

Norton St Philip Parish Council
Comments on Somerset Council Sustainability Appraisal of Feb 2024 for LPP2 Update.

**NSP012 - Land West of 67 Fortescue Street; NSP013 - Land off Mackley Lane (Laverton Triangle); NSP016 - Land off Mackley Lane (South site)
NSP019 - Land North of Bell Hill Garage; NSP020 - Land at Bell Hill Garage; NSP022 - Site to West of Fortescue Fields & Drainage Ponds; NSP023 - Land adjoining Mackley Lane**

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA04 To avoid/reduce and manage flood risk	“Positive” Site is in flood zone 1 and there is a very low risk of surface water flooding. Surface water would need to be managed on the site.	Mitigation would be required to manage surface water on the site and take any cumulative effects into account.	The PC acknowledges that the sites themselves are at low risk of flooding. However, these sites would drain to the lower part of the village where there has been significant flooding recently at times of heavy rain, particularly along Church Street and Ringwell Lane.	Acknowledge risk in the assessment. “Negative”

All Sites

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA06 Maintain and Improve water quality	“Positive” Site is not near a water course or wetland habitat and is not within the phosphate catchment area.	N/A	On several occasions raw sewage has backed up into properties at the bottom of the village due to lack of capacity in the system. Wessex Water began monitoring sewage overflows from the NSP treatment works in 2022. In 2022, the NSP sewer storm overflow spilled 42 times for a total of 450 hours, discharging into the tributary Of Norton Brook. In 2023 this increased to 66 spills for a total duration of 832 hours. Future Government targets are for a maximum of 10 permitted overflows per annum. Frome, a town 28 times the size of NSP, had half as much “spill time” as NSP in both 2022 and 2023. See Appendix on P10 for detail.	Consultation with Wessex Water necessary “Strong Negative”

NSP012 Land west of 67 Fortescue St

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA05 To protect, maintain and enhance biodiversity	<p>“Negative”</p> <p>Site is in band C of the Mells Valley & Bradford on Avon Bats SAC area.</p> <p>There is a broadleaved woodland stepping stone on part of the site</p>	<p>Mitigation for loss of bat habitat would be required.</p> <p>Mitigation to protect the ecological network site would be required.</p>	<p>Presence of live badger sett not recognised.</p> <p>In 2014, the site was surveyed for bat activity and found nine species of bat utilising the site, incl Annex II Habitats Directive species.</p>	<p>Mitigation required for badger sett</p> <p>“Strong Negative”</p>

NSP 013- Land off Mackley Lane (Laverton Triangle)

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA02 Maintain and enhance the distinctive character of settlements	<p>“Negative”</p> <p>The site presents a green frontage to the B3110 at the entrance to the village. This green frontage is important to the character of the village. There may be potential to mitigate harm by retaining the green frontage in any development scheme.</p>	Potential to mitigate harm to settlement character.	<p>The importance of this site to the character of the village was recognised at Appeals in 2001 & 2015. Since then a further 3 planning applications have been withdrawn after material objections from both public and the Council’s consultees. A “live” application is currently at Appeal but has attracted “objection” comments from Conservation, Tree Officer, Ecology, Landscape Architect, Place Making and 76 members of the public.</p> <p>Access via Mackley Lane only appears possible by widening the characterful lane, removing important and ancient hedgerow and 10m+ of medieval retaining wall. The importance of the Tree Belt is not recognised-or its existence acknowledged. The PC has repeatedly requested enforcement action to be taken as the Tree Belt has not been planted as per the S106 agreement associated with the Fortescue Fields development. This has been clearly articulated in the Tree Officer’s comments on both the current and past planning applications for this site.</p>	<p>Amend comment to recognise contribution to rural setting & character of village.</p> <p>Difficult to mitigate</p> <p>“Strong Negative”</p>

NSP 013- Land off Mackley Lane (Laverton Triangle)[cont'd]

