

Local Plan (Core Strategy and Placemaking Plan) Partial Update - Options Consultation – February 2021  
Response from Stanton Drew Parish Council

## General Comment

Thank you for the opportunity to comment on the above consultation.

Please see below our detailed comments on the Development Management policies. We would also like to make a couple of general points regarding these.

Firstly, there are a number of policies where we comment that there is a lack of detail, we have generally made this comment where we feel that the detail provided is not sufficient to enable us to reach a fully informed decision as to which option is preferable. As this is a regulation 18 options consultation we feel that any policy where this is the case should be either held back for full plan review to enable the detail to be worked through, or should have a further consultation before the Draft Consultation so that detailed options are consulted on. We fully understand why some of these new policies are desirable however without disclosure of the detail and/or precise wording for options we are concerned that there could be unrealised unintended consequences.

Secondly, this especially relates to emerging and modifications to policies for renewables, it would be useful to have a higher scale vision for the region that could then shape local policy. Taking the WECA area as a whole to identify the best use of all the green areas – i.e., which are best suited for different renewables, food production, ecology support (and a mixture as appropriate) etc., would enable a far better long term use of precious land resource. This could also trigger the duty to cooperate where some Parishes have greater ability to support different functions.

Regarding the Spatial Strategy or currently proposed potential site allocations, Stanton Drew Parish Council does not have any comments at this point in time as these are geographically some distance from the Parish.

Neither do we have any comments to make regarding the list of minor amendments.

## Response to Development Management Policies

Consultation Reference: DM1 Net Zero Carbon Construction Policy

**Agree** with the proposed options.

Consultation Reference: DM2 New Build Non-Residential Development

**Agree** with the proposed options.

Consultation Reference DM3 Amendments to Policy CP1 Retrofitting Existing Buildings

**Agree** with the proposed options, although there could be an alternative.

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**Proposed Alternative:** Regulated carbon emissions are reduced by a minimum of 10% from a baseline of Part L through use of renewable energy.

Rationale: The danger, is option 2 could deter from having a go.

#### Consultation Reference DM 4 New Policy Whole Life Cycle Carbon Assessment

**Do not support**, this seems **premature** at this stage.

Rationale: This would be more appropriate for full plan review, after The West of England Authorities have the evidence base because it would appear that it is not yet a fully worked up policy so we do not support at this stage.

“The use of a performance threshold to demonstrate reduction in the Whole Life Cycle carbon emissions of new buildings is being considered.” Would rather see something saying exactly what is required of the developer rather than a very unspecific “...is being considered.”

#### Consultation Reference DM 5 Amendments to Policy CP3 Renewable Energy

**Support** the change **IF** the remaining existing policy is included.

Rationale: It is unclear if this is replacing the CP3 or adding an additional criterion. We support if it is adding an additional criterion and the remainder if the existing CP3 is kept i.e., adding it before or after: “Proposals for low carbon and renewable energy infrastructure, including large-scale freestanding installations, will be assessed under the national policies and against the following:

- a potential social and economic benefits including local job creation opportunities
- b contribution to significant community benefits
- c the need for secure and reliable energy generation capacity
- d environmental impact (seePolicyCP6) “

#### Consultation Reference DM6 Emerging policy approach for harnessing wind energy

**Do not support**, this seems **premature** at this stage.

Rationale: The Parish Council is not averse to localised small scale energy generation by wind, indeed it does not tie up the land in the same way as large solar power fields. However, it would appear that this is not yet a fully worked up policy so we do not support at this stage as it seems premature, we feel it would be more appropriate for full plan review.

On a wider scale, there is no evidence of an up to date objectively assessed need for different renewables, nothing to show what potential contribution could be expected from hydro power\* and no analysis across the WECA area, or indication of where it may be appropriate to share resources through the duty to cooperate.

(\* We are blessed with a powerful river, many other water courses and 2 lakes, there does not appear any evidence of seeking the opportunity to work with other stakeholders in developing hydro power, it could have the advantage of also helping with flood risk in some areas.) Also **there is nothing in the current documentation that**

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**assesses power generation against other hierarchy of land use** (just one example would be assessing against the need to keep good and medium grade land for food production, as this helps feed the area, perhaps a WECA assessment of this use in perspective to other land use would be useful).

The Options Document states that the 2010 landscape sensitivity analysis will be updated in the context of reviewed landscape character areas, we believe this ought to be completed and consulted on **before** development of a draft policy so that options can then be suggested in a fully informed way. That same update ought to allow for a responsive assessment of the local areas because some landscapes are visually important **locally** (for example they may be important to rural tourism).

