

SWT Special Full Council

Tuesday, 25th October, 2022,
6.15 pm



Somerset West
and Taunton

The John Meikle Room - The Deane
House

[SWT MEETING WEBCAST LINK](#)

Members: Hazel Prior-Sankey (Chair), Richard Lees (Vice-Chair), Ian Aldridge, Benet Allen, Lee Baker, Marcus Barr, Mark Blaker, Chris Booth, Sue Buller, Norman Cavill, Simon Coles, Dixie Darch, Hugh Davies, Tom Deakin, Dave Durdan, Kelly Durdan, Caroline Ellis, Habib Farbahi, Ed Firmin, Andrew Govier, Steve Griffiths, Roger Habgood, Andrew Hadley, Barrie Hall, John Hassall, Nicole Hawkins, Ross Henley, Marcia Hill, John Hunt, Dawn Johnson, Marcus Kravis, Sue Lees, Libby Lisgo, Mark Lithgow, Janet Lloyd, Dave Mansell, Andy Milne, Chris Morgan, Simon Nicholls, Craig Palmer, Derek Perry, Martin Peters, Andy Pritchard, Steven Pugsley, Mike Rigby, Francesca Smith, Federica Smith-Roberts, Vivienne Stock-Williams, Andrew Sully, Nick Thwaites, Anthony Trollope-Bellew, Ray Tully, Terry Venner, Sarah Wakefield, Danny Wedderkopp, Brenda Weston, Keith Wheatley, Loretta Whetlor and Gwil Wren

Agenda

1. Apologies

To receive any apologies for absence.

2. Declarations of Interest

To receive and note any declarations of disclosable pecuniary or prejudicial or personal interests in respect of any matters included on the agenda for consideration at this meeting.

(The personal interests of Councillors and Clerks of Somerset County Council, Town or Parish Councils and other Local Authorities will automatically be recorded in the minutes.)

3. Public Participation - To receive only in relation to the business for which the Extraordinary Meeting has been called any questions, statements or petitions from the public in accordance with Council Procedure Rules 14,15 and 16

The Chair to advise the Committee of any items on which members of the public have requested to speak and advise those members of the public present of the details of the Council's public participation scheme.

For those members of the public who have submitted any questions or statements, please note, a three minute time limit applies to each speaker and you will be asked to speak before Councillors debate the issue.

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4. To receive any communications or announcements from the Chair of the Council

5. To receive any communications or announcements from the Leader of the Council

6. To receive only in relation to the business for which the Extraordinary Meeting has been called any questions from Councillors in accordance with Council Procedure Rule 13

7. West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan to be Made (formal adoption)

This matter is the responsibility of Executive Councillor for Economic Development, Planning and Transportation, Councillor Mike Rigby.

(Pages 5 - 26)



**ANDREW PRITCHARD
CHIEF EXECUTIVE**

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Members of the public are welcome to attend the meeting and listen to the discussions. There is time set aside at the beginning of most meetings to allow the public to ask questions. Speaking under "Public Question Time" is limited to 3 minutes per person in an overall period of 15 minutes and you can only speak to the Committee once. If there are a group of people attending to speak about a particular item then a representative should be chosen to speak on behalf of the group. These arrangements do not apply to exempt (confidential) items on the agenda where any members of the press or public present will be asked to leave the Committee Room.

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Any requests need to be received by 4pm on the day that provides 1 clear working day before the meeting (excluding the day of the meeting itself). For example, if the meeting is due to take place on a Tuesday, requests need to be received by 4pm on the Friday prior to the meeting.

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Report Number: SWT 135/22

Somerset West and Taunton Council

Special Full Council - 25 October 2022

West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan to be Made (formal adoption)

This matter is the responsibility of Executive Councillor Mike Rigby (Portfolio Holder for Economic Development, Planning and Transportation)

Report Author: Ann Rhodes (Senior Planning Policy Officer)

