

Local Plan Partial Update - Options Consultation

Draft response from Stowey Sutton Parish Council Development Management Policies

Which section of the Development Management Policies are you commenting on?

Net Zero Carbon Construction Policy

If you are commenting on multiple parts of this section, please list these here

DM2

DM3

DM4

DM5

DM6

DM7

DM8

DM9

DM11

DM12

DM13

DM14

DM15

DM16

DM17

DM18

DM19

DM21

DM22

DM25

DM27

DM29

DM30

DM32

DM33

DM34

DM35

DM36

Stowey Sutton Parish Council has considered the B&NES Local Plan Partial Update Consultation Document dated January 2021 and wishes to make the following response to the document.

1. With regard to DM1, the Parish Council supports the proposals set out in both Option 1 and Option 2 and urges B&NES Council to adopt these provisions.
2. With regard to DM2, the Parish Council supports the policy details proposed, and urges B&NES Council to adopt these provisions
3. With regard to DM3, the Parish Council objects to Option 1 and urges B&NES Council to adopt Option 2.
4. With regard to DM4, the Parish Council sees no reason why Whole Life Cycle Carbon Assessment should not be applied to any new building, so we urge B&NES Council to adopt Option 2 but with added provisions that would apply equivalent standards to developments of less than 10 dwelling units or less than 1000 sq. ft of floor space.
5. With regard to DM5, the Parish Council supports the minimum levels of Renewable Electricity and Heat generation set out in the proposed amendments to Policy CP3
6. With regard to DM6, the Parish Council objects to the provision 'Wider environmental benefits outweigh any significant demonstrable harm to amenity', on the ground that any developer would be able to use this to justify any wind turbine proposal. The Parish Council would like to see protection of bird migration routes recognised in the policy as relevant issues. The Parish Council urges the B&NES Council to revisit their renewable energy strategy and consider the Government's pledge to power all UK residents via offshore windfarms by 2030.
7. With regard to DM7, the Parish Council vigorously objects to Option 2. The Chew Valley is a prime area for bird migration and a significant habitat for bats, in view of the hazard wind turbines pose for birds in flight and bats and of the B&NES declaration of an Ecological Emergency it would be quite wrong to adopt Option 2. Furthermore, the Parish Council notes that the Consultation Document refers to solar energy only in relation to HMOs and Park and Rides, whereas there are multiple opportunities for further generation of solar power within B&NES that appear to be ignored – for example, the roofs of every barn, industrial units and residences within the area covered by the authority, to which no reference is made. With regard to solar panels, the Parish Council is concerned that there appears to be a policy in favour of using large areas of agricultural land for the generation of solar power, whereas the Parish Council would prefer a policy which promoted more selective production of solar power and left agricultural land free to aid British food security through agriculture or market gardening initiatives. Even land Grade 3 can be brought back into productive use. In addition, the Parish Council would like to see any policy with regard to solar power production in rural areas specify that solar

panel arrays on fields should share the land with species rich grass, to encourage bio-diversity (wild flowers, insects, birds, small mammals etc.) and thus help mitigate the national loss in the last 70 years of 97% of species rich grass lands and meadows.

Furthermore, the Consultation Document makes no reference to the possibility of generating energy through the use of the enormous amount of water in the area covered by the authority, and the Parish Council urges B&NES Council to work with neighbouring authorities through Statements of Common Ground, and in dialogue with the water companies to explore urgently the potential for the generation of hydro-electric power. The Parish Council would also like B&NES Council to revisit their overall Renewable Energy Strategy and calculations to include the Government's statement that offshore wind farms will provide energy to power residences by 2030.

8. In response to Paragraph 2.41 of the Consultation Document, the Parish Council objects strongly to the proposal to remove policies relating to parking from the Local Plan, and to put them somewhere where they will inevitably, under challenge, have less weight. The Parish Council urges B&NES Council not to pursue this proposal. Viewed from the city centre, car parking, and indeed car ownership, probably looks very different than when viewed from a rural village, where alternative forms of transport are limited:

a. cycling is often hazardous in narrow lanes with high hedges – and even on more major roads it is not 'simple'

b. public bus provision, even in the limited cases where it exists, cannot be relied on as a basis for long-term planning decisions – bus services can be removed at any time.

c. Consequently, whether we like it or not, private cars are essential in rural areas, and provision should be made for appropriate, off-street, parking with any new dwelling in a rural setting; and likewise, provision should be made by the developer for electric vehicle charging with every new dwelling that is built in a rural village. To not support the use of private cars in rural areas would be discriminatory where there is a lack of public transport option. If public transport were improved in rural areas, in particular the very poorly served Chew Valley, a survey recently done by Chew Valley Forum Climate & Nature Working Group showed that there is a will to change to public transport to cycle and walk if the provision was improved. Flip the coin and look at it from the urban persons point of view. If they are restricted on the use of private transport, how will they feel about their rural cousins being supported to use private transport. Support for the use of private ULEV vehicles in rural areas would still support the reduction in carbon emissions whilst recognising the need for modal shift from use of carbon and polluting vehicles in rural areas.

d. Therefore, for DM8, the Parish Council takes the view that all new development should provide off-street parking and should not be permitted to rely on on-street

parking, and that each off-street parking bay or garage should be to be provided with an active charger – hence the Parish Council objects to Options 1a, 2a. and 3a, and urges B&NES Council to adopt Options 1b, 2b, and 3b.

