. 	<p>Query whether other types of housing can be robustly refused given a lack of five-year housing land supply.</p> <p>The Health Check did not raise concerns.</p> <p>The ECNP Steering group [SG] agreed to leave this policy unchanged and wait consideration by the Examiner.</p>
5	ECH3 – Provision of Amenity Space	<p>All new development will be expected to achieve the provision of the following:</p> <p>1. Sufficient internal space in housing for everyday activities and to enable flexibility and adaptability by meeting nationally described space standards; and</p> <p>2. An appropriate level of external amenity space taking into account;</p> <ul style="list-style-type: none"> a) accessibility from living areas; and b) orientation to maximise sunlight; and c) be of a sufficient size and functional shape to meet the needs of the likely number of occupiers; and e) be designed to take account of the context of the development, including the character of the 	<p>The revised policy does not address previous concerns. Policy is onerous and ambiguous.</p> <p>The Health Check has not recommended modifications to this Policy or commented on it being onerous.</p> <p>However some rewording is proposed by the SG as set out in the adjacent column 2.</p>

		<p>surrounding area; and</p> <p>3. Public open space on site, in proportion to the scale of development and providing for different types of open space based on local need. Where there is access to alternative facilities that would meet the needs of the new development, contributions to the ongoing maintenance and management of these alternative facilities may be required as part of a reduced requirement on site.</p>	
6	ECH4 – Affordable & Social Housing	<p>All new housing schemes within the plan area on sites where there is a net increase in more than 10 dwellings or where dwellings would combine gross floor space more than 1000 square metres (not including replacement dwellings) must contribute towards affordable housing need.</p> <p>Development should provide affordable housing in accordance the target levels as set out in the Development Plan. The mix of affordable housing will vary through negotiation and shall be provided taking into account South Somerset District Council and any East Coker Parish Council's housing need evidence and any viability constraints identified. However the target provision for affordable housing (other than starter homes) is typically in the following tenure proportions:</p> <ul style="list-style-type: none"> • 11% intermediate housing • 10% affordable rented, and • 79% social rented. <p>These should be allocated in accordance with the District Council's Local Connections Policy. As and when by the Housing and Planning Act (2016) and subsequent Regulations, the provision of affordable housing may include an element of Starter Homes to meet the needs of qualifying households.</p> <p>Planning obligations will be used to ensure that affordable housing is provided and (where possible) retained for eligible households.</p> <p>Any off site contributions must be broadly equivalent in value to on site provision and secured to support the delivery of affordable housing through a planning obligation.</p>	<p>The policy requires sites to meet BOTH criteria, whereas SSDC would expect to exact on-site provision for any site that met EITHER criteria. Suggest that the “and” word highlighted (in yellow) should be an ‘or’.</p> <p>In addition SSDC would normally apply a hectarage – to ensure that a developer doesn't, deliberately apply for nine dwellings of very low density in order to evade the affordable housing obligations. So the criteria should be along the lines of:</p> <p>...on sites where</p> <ul style="list-style-type: none"> • X dwellings OR • 1000 m² + OR • greater than 0.Y ha <p>The text highlighted (in green) could be read to mean either on site or contribution via an off-site contribution. SSDC would expect on-site unless there are exceptional circumstances.</p> <p>The Health Check stated:</p> <ul style="list-style-type: none"> • In relation to Policy ECH4 (Affordable Housing), the reference to 10 units “<i>or</i>” where dwellings would combine gross floor space of more than 1000 square metres does not technically correspond to national policy – which has an “<i>and</i>” qualifier instead of “<i>or</i>” (see Written Ministerial Statement of 28 November 2014, reflected in NPPG Paragraph: 031 Reference ID: 23b-031-20161116); <p>There appears to be a difference of views here between the Heath Check and SSDC.</p> <p>The SG agreed to change ‘and’ to ‘or’ as highlighted and to add a further sentence at the end of the policy as set out in the adjacent column 2</p>
7	ECH5 – Conversion of Rural Buildings	<p>The conversion of redundant or disused rural buildings of substantial and permanent construction which positively contribute to an area's rural character for residential, tourism or employment uses will be supported where:</p> <p>a) A suitable access to the building is in place or can be created without damaging the surrounding area's rural character and the road network can support the proposed use; and</p> <p>b) The building can be converted without significant alteration, extension or rebuilding; and</p> <p>c) The design will retain the original character of the building and its surroundings; and</p> <p>d) The development will retain any nature conservation interest associated with the site or building, and provide net gains in biodiversity where possible.</p>	No further comments.