1 Executive Summary / Purpose of the Report

- 1.1 [The West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan](#) (“the Plan”) is a community led planning document which has been produced by West Monkton and Cheddon Fitzpaine Parish Councils (as Qualifying Bodies). The document and its evidence base was the subject of an [Independent Examination](#) on 21 July 2022 following which the Council as local planning authority put the Plan to a local referendum (see appendix) which took place on Thursday 22 September 2022. The outcome of the referendum was 80% of those voting voted “yes” in support of the Plan.
- 1.2 The position following a referendum is that if more than 50% of those voting are in favour of the Plan, then this Council as local planning authority is required to formally make the Plan within eight weeks of the date on which the referendum has been held (however, the Council is not obliged to do so if it considers that the making of the Plan would breach or otherwise be incompatible with any EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998). Once the Plan is formally made, it will form part of the statutory development plan, and so will be able to be used in the determination of planning applications in the West Monkton and Cheddon Fitzpaine Neighbourhood Area (the whole parish of West Monkton and the parish of Cheddon Fitzpaine minus a small area falling within the Staplegrove Urban Extension).
- 1.3 The making of the Plan is the culmination of a formal neighbourhood planning process which is effectively set out in [The Planning and Compulsory Purchase Act 2004 \(as amended\)](#); [Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2016](#), and the [Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2017](#) which amend the [Neighbourhood Planning \(General\) Regulations 2012](#). In this case, the Council is dealing with the revision of an earlier Plan which was first made in 2018.
- 1.4 Prior to the holding of the referendum, in the process of making any neighbourhood plan the stages are in brief summary:

(a) the initial preparation by the parishes of the draft Plan (in this case the revised draft Plan)

(b) pre submission publicity and consultation

(c) submission of the draft plan to the local planning authority, which at that stage determines whether all relevant legal requirements have been met

(d) the independent examination of the draft Plan, at which stage an examiner undertakes an examination and determines whether the Plan satisfies the “basic conditions” (see [Compliance with the Basic Conditions](#) and [General Information with regard to TCPA and Referendum](#)) and makes a recommendation as to whether the Plan should proceed to referendum, and then

(e) the local planning authority (assuming it accepts the examiner’s recommendation) arranges the referendum (see [General Information with regard to TCPA and Referendum](#)) (appended to this report).

1.5 There is the potential for the Secretary of State to intervene in the neighbourhood planning process where the local planning authority does not follow the examiner’s recommendations or fails to send the Plan to referendum as recommended, with any costs incurred by the DLUHC for that intervention being required to be met by SWT.

1.6 It should also be noted that a Parish which has an adopted Neighbourhood Development Plan receives 25% of Community Infrastructure Levy (CIL) receipts relating to development proposals which receive planning permission within the parish area, as opposed to 15% (capped at £10 per council tax dwelling) for those which do not. SWT is required to do this under [The Community Infrastructure Levy \(Amendment\) Regulations 2013](#).

2 Recommendations

2.1 That Full Council resolves that following the outcome of the referendum which was held on 22 September 2022, the West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan be formally ‘made’ (adopted) pursuant to the [Planning and Compulsory Purchase Act 2004 Section 38A](#) as part of Somerset West and Taunton Council’s statutory development plan

3 Risk Assessment

3.1 It is the view of officers that the Plan does not directly contribute to risks listed on the [SWT Risk Management Register](#).

3.2 As stated above SWT is legally obliged to Make the Plan if the majority of those voting in the local referendum have voted in favour of the Plan, unless it considers that the making of the Plan would breach or otherwise be incompatible with any EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998. If the Council failed to do so, then it would be in breach of its statutory obligations and would be vulnerable to legal challenge.

4 Background and Full details of the Report

- 4.1 The [Localism Act 2011](#) introduced Neighbourhood Development Plans to the planning system, giving communities direct power to develop a shared vision for their neighbourhood and shape a locally distinctive development plan document which reflect the growth needs and priorities of their communities.
- 4.2 The West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan (“the Plan”) is a community led planning document which has been produced by West Monkton and Cheddon Fitzpaine Parish Councils who are Qualifying Bodies under [The Town and Country Planning Act 1990 \(as amended\)](#).
- 4.3 A Neighbourhood Development Plan is a means by which planning policies can be set for a local area which then (once the Plan is made) form part of the statutory development plan. A Neighbourhood Plan should therefore contain policies for the development and use of land, and generally will not include wider non-planning aspirations for the area. A Neighbourhood Plan must also meet the “basic conditions” as set out in the Town and Country Planning Act 1990 Schedule 4B paragraph 8, and so as a result must be in general conformity with the policies already contained in the development plan for the area, and must also contribute to the achievement of sustainable development. A Neighbourhood Plan must also not be in conflict with EU obligations.
- 4.4 The West Monkton and Cheddon Fitzpaine Neighbourhood Area initially had a Neighbourhood Plan which was formally Made on 23 April 2018. The two Parish Councils embarked on a review of that Plan in 2019, undertaking research and consultation (See *Consultation* section of this report and the [Submission documents](#)) to inform changes to the Plan.
- 4.5 The review took account of changes that had occurred since the original Neighbourhood Plan was made in 2018. Key drivers behind this review process, included: the Parish Councils’ declaration of a Climate Emergency; changes to National Planning Policy as contained in the National Planning Policy Framework, and the delivery of development which had taken place in the Neighbourhood Area since the original Plan had been Made.
- 4.6 The revised Plan was submitted to SWT in October 2021. In line with the legislation, it was subject to consultation (see *Consultation* section of this report), before the appointment of an Independent Examiner, Ann Skippers, an experienced Neighbourhood Plan Examiner, in December 2021.
- 4.7 A review of an existing Neighbourhood Plan Review usually falls into one of three categories:
- Minor non-material modifications – such as the correction of errors – which have no material effect on the actual policies in the plan
 - Material modifications which do not change the nature of the plan – for example the addition of a design code – which merely require an examination, and do not require a positive outcome in a referendum