Until further background work is properly undertaken **it is premature to include because the report referred to only looks at landscape sensitivity**, it fails to indicate how the policy would comply with objective c) in NPPF para 8, and how this might be mitigated if there is a significant adverse impact. This is especially important because the Local Planning Authority also has to ensure provision of policies to ensure conservation and enhancement of the natural environment, including landscapes (NPPF para 20(d) and 170 (a)).

The government (in its green plan, Nov 2020, <https://www.gov.uk/government/news/pm-outlines-his-ten-point-plan-for-a-green-industrial-revolution-for-250000-jobs>) committed to “producing enough offshore wind to power every home, quadrupling how much we produce to 40GW by 2030”, **on this basis large-scale schemes in rural areas ought to be deemed as not appropriate at this stage. Any proposed wind developments ought to be kept to small scale for specific locally connected industrial, commercial, community led or domestic schemes. Not grid schemes.**

There are some considerations that ought to be included (or justified as to non inclusion) in the proposed policy framework. The NPPF makes it clear that any Neighbourhood Plans that have been brought into force form part of the local plan (NPPF para 12), therefore it is appropriate that landscape character and visual impact on areas identified as important in any of the made Neighbourhood Plans within the Local Authority area should be taken into account.

The NPPF (Feb 2019) states:

*‘A proposed wind energy development involving one or more wind turbines should not be considered acceptable unless it is in an area identified as suitable for wind energy development in the development plan; and, following consultation, it can be demonstrated that the planning impacts identified by the affected local community have been fully addressed and the proposal has their backing.’* The following policy consideration is therefore in our opinion contrary to the NPPF “ •Wider environmental benefits outweigh any significant demonstrable harm to amenity. Also, to comply with this we suggest that the proposed policy consideration “Community support for the scheme can be demonstrated and the material planning impacts identified by affected local communities can be adequately addressed” ought to be split into 2 points. “• Community support for the scheme can be demonstrated” and “•The material planning impacts identified by affected local communities can be adequately addressed.”

DM6 and 7 would appear to contradict the requirement for the LPA’s obligation to plan to positively to enhance the beneficial use of the green belt, **including landscape and visual amenity (NPPF para 141)**, this policy fails to demonstrate how it would achieve that. (NPPF para 147 implies that Very Special Circumstances are required, this is not mentioned in either DM6 or 7 - nor is it mentioned on the landscape sensitivity documents).

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Consultation reference DM7 New Policy Harnessing wind energy

**Do not agree with either option 1 or option 2.**

Rationale: The response to DM6 also apply to DM7. This is premature at this stage and more appropriate to include at full plan review, we do not support at this stage. This policy is not justified at this point in time because it is not based on proportionate evidence and in addition these policy options fail to offer reasonable alternatives.

Consultation Reference DM8 New Policy Electric Vehicle

**Agree** with either of the proposed options for 1,2 and 3 as long as the policies are clarified with the word “NEW” (i.e., “*In all NEW non-residential developments... etc.*”).

**Response regarding item: 2.40** “*The council’s parking standards are being reviewed and it is proposed that the proposed parking standards are removed from the Local Plan and instead form part of a new Supplementary Planning Document. ....*”.

**Do not support this, it is premature to remove until the draft SPD has been issued and consulted on.**

Consultation Reference DM9 Amendments to Policy NE3 Sites, Species and Habitats

**Agree** with the proposed changes.

Consultation Reference DM10 Policy NE5 Ecological Networks and Nature Recovery

**Agree** with the proposed options.

Consultation Reference DM11 New Policy for Biodiversity Net Gain

**Do not support at this stage.**

Rationale: We support the principle but feel the policy lacks sufficient proper detail at this stage so it is more appropriate to wait for full plan review. Need to see what emerges as a result of The Environment Bill and then to consult on a Draft B&NES Biodiversity Supplementary Planning Document so we can see the proper detail before this policy is taken further so we do not support at this stage.

Consultation Reference DM12 Amendments to Policy CP7

**Agree** with the inclusion of Bath River Line.

**Additional Comment:** Re “*Also amend the policy to emphasise the benefits of green spaces for health and well-being.*” **Support the principle**, but the wording is not included in this consultation so can not categorically agree.