Objective	Council Assessment	Council mitigation	PC Comment	Suggested amendment
SA05 To protect, maintain and enhance biodiversity	“Neutral” Site is in band C of the Mells Valley & Bradford on Avon Bats SAC area and adjacent to a stepping stone for broadleaved woodland.	Mitigation for loss of bat habitat and to protect the ecological network sites would be required.	No mention of Tree Belt or ancient, important hedgerow. See Landscape Architect/Tree Officer/Ecology comments on planning applications 2020/2053,2022/1522,2023/0643,2023/0644 and Appeal Decision App/Q3305/A/14/2221776	Refer to Tree Belt/hedgerow “Negative”
SA08 Promote local distinctiveness, protect heritage, and enhance townscape	Negative The northern part of the site is within the conservation area for the village and this area acts as a green frontage to the B3110 at the entrance to the village. This green frontage is important to the character of the village and would need to be retained in order to minimise impact upon the conservation area.	Some potential for mitigation	This site has been described as the ‘gateway to the village’. As the site is elevated up to 3m above the Frome Road any houses on the site will be highly visible above the hedges. The 2015 Appeal Inspector described the Triangle as <i>“Whilst the frontage wall and hedging, together with a strip of land behind lies within the Conservation Area, the remainder of the site lies adjacent to, but outwith it, forming part of its rural setting. Given that the significance of the Conservation Area derives in part from its rural landscape setting and the historic approaches through that setting, I am in no doubt that, in its anticipated restored state, the Triangle site would continue to play a role in allowing for an appreciation of the significance of the Conservation Area, contributing to its significance....the impression of countryside when approaching the site from the south, and along Mackley Lane, is maintained right up to the junction with Town End, the presence of the Laverton Triangle site helping the countryside to flow into this part of the village.”</i>	Amend comment to recognise contribution to CA & rural setting of village. “Strong negative” “Difficult to mitigate”

NSP 016- Land off Mackley Lane (South site)

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA02 Maintain and enhance the distinctive character of settlements	<p>“Negative”</p> <p>The site is immediately south of development at Fortescue Fields. It would be partially shielded from views from the south west and from the historic core of the village around the George Inn. There is potential to mitigate impacts on settlement character.</p>	<p>Potential to mitigate harm to settlement character.</p>	<p>The PC agrees that the site is partially shielded from views from around the George Inn;however development of this site would have an effect on the setting of the Grade 2* listed Parish Church and be very highly visible in views from the south west, in particular from the A366, Bagridge Hill/Quarry Lane,PROWs FR11/26;BA25/47.</p> <p>The tranquil, rural nature of Mackley Lane would be destroyed.</p> <p>As the Council’s Landscape Architect has described, <i>“The principal issue... is the loss of open land surrounding the original Fortescue Fields scheme. I previously stated that ‘one of the key reasons why the original scheme was successful was that it did not necessarily extend out to its own boundaries. It left sufficient space between itself and the other important buildings and spaces around it’.”</i></p> <p>He further recognised that development of this site would result in <i>“a loss of amenity space to those residents living in the existing development. This is wholly contrary to the original design philosophy of the Fortescue Fields scheme, in particular, the eastern corner at the junction of Mackley Lane and Frome Road, where development was deliberately set back from this sensitive corner....[development] will infill those spaces and I consider this to remain as being extremely harmful. They would both cause harm to landscape character, harm to the landscape setting of the conservation area and to a number of very important listed buildings. They would also cause major harm to the character of Mackley Lane..... I do not believe that it is possible to properly mitigate these harms.”</i></p>	<p>Amend comment</p> <p>“Strong negative”</p> <p>“Difficult to mitigate”</p>

NSP 016- Land off Mackley Lane (South site)[cont'd]

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA03 Protect and enhance the district landscapes	<p>“Negative”</p> <p>The site is within landscape character area C2 which is defined by a ridge of landencircling a deep valley landscape, Area C3. Norton St Philip is seen in views from outside the settlement, with collections of buildings climbing up the hillside....This site is a block of land south of new development at Fortescue Fields. It is part of the hillside rising up towards the ridge but is situated on a shoulder of land where the gradient briefly levels. This partly shields the site in views from the south west. Development would have an impact on the wider landscape but there is potential to mitigate the impact.</p>	Potential to mitigate landscape harm.	<p>The PC does not accept that this site is on a shoulder of level ground. It continues to rise from the land below it; from 109metres AOD at the western corner to 117 metres AOD at Mackley Lane-almost the top of the ridge. This site is highly visible from the south west,bith from within and on the approaches to the village. Para 6.4.12 of the Mendip Landscape Character notes <i>“The northern section of ridge links from Ammerdown to Norton St Phillip as a continuous belt of elevated landscape albeit gently undulating and falling back down to the east. The villages of Faulkland and Norton St Phillip sit within sheltered low points in the landform.”</i> One of the <i>“key characteristics”</i> noted are the <i>“Views from the A366”</i>. Development of this site on the ridge would have a very harmful effect on the landscape appearance of the village not just when viewed from the south west but also on the approaches to the village along Frome Road and Mackley Lane.</p>	<p>Amend comment</p> <p>“Strong negative”</p> <p>“Difficult to mitigate”</p>

NSP 016- Land off Mackley Lane (South site)[cont'd]