8	ECM 1 – Retention of Local Employment Land & Premises	<p>Proposals that would result in the loss of employment land and premises demonstrate:</p> <ul style="list-style-type: none"> • There is no market demand through active and continued marketing for a maximum of 18 months or a period agreed by the Local Planning Authority in conjunction with the Parish Council, prior to application submission; 	Query how the Council will seek to safeguard employment land and premises through this policy.

		<ul style="list-style-type: none"> • There is no loss of economic performance of the site or location through the provision of better quality employment space allowing for mixed use of the site that incorporates an employment generating use • The land / premises is / are no longer suitable to continue as business use when taking into account access / highway issues, site infrastructure, physical constraints, environmental considerations and amenity issues. 	<p>Accords with the Local Plan approach to protection of employment land, but it should be noted that the NPPF is not protectionist and is pro-development, therefore this policy might not be in compliance with NPPF approach.</p> <p>The SG to minor rewording to clarify and broaden policy as shown in adjacent column 2.</p>
9	ECEM 2 – Business Development	<p>New business development on land already in employment use in East Coker will be supported subject to the following criteria:</p> <ul style="list-style-type: none"> • The scale and nature of the proposals would not have significant harmful impacts on the amenities of adjoining activities • The scale and nature of the proposals would not have unacceptable conflicts with other land-use activities • The proposal would not have unacceptable impacts on the local road network • They provide sustainable forms of construction, energy conservation measures and renewable energy • Provision is made for parking appropriate to the needs of the development • They would Contribute to the character and vitality of the local area • They would not adversely affect residential amenity • They would not adversely impact upon road safety 	No further comments.
10	ECEM 3 – Promotion of Diverse Businesses	<p>Proposals that support the development of small scale social enterprises and other businesses that meet the needs of the community, such as the creation of 'live-work' units within established villages/settlements, will be permitted provided that they would:</p> <ul style="list-style-type: none"> • Contribute to the character and vitality of the local area • Not adversely affect residential amenity • Not adversely impact upon road safety 	No further comments.
11	ECEM 4 – Conversion of Rural Buildings for Business		No further comments.
12	Policy ECT 1 - Walking, Cycle Routes & Bridleways as part of New Development	<p>Proposals that enhance existing walking and cycle routes and bridleways and/or will deliver new provision as part of new development will be supported and required where practical. New routes must connect with existing networks within the Parish. Enhancement of the existing network, and provision of new routes, must demonstrate the following:</p> <ul style="list-style-type: none"> • Well designed, safe, secure and appropriately surfaced routes • Remain as car free routes (excepting emergency access where relevant) • Satisfactory access for disabled people where possible • Limited lit routes and where lit no upward light spillage • Suitable street furniture, including benches, litter bins and dog waste bins. 	<p>It might be useful for this project to feature in the CIL list.</p> <p>This is not considered to be a specific project and is a stand-alone land use policy. SG agreed to leave the Policy as it is.</p>
13	Policy ECT 2: Highway safety	<p>Projects to improve highway safety by the Highway Authority will be supported including:</p> <ul style="list-style-type: none"> • Provision of speed restriction signs at the entrance to the village • Resurfacing in a coloured material of the virtual pavement from Tellis Cross to the School • Proposals to improve access and car parking as part of any redevelopment of the existing Primary School and Village Hall site, will be supported where they accord with other development plan policies. 	No further comments.