9. With regard to DM9,

a. the Parish Council objects to the deletion proposed in Para 1.

b. The Parish Council would like to see an increase in the number of habitats protected, not only Nationally Important Sites such as SSSIs but locally protected sites such as our Sites of Nature Conservation Interest.

c. The Parish Council opposes the wording proposed in Para 3, on the grounds that the term ‘minimised’ opens the door to every kind of specious argument; and that a requirement to show that there are ‘opportunities’ is no substitute for a requirement to actually do something.

d. The Parish Council notes that the grammar of and punctuation of Para 3, if amended as proposed is both poor and, more importantly, unclear. It is not clear whether, in former para 3b, the word ‘and’ should follow each of: ‘/amenity value of the site;’ ‘have been minimised;’, and ‘offset the loss;’. The Parish Council believes there it should. Similarly in former para 3c, after ‘have been minimised;’.

e. Para 4.d.iii should refer to ‘light pollution’, which has an impact on important nature habitats.

10. With regard to DM11, the Parish Council urges B&NES to adopt Option 2.

11. With regard to DM14, the Parish Council would like the Policy to include a list of potential sources of pollution and include ‘light and noise pollution’.

12. With regard to DM 15, the Parish Council would prefer the wording to be ‘Development will not be permitted on land either..... unless: 1,2,3, rather than ‘will only’.

13. With regard to DM19, the Parish Council observes that HMOs are not at present an issue in this rural village but notes that the wording is poor – a succession of clauses claim to set out ‘criteria’ which are not in fact criteria. They would make sense if they were preceded by words such as ‘proposed changes will not be permitted if’. See DM20, where the wording works properly.

14. With regard to DM27 The Parish Council supports the proposed amendments to Policy ED2B to stop further reduction in the amount of available non-strategic industrial premises.

15. With regard to DM29, the Parish Council supports the intention of promoting sustainable travel, but in the light of the failure to prevent a housing development in this village, which is a very long way from any access to public transport, with poor, dangerous walking routes and where such ‘mitigation’ as was proposed largely benefited other parts of the district and made no difference to the sustainable transport situation locally, the Parish Council wishes to see far more specific policy provisions than this section currently contains. The Parish Council wishes B&NES Council to make it clear that the benefit of any ‘mitigation’ measures, and of the

whole of any CIL funding, is ring-fenced for the settlement where the development is located.

16. With regard to DM30 the Parish Council urges B&NES to clearly define the meaning of 'sustainable travel', making sure that cycling and walking are specified within the definition and that cycling and walking routes are safe.

17. With regard to DM32 and DM33, the Parish Council refers to the comments made above at para 8. Cars will for a long time remain essential in rural areas, and while the Parish Council entirely supports the spirit and intention of these proposals, the Parish Council urges B&NES Council to take account of the comments made above about transport options in rural area, and requirements for parking provision in new developments. Poor parking provision greatly affects the amenity of the whole community and our visitors. To not support the community with sufficient parking provision would be inequitable and discriminatory.

18. With regard to DM34 and Bath 6, the Parish Council supports the proposed approach to Park and Rides but urges B&NES Council to add the approach adopted at Oxford, where users pay to park, but travel free on the bus.

19. With regard to DM35, the Parish Council refers to the comments made above at para 3h. objecting to the removal of parking policies from the Local Plan and putting them where they carry less weight.

20. With regard to DM36, the Parish Council urges B&NES Council to adopt Option 1. If Housing Development Boundaries need to be redefined as Infill Boundaries, well and good. 'Boundaries' must remain, or there will be no clarity, and developers will have a free rein. The Parish Council urges B&NES Council to define the criteria for 'infill'.

24. The Parish Council supports DM12, DM13, DM16, DM17, DM18, DM21, DM22 and DM25

Addressing Housing Supply and proposed site allocations

6. Which section of the Addressing Housing Supply section are you commenting on?

Spatial Strategy Approach

21. With regard to Housing Supply, the Parish Council supports the goal of increasing the 5-year supply to the calculated level, as that is the only means of protection from inappropriate housing developments, at least in rural areas. However, it is essential, especially in rural areas, that new housing developments are truly sustainable with appropriate infrastructure. The Parish Council urges B&NES

Council to make use of every opportunity to convert to housing uses any commercial properties with the Bath, Keynsham, Midsomer Norton and Radstock – particularly in view of the dramatic changes to patterns of shopping which are taking place in society. To not consider the challenges of rural areas would be inequitable and discriminatory.

