

The South Petherton Neighbourhood Plan Referendum

Executive Portfolio Holder: Angie Singleton, Strategic Planning (Place Making)
Ward Member(s) South Petherton - Adam Dance, Crispin Raikes
Director: Martin Woods, Director, Service Delivery
Service Manager: Jo Wilkins, Acting Principal Spatial Planner
Lead Officer: David Clews, Spatial Planner
Contact Details: david.clews@southsomerset.gov.uk or 01935 462054

Purpose of the Report

1. To note the progress that has been made on the preparation of the South Petherton Neighbourhood Plan; to agree the independent Examiner's report and recommendations for Proposed Modifications; and to set out the process for 'making' the plan following a favourable local referendum to be organised by the District Council.

Forward Plan

- 2 This report appeared on the District Executive Forward Plan with an anticipated Committee date of May 2018.

Public Interest

- 3 The Neighbourhood Plan represents the views of South Petherton Parish Council and other stakeholders on the preferred approach to future development in the village and surrounding area. This has been the subject of Independent Examination by a qualified person and if the Council agree with the Examiner's report and recommendations for Proposed Modifications, the Plan will then be subject to a referendum of all those in the community on the Electoral Register. The referendum will be on whether they agree with the modified Plan's content and if it should be used in the determination of planning applications.
- 4 The Neighbourhood Plan has been the subject of resident surveys, public meetings, discussions with businesses; and consultation events; and the Parish Council have a dedicated section on its website in association with this process. ([Parish Plan – Neighbourhood Plan](#))

Recommendations

- 5 That the District Executive:-
 - a. agrees to the Examiner's report and recommendations for Proposed Modifications to the South Petherton Neighbourhood Plan.
 - b. agrees to the Council organising a referendum for local people on the Electoral Register as to whether they want South Somerset District Council to use the Neighbourhood Plan for South Petherton to help it decide planning applications in the neighbourhood area.
 - c. delegates responsibility to the Director for Service Delivery in consultation with the Portfolio Holder for Strategic Planning to make any final minor text amendments to the Neighbourhood Plan, in agreement with South Petherton Parish Council and the Neighbourhood Plan Steering Group.

Background

- 6 Neighbourhood planning aims to help local communities play a direct role in planning the areas in which they live and work. The plan can show how the community wants land to be used and

developed in its area. If a plan is 'made' following a successful referendum, it becomes part of the development plan for that area. Planning applications are determined by local planning authorities in accordance with the adopted development plan, unless material considerations indicate otherwise. A development plan sets out the planning policies for the development and use of land.

- 7 The South Petherton Neighbourhood Area designation was approved by the District Council in April 2015. Since then, the Neighbourhood Plan for the area has been prepared and a 'Pre-Submission' Plan was consulted upon by the local Steering Group in March 2017 (Regulation 14). This was followed by formal submission of the Plan in October 2017 and the District Council carried out formal consultation in line with procedures set out in the relevant Regulations (Regulation 16). The Plan has now been the subject of independent examination and this report relates to the District Council's decision on the Examiner's recommendations and the next step of a local referendum.

The South Petherton Neighbourhood Plan

8. The South Petherton Neighbourhood Plan sets out a vision for the Parish and the Plan's main aims and objectives; and includes a short summary of the town's physical, demographic and historic context. A Parish Design Statement has also been submitted and forms part of the Neighbourhood Plan. The Plan summarises the consultation process and evidence base informing its preparation; and policies seeking to guide future development in the town relating to what are considered to be the most sustainable locations, protecting and enhancing the natural environment, retaining the character of the village, setting design and space standards, seeking to ensure that new housing meets local needs, strengthening the local economy, seeking to reduce the impact of traffic and improving parking; and providing a wide range of community facilities.
9. Key issues raised at events and in the questionnaires during the consultation carried out by the Neighbourhood Planning Group under Regulation 14 were:
 - Concern over potential local flooding
 - Parking provision in the village
 - Redevelopment of the Recreation Ground
 - Concern over farm traffic in the village
 - Encouragement of new businesses
 - Housing development

The things that the community said they value the most about South Petherton were:

- The village 'feel'
- The character and quality of the built environment
- The shops and facilities
- The surrounding landscape and views
- The wide range of activities available

10. The main objectives within the Neighbourhood Plan are stated to be the following:

- Protect the land we value locally from inappropriate development and set parameters for new development to be found acceptable.
- Designate and protect green spaces of importance to the Parish and Protect and Create Natural Habitats
- Protect important views (including those of Ham Hill)
- Limit development in the countryside

- Produce a Parish Design Guide to ensure quality & design of new development
- Set up list of local heritage 'assets' to be protected
- Reduce flood risk

- Improve and extend network of local rights of way and footpaths, cycle paths and bridleways
 - Provide footpath links to and from new development

 - Establish and monitor scale and nature of local housing need
 - Ensure that new housing increases options
 - Provide some bungalows and lifetime homes
 - Provide dwellings suitable for single person households

 - Support the local village and wider rural economy through the creation of small and medium business units and by enabling the organic growth of local businesses

 - Provide new parking spaces/areas to serve key locations and facilities
 - Increase car parking opportunities
 - Ensure there is sufficient off-road parking per dwelling