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA05 To protect, maintain and enhance biodiversity	“Neutral” Site is in band C of the Mells Valley & Bradford on Avon Bats SAC area and adjacent to a stepping stone for broadleaved woodland.	Mitigation for loss of bat habitat and to protect the ecological network sites would be required.	Access to this site would require the widening of Mackley Lane and the consequent removal of at least 140m of ancient important, species rich hedgerow. This will have a highly damaging effect on a green wildlife corridor.	“Negative” “Difficult to mitigate”
SA08 Promote local distinctiveness, protect heritage, and enhance townscape	“Negative” The site lies adjacent to the south of a recent development in the village. Its location means that it would be partially shielded from views from the south west and from the historic core of the village around the George Inn. Although there are likely to be some impacts on settlement character, these are likely to be able to be mitigated.	Potential to mitigate.	See PC response to SA02 and 03 above. Development of this site will cause significant harm in particular from views from both the south west and on the approach to the village on the Frome Road - where this site would clearly be visible and effectively extend the village into the open countryside.	Amend comment “Difficult to mitigate”

NSP021 – Land at Farleigh Road

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA02 Maintain and enhance the distinctive character of settlements	<p>“Strong negative”</p> <p>The site is on the highest part of the ridge line and is prominent. This is an open area on the highest part of the ridge and would be at odds with the village's character, nestled on the south west facing hillside. Development would harm settlement character.</p>	Harm to settlement character would be difficult to mitigate.	This site is not visible from the south west and is well screened from approaches to the village. Screening would be required to mitigate the effect on views from Tellisford Lane.	<p>Amend text</p> <p>“Negative”</p> <p>Potential to mitigate</p>
SA03 Protect and enhance the district landscapes	<p>“Strong negative”</p> <p>...This site is a on the crest of the ridge and is prominent on this high ground. Development on the crest of the ridge would be at odds with the village's position in the landscape, nestled on the south west facing hillside. Development would be prominent and harm landscape character.</p>	Harm to settlement character would be difficult to mitigate.	This site is not visible from the south west and is well screened from approaches to the village. Screening would be required to mitigate the effect on views from Tellisford Lane.	<p>Amend text</p> <p>“Negative”</p> <p>Potential to mitigate</p>
SA08 Promote Local distinctiveness protect heritage and enhance townscape	<p>“Strong negative”</p> <p>The site is on the highest part of the ridge line and is prominent. This is an open area on the highest part of the ridge and would be at odds with the village's character, nestled on the south west facing hillside. Development would harm settlement character.</p>	Mitigation would be very difficult.	The PC does not understand the 2 nd sentence in the Council's assessment. The village is indeed “nestled on the south west facing hillside” but this site is not. It is flat ground. The site may be on the highest part of the ridge but it is shielded by other development which means it would not be visible from the south west. It is a lot less prominent than other sites in most views of the village.	<p>Amend text to recognise not prominent.</p> <p>Potential for Mitigation</p> <p>“Negative”</p>

NSP023-Land Adjoining Mackley Lane

Objective	Council Assessment	Council Mitigation	PC Comment	Suggested amendment
SA03 Protect and enhance the district landscapes	<p>“Negative”</p> <p>.....This site is a block of land south of and separated from new development at Fortescue Fields. It is part of the hillside rising up towards the ridge but is situated on a shoulder of land where the gradient briefly levels. This partly shields the site in views from the south west. Development would have an impact on the wider landscape but there is potential to mitigate the impact.</p>	Potential to mitigate landscape harm.	The PC does not accept that the gradient levels on this site. It rises from 110metres AOD to 117metres AOD along Mackley Lane. Development of this site would significantly extend the village into the open countryside causing very serious landscape harm. It would have a major impact on important views from both the south west and north east , effectively urbanising the village.	<p>Alter text as inaccurate.</p> <p>Difficult to mitigate</p> <p>“Strong negative”</p>

Appendix
Sewage spills in the NE of Somerset East 2022/2023

	2022 number of overflows	2022 hours	2023 number of overflows	2023 hours
NSP	42	450	66	832
Beckington	20	207	31	458
Rode	82	1247	102	1429
Frome (see below)	235	205	285	426
Frome – i(Adderwell Close)	56	92	74	135
ii) Lower Keyford	55	71	69	157
iii) Feltham Drive	9	1	Not currently available	Not currently available
iv) Wallbridge	5	1	Not currently available	Not currently available
v) Carpet Factory	7	1	Not currently available	Not currently available
vi) Rodden Rd	8	3	Not currently available	Not currently available
vii) Merchants Barton	13	5	Not currently available	Not currently available
viii)Market Place	13	2	42	17
ix) Westway	22	9	20	22
x) Frome wastewater	13	4	47	18
xi) Youth Centre	34	16	33	77

Source :2022 - Rivers Trust/Wessex Water/Environment Agency
2023 – Environment Agency