Consultation Reference DM13 Amendments to Policy NE1

**Comment: Support the principle**, but the wording is not included in this consultation so can not categorically agree.

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<u>Consultation Reference DM14 Amendments to Policy PCS1: Pollution and Nuisance</u>	<b>Agree</b> with the proposed changes.
Comment: Do you need to define "unacceptable" – it could mean different things to different people.	
<u>Consultation Reference DM15 Amendments to Policy PCS5</u>	<b>Agree</b> with the proposed changes.
<u>Consultation Reference DM16 Amendments to Policy LCR6</u>	<b>Agree</b> with the proposed changes.
<u>Consultation Reference DM17 Amendments to Policy CP9</u>	<b>Agree</b> with the proposed changes.
<u>Consultation Reference DM18 Amendments to Policy H2</u>	<b>Agree</b> with option 1.
<u>Consultation Reference DM19(?) Proposed changes to Policy H2</u>	<b>Agree</b> with the proposed changes.
<u>Consultation Reference DM20 - New Policy H2A</u>	<b>Agree</b> with the proposed changes.
<u>Consultation Reference DM21</u>	<b>Support the principle</b> , but again the wording is not included in this consultation so can not categorically agree.
<u>Consultation Reference DM 22, 23, 24 Proposed options for consultation</u>	<b>Support either</b> option 1 or option 2.
<u>Consultation Reference DM25 Amendments to Policy H7</u>	<b>Support the principle</b> , but again the wording is not included in this consultation so can not categorically agree.
<u>Consultation Reference DM26 Options for ED2A</u>	<b>Support the principle.</b>

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Consultation Reference DM27 Amendment to Policy ED2B

**Agree** with the proposed changes.

Consultation Reference DM28 Bath Spa University Locksbrook Campus

**Support the principle**, but as no site is included in this consultation can not categorically agree.

Consultation Reference DM29 ST1 Promoting Sustainable Travel

**Do not support the inclusion of all these points, please see below.**

**Comments:** It will make it very difficult for small rural villages to get any growth, even “windfall” growth. Suggest that something needs adding to enable certain exceptions. Maybe add something to encourage the development of sustainable travel, such that inhabitants of the rural areas, who will increasingly be excluded from the centres of Bath and Bristol by virtue of the clean air zones, can utilise low-carbon travel rather than just forcing all builds to be tied to the centre of the city.

Consultation Reference DM 30, 31, ST2 Sustainable Transport Routes, ST2A Recreational Routes

**Support the principle**, but as no proposed routes are actually included in this consultation can not categorically agree.

Consultation Reference DM 32, 33, ST3 Transport Infrastructure, ST5 Traffic Management Proposals

**Agree** with the proposed changes.

Consultation Reference DM34 ST6 Park & Ride

**Agree** with the proposed changes.

Consultation Reference DM35 ST7 Transport Requirements for Managing Development **Do not currently support.**

Rationale: **This is premature at this stage**, we need to see full options for wording and consultation on the proposed draft Supplementary Planning Document so that DM35 can be properly commented on.

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#### Consultation reference DM36 Policy GB2 Development in Green Belt Villages

Please see below.

The option statement and options are not particularly clear. Could there be an option to wait for full plan review to amend this? Even if it means there could be a few applications where the NPPF on its own needs relying on? If so we would favour that.

We accept the point in para 2.15 that HDBs are not the same as a village boundary, but wonder if it would be more appropriate to amend the Core strategy definition of “Infill” to clarify the difference, especially in Green Belt Villages, rather than add a whole load of new defined (and consulted on) ‘infill boundaries’ for Green Belt Villages (as in option 1). It would be immensely complicated to generate and agree a load of ‘infill boundaries’ for all the Green Belt villages (especially as some will have more than one area). It would also add unnecessary complication to the development plan, so we would not support that approach.

**Suggested Alternative:** Many Neighbourhood Plans make reference to HDBs, and PMP Policy D7 states: *“Infill development is defined as the filling of a small gap in an otherwise built-up frontage, usually consisting of frontage plots only.”* It goes on to state: *“Neighbourhood Plans in B&NES may identify a locally specific definition of infill, with reference to local characteristics.”* Many Neighbourhood Plans do indeed add locally specific definitions, and it is useful for these to have the HDB maps kept as they are often used within NPs.

We feel it would be more appropriate to modify Policy D7 to add a paragraph regarding Green Belt NPPF policy to account for the issue outlined in the current Options Document (para 2.113 to 2.116). Policy GB2 currently reads: *“Development in villages in the Green Belt will not be permitted unless it is limited to infilling and in the case of residential development the proposal is within the defined Housing Development Boundary.”* If D7 were modified GB2 could perhaps then be easily modified to say *“Development in villages in the Green Belt will not be permitted unless it is limited to infilling that complies with the NPPF and Policy D7”*. This enables the HDBs to stay “on record” within the Local Plan because they are often referred to in NPs, otherwise there will be a significant number of NPs that will need major policy updates.