14	Policy ECT 3: Car Parking in New Development	<p>Parking and Accessibility</p> <p>Development should encourage provision for safe and suitable access for all people and not cause a significantly adverse impact on the local road network that cannot be managed or mitigated.</p> <p>Development proposals that minimise car parking other than in designated parking areas and discourage on street-parking will be supported.</p>	<p>This wording might be at odds with Somerset County Council's Highways advice. Unless Traffic Regulation Orders are advocated to stop car parking on the road it will be difficult to achieve this objective.</p> <p>The SG note that other regulations may need to be met prior to any implementation, but agreed to leave the policy as it is. SCC was consulted prior to the plan being prepared.</p>

15	Policy ECCF 1: Local Sporting, Leisure & Recreational facilities	<p>The following East Coker local sports and recreation facilities will be protected as identified on the Proposals Map:</p> <ul style="list-style-type: none"> • Cricket Field • Playing fields • Children's play area • The Pavilion • Tellis Cross Play Area <p>Proposals to enhance and improve these facilities will be supported where they:</p> <p>a) Do not have an adverse impact on residential amenity; and</p> <p>b) They provide suitable access and car parking.</p> <p>Any proposals for built development that are on sites used for these amenities but not associated with these uses will not be supported.</p> <p>Proposals that would result in the loss of these facilities, will not be supported.</p>	<p>It should be noted that the landowner of Tellis Cross Play Area has aspirations to develop the site and re-provide alongside.</p> <p>The SG noted the comment but agreed to leave the policy in its present form with no change in wording at this time.</p>
16	Policy ECCF 2: Protection of Community Assets	<p>Community assets and facilities that are valued will be protected and changes of use resulting in the loss of these assets will not be supported unless the following can be demonstrated:</p> <p>a) The proposal includes alternative provision, on a site within the Parish, of equivalent or enhanced facilities. Such sites should be accessible by public transport, walking and cycling and have adequate car parking; or</p> <p>b) Satisfactory evidence is produced that there is no longer an economic justification to protect the asset and all reasonable efforts have been made over an 18 month period, to secure alternative business or community or social enterprise re-use.</p> <p>These assets include the following:</p> <ul style="list-style-type: none"> • East Coker Community Primary School • Village Café • Helyar Arms • Foresters Arms • St Michael's and All Angels Church • Village Hall • The Pavilion • The Cemetery • Red House Public House • Yeovil Court Hotel 	<p>The reference to "villages in "The proposal includes alternative provision, on a site within the villages, of equivalent or enhanced facilities." is not helpful, suggest replacing with the word "parish". For example, if Somerset County Council decided to close the school (which is not likely) as long as there was re-provision in the parish that would be ok, it wouldn't necessarily need to be in the village.</p> <p>Query whether the Yeovil Court Hotel and Red House Public House are in a village.</p> <p>Noted. SG agreed to change 'Villages' to 'Parish' in Policy as shown in adjacent column 2</p>
17	Policy ECCN 1: Listed Buildings	<p>Development affecting heritage assets</p> <p>Heritage assets and their settings are an irreplaceable resource. Accordingly the Council will:</p> <p>a) Apply a presumption in favour of preservation in situ in respect of the most important heritage assets.</p> <p>b) Require development proposals likely to affect heritage assets and their settings, including new buildings, alterations, extensions, changes of use and demolitions, to consider their significance, character, setting(including views to or from) appearance, design, layout and local distinctiveness, and the opportunities to enhance them.</p> <p>c) Only approve proposals that would be likely to substantially harm heritage assets and their settings if substantial public benefit outweighs that harm or the requirements of requirements of paragraph 133 of the National Planning Policy Framework are met.</p> <p>d) Where a development proposal would lead to less than substantial harm, that harm will be weighed against any public benefit, including securing optimum viable use.</p> <p>e) Require developers to make a proportionate but systematic assessment of the impact on setting as set down in the guidance from Historic England: 'The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning'.</p>	<p>Query the term "the Council".</p> <p>Policy replicates relevant NPPF policies.</p> <p>Typo in point d) should say 'optimum' not 'opmum'.</p> <p>SG to amend as shown in adjacent column 2.</p>

		Policy ECCN2: See below	
18	Policy ECCN 2: Design in the Conservation Areas	Policy ECCN 3: Design in the Conservation Areas Development proposal will be expected to maintain the special character and appearance of East and North Coker Conservation Areas, especially positive elements that may be identified in any Conservation Area Appraisal.	Instead of 'maintain the special', it would be better to echo the language of the Act by saying 'preserve or enhance the'.