Other opportunity sites

7. Which section of the ‘Other’ opportunity sites section are you commenting on?

Somer Valley 1: Proposed to amend Policy SSV9 (Old Mills)

Somer Valley 2: Options for Policy SSV2 Midsomer Norton Town Centre: South Road Car Park

22. With regard to SV1, the Parish Council supports in general the proposals to protect and enhance job opportunities in the Somer Valley by amending Policy SSV9, but objects to the inclusion of more retail in the proposed mix at Old Mills, because of the impact of an increase in retail at this site on the viability of the High Street in Midsomer Norton. We would welcome a range of small light industrial and business units, and enterprises should be encouraged which would support a thriving business community on these sites, such as food and drink providers, and hotel or similar provision (if a provider can be found). However, there is a major problem in the unsatisfactory nature of the road system which supports the site, and this is likely to have a serious effect on the viability of SV1. Improvement of the infrastructure must be a part of this scheme.

23. With regard to SV2, the Parish Council urges B&NES Council to adopt Option 2. The viability of Midsomer Norton High Street, and other enterprises in adjacent streets, depends on the availability of parking provision nearby and South Road is what is available. Furthermore, it is seriously doubtful whether the existing retail enterprises would survive the provision of more retail at South Road.

Additional Comments and observations:

The Draft Local Plan Partial Update (LPPU) is intended to address a range of urgent issues including the climate and ecological emergency.

A number of statements of intent are recorded but there is little detail of how these will be achieved and how they will be measured in terms of impact and importantly the interpretation or standards which may be used within the planning approval process.

“Embedding of principles of livable neighbourhoods”

“Whenever we build, we must protect and plan for the plants and animals that already live on the site. We should also look for opportunities to enhance and create new habitats and support biodiversity “. Other similar statements are repeated throughout Item 24c.

The LPPU states “new building development damage is permanent ...” There is no reference to the greater impact this will have in rural settings or evidence which is readily available to evidence this within rural settings such as on dark skies, nocturnal wildlife, the extent of hedgerows lost.

Item 24c Again there is the reiterated statement of intent “to protect wildlife and habitats enabling residents to benefit from a green nature rich environment” relating to the Ecological Emergency declared by B&NES. There appears no clarity of how or reference to rural areas.

There appears to be a significant amount of contradiction in respect of renewable energy such as supporting land diversity and continued agricultural use.

Specific ref on Page17 (CP3, 1e) to a 10% biodiversity net gain and multifunctional net gain. Green infrastructure such as permissive paths and wildlife corridors, the evidence which already exists regarding lack of wild plant growth beneath solar panels or poor grass for sheep grazing which appears to be ignored.

Page18 refers to bat sustenance zones and avoiding loss of hedgerows and woodland connectivity, best practice guidelines need to be clearly set out for consultation on these to be meaningful.

Policy D8 Lighting “Lighting must be designed to protect wildlife habitats following current best practice” This is woefully inadequate and there is no recognition of rural v urban and differing needs or impacts, do rural villages need lighting?

This section references the BANES WaterSpace Design Guidance, which is predominantly urban with no similar reference to rural settings/ examples.

Policy NE 2 page 30 refers to ANOB and “great weight” afforded these, no further explanation or interpretation given on how etc.

Page 67 on focuses on transport reducing traffic, again no ref to rural villages and the challenges this might pose nor potential solutions.

P82 “shared mobility opportunities will need to be explored and accommodated with the aim of reducing car ownership” The challenge specific to rural areas is not acknowledged.

Page 32/33 does state “development resulting in significant harm to biodiversity will not be permitted” How is this to be measure, evaluated etc.

Page 39 Ancient woodland/tree, ancient tree and ancient hedgerows/grassland definitions are provided through Natural England within the glossary of the LPPU whilst important and helpful more detail on mapping these in rural areas might greater demonstrate intent to preserve these through the planning process.

Page. 250 priority habitats – it is almost impossible to distinguish the different colours in the document provided.

There is more detail on transport links, parking standards (again the differing needs between rural and urban ignored) reducing traffic volumes and speeds, walking, and cycling, reducing door to door deliveries, electric vehicles I have not made any specific comments on the above areas and have tried to limit to Climate and Nature.

Stowey Sutton Parish Council would like to highlight the way that the proposed policies, particularly transport, discriminate against & disadvantage rural residents, whilst B&NES acknowledge the lack of alternatives to private car usage for rural residents it makes no provision for such people traveling to urban centres for work, shopping or leisure, requiring use of either expensive (& now by policy reduced) car parking or park & ride facilities, significantly disadvantaging such travellers both in financial and time costs, it could be argued that a reduction in rural rateable values is needed to offset such costs.

There is no indication that this policy has received an equality test to ensure no discrimination, and ensure the policy is equitable. Currently this policy proposal appears discriminatory and inequitable towards rural residents.