

NSP PC welcomes the opportunity to comment on the “505” allocation exercise. This was an opportunity denied to both it and other affected parties in 2019 following the publication by the LPP2 Inspector, Mr Fox, of the Interim Note (ED20) in which he proposed allocating the 505 dwellings in the NE of the (former) Mendip District. Instead of the proper process (which is now being undertaken by the Council), the Inspector held a limited consultation which was recognised by the Council’s Planning Policy Team as “short circuiting” the proper consultation process. Although concerns raised during this limited, Inspector led consultation led to further Hearings, it seemed that the Inspector’s mind was already made up and he did not address the clearly articulated and evidenced arguments put forward by the affected PCs, BANES or hundreds of residents who quite clearly saw that LPP1 had been fundamentally and materially misinterpreted by him – evidence which Mr Justice Holgate described in the ensuing High Court Judgment as being “crystal clear”.

It is the PC’s view that the proper process is now being followed and the consultation document, together with the proposed allocations, are fully supported. A comprehensive assessment of suitable, available sites has been carried out. The Sustainability Appraisal has considered all of sites put forward other than those “screened out”.

The PC does has serious concerns over the consistency and accuracy of the SA of the 10 sites put forward in NSP. These concerns are set out in a document submitted with this comment.

The PC wishes to place these concerns in the context of the history of LPP2 and NSP.

Pre submission of LPP2

The PC had been closely involved with the drafting of LPP2 as it affected the parish from its outset on 2015. It was in complete agreement with both MDC’s proposals, their subsequent response to the “Issues and Options” consultation in 2018 and the submitted draft LPP2.

LPP2 Examination

The Inspector’s Interim Note (ED20) was clearly a shock to both the Council and affected communities and their PCs.

The Inspector stated that:

“It is not within my remit to suggest where these additional 505 dwellings should be allocated. However, several sites were suggested by representors, and these could form a starting point for the Council to put forward main modifications”.

MM Consultation and Second Round of Hearings.

The PC submitted Hearing Statements and participated throughout. The Constituency Member of Parliament, David Warburton MP submitted a written representation; his aide also delivered an oral statement in support of the 3 PCs position on day 1.

The PC focussed throughout on the proposed departure from the adopted Local Plan Core Policies.

Inspector’s Report

This was published on 1st September 2021, confirming 5 of the 6 proposed allocations. §65 of the IR states:

“The 505 dwellings provision appears in a box in the LPP1 Key Diagram, which refers to this quantum of additional housing “to be allocated in the District”. This was raised by representors in support of spreading any additional development generally across the District, and not in the north-east of Mendip. However, this would be contrary to the strategic thrust of paragraphs 4.21 and 4.7 in the LPP1”.

This is the only reference in the IR to the strong representations raised during both the MM Consultation and second round of Hearings.

Adoption of LPP2 and subsequent JR.

LPP2 was adopted by MDC's full Council in December 2021. The PC commenced legal proceedings in January 2022, with the JR being held in the High Court in October. Judgment in favour of the PC was handed down on 16th December 2022, with the associated Order remitting the allocations back to MDC.

Proportionate Development

The need for proportionate development of the District's rural villages was considered in depth at the Examination stage of LPP1. The Plan was adopted on the basis of 15% growth in the rural villages during the Plan period, capped where appropriate at 70 dwellings. In NSP, which was not capped, this 15% equated to 45 dwellings.

§4.22 of LPP1 makes clear that *"The need to plan for proportionate levels of growth in Primary and Secondary Villages will, however, remain an essential consideration in accordance with the spatial strategy set out in Core Policy 1."*

This is carried forward into the LPP2. §3.27/28 state:

"An important part of the spatial strategy is that there should be a proportionate approach to growth in the designated Primary and Secondary villages. However, a number of villages have seen significant additional development built or granted permission....The approach of this Plan is that further growth in these villages through planned site allocations does not reflect the adopted spatial strategy."

The Council's Reg 18 Consultation Report notes at §12.5 that NSP has delivered more than double the LPP1 minimum. The April 2023 Mendip Growth Monitoring Report gives detail; however the total number of completions & commitments has increased from 114 to 118 with a recent permission (2022/2191). This brings the provision to 262% and growth of housing stock of 39% in the plan period. The same report shows that some rural villages have significantly underprovided whilst two villages with larger populations than NSP's are not even classed as secondary villages and thus had no Local Plan allocation.

The pressure for development & effect on infrastructure.

House prices in the rural villages of NE Somerset east are the highest in the district. The "green belt" villages north of NSP that lie within BANES have seen very little development. The northern edge of the NSP village settlement boundary abuts the Green Belt. This makes NSP, being the first village to the south of Bath outside of the Green Belt very attractive to developers.

The "executive" homes that make up the majority of the 118 houses built/permitted in the plan period have not deflated prices. The assumption might reasonably be that if not actually reducing prices, the 35% growth of the villages housing stock would at least have ensured that prices would rise at a lower rate than the national average. But that is not the case. House prices (for both new and existing house stock) in the village have increased at a faster rate than for the country as a whole. Houses are unaffordable for the vast majority of young people brought up in the village. The new homes are bought by people, often retired, who are downsizing from even more expensive houses in the cities or home counties. Building housing that is unaffordable for most is not delivering sustainable growth for the village. The housing surveys undertaken in 2018 and 2023 have shown a need for smaller entry level housing particularly for those with a local connection. Recent development, both completed and proposed, is delivering large profits for the developers whilst not providing for the village's needs.

The 39% increase in the housing stock has unsurprisingly had a resultant effect on the village infrastructure. Traffic and parking are major issues. Flooding at the lower point of the village along the tributary of the Norton Brook has become more frequent at times of heavy rain. In 2022 Wessex Water began monitoring raw sewage spills from their treatment works into Norton Brook. In that year there were 42 spills for a total of 450 hours. In 2023 this increased to 66 spills for a total duration of 832 hours. 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” in both 2022 and 2023. The PC suggest that for the SA should not consider that all the sites considered in the SA have a “positive” effect on SA06 (“Maintain and Improve water quality”). At the very least, any development should be assessed in the light of the lack of capacity at the treatment works and the effect mitigated by improvement works.

Conclusion

The PC supports the Council’s proposals for allocating the ‘505’ in accordance with the adopted spatial strategy. It is clear that a huge amount of work has been done in a short time. This will deliver needed growth in sustainable parts of the District. However the SA for the assessed sites in the village raises specific material concerns which are addressed in a separate document (NSPPC Comments on SA) submitted with this comment.

Norton St Philip Parish Council
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