19	Policy ECCN 3: General Design	Policy ECCN 4: General Design Development must maintain and enhance East Coker Parish's distinctive natural and historic character. Development will be expected to demonstrate a design process that has clearly considered the existing context, and how the development contributes to the social, economic and environmental elements of sustainability through fundamental design principles of: i) being of an appropriate scale, density, layout, height and mass; and ii) provide continuity with the existing built form and respect and work with the natural and historic environment; and iii) provide building structures that can be easily altered, particularly internally, to respond to both climate change and changing social and economic conditions; and iv) does not contribute to or suffer from adverse impacts arising from noise, light or air pollution, land instability or cause ground and surface water pollution; and v) utilise sustainable construction methods, minimises the use of non-renewable resources and maximises the use of recycled and sustainably sourced materials; and vi) incorporate the principles of Secured by Design (SBD); and vii) undertake community engagement, involvement and consultation in the design process proportionate to the scheme; and viii) Appropriate drainage including sustainable drainage systems (SUDS), including arrangements for future maintenance, and connection of foul drainage to a mains sewer where available; and ix) protect individuals and property from: a) overlooking and unreasonable loss of privacy; and b) overshadowing and overbearing impacts; and c) unreasonable noise and disturbance.	<p>This policy seems too onerous and un-enforceable. Suggest it is amended to read:</p> <p>Development should seek to maintain and enhance East Coker Parish's distinctive built and historic character. Development should aim to present a high quality design and finish; to demonstrate sustainability principles; and to express, a design process that has clearly considered and drawn upon the character, form and appearance of its immediate context, and historic surround.</p> <p>The SG accept that the policy is long, but it contains important general criteria for the consideration of planning applications. As a result, it agreed not to change the wording and so leave this policy for consideration by the Examiner.</p>
20	Policy ECCN 4: General Landscape Character	Policy ECCN 5: General Landscape Character <p>The siting, scale, form, layout, design, materials and landscaping of any development that may be permitted within the areas of East Coker Parish, including the proposed Southern Yeovil Urban Extension (Keyford) should respect, conserve and enhance, wherever possible, the rural nature and existing visual landscape quality of the area, its wildlife and the heritage value of the open countryside of the Parish, as well as maintaining an open rural gap between the villages of East and North Coker and Keyford, retain their separate identities.</p> <p>Any development should also respect the important contribution the open countryside makes to the setting and visual quality of East and North Coker, and will make to the setting and visual quality of the new urban extension.</p> <p>In particular, new development should, wherever possible:</p> <ul style="list-style-type: none"> • Maintain existing hedgerows, trees and woodland and provide for the planting of new trees and hedgerows on boundaries and within sites and the creation of wildlife habitats and corridors. • Include new tree planting that should be of appropriate disease resistant native species. 	<p>Query what is defined as a legible gap – one field, three fields? This requires clarification as it is quite arbitrary at present and difficult to implement.</p> <p>The SG agreed to amend wording, to add 'open rural' as shown in the adjacent column 2 to provide some clarification</p>

21	Policy ECCN 5: Heritage Assets	<p>Policy ECCN 2: Non - Designated Heritage Assets</p> <p>Proposals affecting buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets will be expected to preserve and where appropriate, enhance the significance of the asset.</p> <p>Non- designated assets in East Coker include:</p> <ul style="list-style-type: none"> i) The sunken Lanes. ii) Parklands 	<p>Welcome the inclusion of references to undesignated heritage assets, and not just those that contribute to the 'character and culture of East Coker' as this relates to paragraph 135 of the NPPF. Suggest that the policy is reworded as is currently difficult to read and understand.</p> <p>The SG agreed to amended the wording as shown in the adjacent column 2</p> <p>.</p>
22	Policy ECCN 6 Local GreenSpace	<p>Policy ECCN 6 Local Greenspace</p> <p>The areas shown in the table on the following page and listed in schedule on p45 are designated as Local Green Spaces. Development on these areas will not be permitted other than in very special circumstances.</p> <p>Where development on designated green space is permitted, any harm to the site's character, accessibility, appearance or general quality will be compensated by the community benefiting from an equivalent or superior replacement green space or funding of an alternative community facility.</p>	No further comments.
23	Policy ECCN 7 Views & Vistas within the Parish and Local Landscape	<p>Policy ECCN 7 Views & Vistas within the Parish and Local Landscape</p> <p>Development should consider the visual impact of proposals on key views (see proposals map at the end of this document and described in the following schedule) and minimise adverse impact on these views through the careful consideration of the design, siting and layout of proposals.</p>	<p>Please refer to previous comments as they remain pertinent, this is too general and unsubstantiated.</p> <p>There are examples of similar 'made' policies. The Health Check recommended no modifications to the policy.</p> <p>The SG agreed not to change the wording and so leave this policy for consideration by the Examiner.</p>
24	Policy ECCN 8: High Quality Agricultural Land	<p>Policy ECCN 8: High Quality Agricultural Land</p> <p>Development that would result in the irreversible loss of Grade 1 agricultural land (in the Department for Environment, Food and Rural Affairs classification) will not be supported, unless there is no practicable alternative.</p>	<p>Not in compliance with NPPF.</p> <p>The Health Check made no recommendations in respect of this policy.</p> <p>This policy has been debated at length and is of particular significance given the scale of Grade 1 land in east Coker Parish.</p> <p>The SG agreed not to change the wording and so leave this policy for consideration by the Examiner.</p>
25	Policy ECCN 9: Wildlife Habitats		
26		<p>Policy ECCN 9: Natural Environment</p> <p>Planning applications which have the potential to impact on biodiversity and geodiversity will need to be accompanied by ecological statements, which describe the ecological value of the site, nature and extent of any impact of the proposed development and outline any mitigation measures necessary to make the application acceptable in planning terms. The Plan would also endeavour to protect endangered and local species such as the Sandy Skilt (Puff Ball) and Water Voles.</p>	No further comments.