 - Protect community and social spaces and buildings from change of use
 - Redevelop pavilion with sports facilities, toilets and changing rooms
 - Expand into new Rec. space when it's made available
 - Enable new leisure and recreation activity
 - Enable increase in local health and welfare services
 - Provide public toilets
11. A fresh appraisal of the historic built environment was undertaken by the local Steering Group as part of the Neighbourhood Plan process and a Conservation Area Appraisal was undertaken. The current South Petherton village Conservation Area boundary was designated in 1975 and is due to be reviewed by the District Council in 2017/18. The Design Statement is stated to be to ensure that the unique visual character of the village and its surroundings is preserved.
 12. Alongside the Neighbourhood Plan itself, the Regulations require that a statement is submitted which states how the Plan meets the specified 'Basic Conditions', a Consultation Statement; and confirmation that the Plan meets the Strategic Environmental Assessment and Habitats Regulations and other European legislation.
 13. On receipt of the Submission Documents, the Council carried out the required public consultation for a period of six weeks under Regulation 16; this included a notice in the press and at South Petherton Library and writing to all authorities, utility providers, a wide range of stakeholders and other bodies considered to have an interest in the Plan, including those that the Neighbourhood Plan Steering Group had consulted itself. The submission documentation was made available on the Council's website and hard copies were also made available at the library.
 14. A total of five responses were received and the District Council also presented its own comments; these were all sent to the Examiner.
 15. The Examiner's Report concludes that the correct procedure for the preparation and submission of the South Petherton Neighbourhood Plan was followed and that it meets the 'Basic Conditions', subject to several Proposed Modifications being made. The amended documents in accordance with these proposed changes is appended to this report, together with the Examiner's Report. The original Submission Plan, Design Statement, supporting documents and representations received are all available on the District Council's website - [South Somerset District Council – South Petherton Neighbourhood Area Designation](#).
 16. If the District Council accepts the Examiner's recommendations, the next stage would be to hold a local referendum in South Petherton. The prescribed question that needs to be asked is:

“Do you want South Somerset District Council to use the Neighbourhood Plan for South Petherton to help it decide planning applications in the neighbourhood area”.

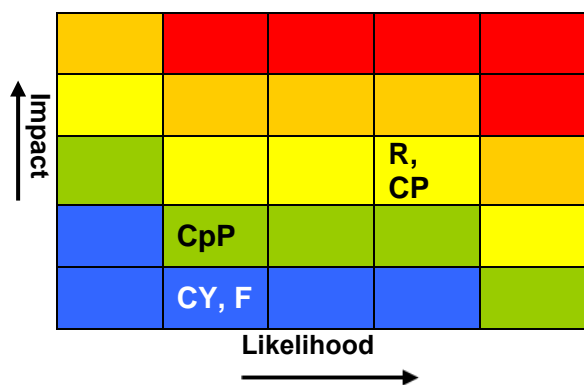
If more than 50% of those who vote say Yes, the Neighbourhood Plan is 'made' (or adopted); and it becomes part of the statutory Development Plan for the District Council and needs to be taken account in the determination of planning applications.

Financial Implications

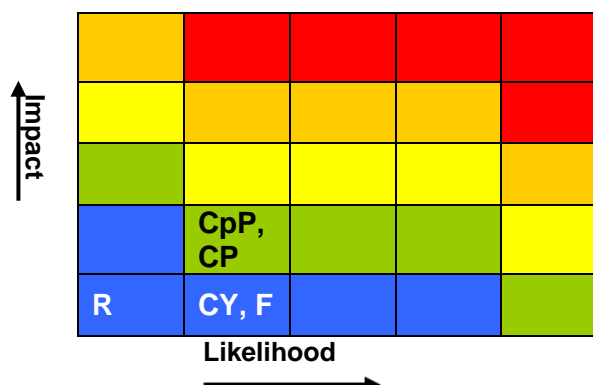
17. Under the Community Infrastructure Levy Regulations, 15% of Community Infrastructure Levy receipts are generally passed directly to those parish and town councils (in England) where development has taken place. In England, communities that draw up a neighbourhood plan and secure the consent of local people in a referendum, will benefit from 25% of the levy revenues arising from the development that takes place in their area.
18. The District Council does not have the option to decline to hold the Referendum as this is required by legislation; and the associated costs will need to be absorbed into existing budgetary arrangements. However, the Council is able to claim a grant of up to £20,000 towards the costs of progressing the Neighbourhood Plan from the Department for Communities and Local Government once the date of the Referendum has been set.

Risk Matrix

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

Categories	Colours (for further detail please refer to Risk management strategy)
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

Council Plan Implications

19. The South Petherton Plan accords with the Council's aims to increase the focus on jobs and economic development, protect and enhance the quality of our environment; and to enable housing to meet all needs. The District Council's values include supporting people and communities, enabling them to help themselves; and the Neighbourhood Plan has been prepared by the local community who wish to have an influence on future development in the town. The Council Plan states that it will focus on supporting communities to develop local, parish and neighbourhood plans.

Carbon Emissions and Climate Change Implications

20. The South Petherton Neighbourhood Plan does not directly address carbon emissions or climate change and no such issues arise.

Equality and Diversity Implications

21. No significant changes to a Service, Policy or Strategy are proposed directly and it is therefore not necessary that an Equality Assessment is undertaken.

Privacy Impact Assessment

22. No personal data handling is involved.

Background Papers (all published in separate appendix)

Appendix A – Examiner’s Report

Appendix B – South Petherton Neighbourhood Plan (with Proposed Modifications)

Appendix C – Parish Design Statement (with Proposed Modifications)