- Material modifications which do change the nature of the plan, which require an examination and also a referendum

In this case, the two Parish Councils and SWT separately reviewed the modifications and suggested to the Independent Examiner that there were policies which were Substantial and Material as to change the nature of the original Plan and therefore in accordance with [The Planning and Compulsory Purchase Act 2004 \(as amended\)](#) they should be examined, and a referendum held on the Plan. The Examiner's determination was the same. The Parish Councils formally gave their consent for the Examination to continue on This consent was duly given on 13 April 2022.

- 4.8 The Plan and its evidence base were then subjected to Independent Examination. During the course of the Examination the Examiner sought clarification on some matters. The [Examination correspondence](#) is published on the SWT website. The [Examiners Report](#) was received on 21 July 2022. It concluded that subject to the Examiner's recommendations a modified Plan should progress to referendum. Those recommendations and the reasons for making them are contained in the SWT document [General Information with regard to TCPA and Referendum](#).
- 4.9 The Independent Examination looked at the legal tests as set out in [the Town and Country Planning Act 1990 \(as amended\)](#); [The Planning and Compulsory Purchase Act 2004 \(as amended\)](#); [the Neighbourhood Planning \(General\) Regulations 2012 \(as amended\)](#); [The Conservation of Habitats and Species Regulations 2017](#); [the Environmental Assessment of Plans and Programmes Regulations 2004](#); [Conservation of Habitats and Species Regulations 2017](#); [European Convention on Human Rights](#). It concluded that the Plan, as amended, met these and could progress to local referendum.
- 4.10 In accordance with [The Neighbourhood Planning \(General\) Regulations 2012](#), SWT considered the representations and reviewed the Examiner's Report and formally accepted that the Plan met the Basic Conditions (see [Compliance with the Basic Conditions](#)) and [General Information with regard to TCPA and Referendum](#) (both appended to this report) and [Executive Decision of a Portfolio Holder published 8 August 2022](#) and [Executive Decision of a Portfolio Holder published 6 September 2022](#).
- 4.11 A local referendum on the Plan was held on Thursday 22 September 2022 in accordance with [The Town and Country Planning Act 1990 \(as amended\)](#); [Neighbourhood Planning \(Referendum\) Regulations 2012](#) (as amended by the [Neighbourhood Planning \(Referendum\) \(Amendment\) Regulations 2013](#) and 2014) and the [Neighbourhood Planning \(Prescribed Dates\) Regulations 2012](#). 80% of those voting voted "yes" in support of the Plan (Appendix A).
- 4.12 The revised [Plan](#) contains 17 policies which - following the making of the revised Plan - will form part of the statutory development plan and so may be used when determining planning applications in the Neighbourhood Area. A summary of these new policies is below.
- Policy H1: Housing Suitable for Older People

Requirement for Major residential schemes to provide 10% of open market dwellings to within easy access of existing/proposed facilities and services, to be

either single storey or 1, 2 or three bedrooms. Supported-living accommodation also supported.

- Policy H2: External Materials for Residential Development

Requirement for materials to be high-quality, respond to distinctive character of area, energy efficient and climate resilient design.

- Policy H3: Refuse Bin Storage [and recycling] for Residential Development

Suitable refuse and recycling store must be incorporated into the front of the dwelling/curtilage in a concealed position.

- Policy H4: Affordable Housing

A tenure split of 80% social rented and 20% intermediate housing or affordable rent on affordable housing provision of three dwellings or more* is encouraged. Affordable and market self-build housing to meet local demand is particularly encouraged.

- Policy H5: Building and Climate Change

New development, including extensions and restorations, should include appropriate measures both through design and materials that address the climate change emergency. Development should consider: orientation, massing, landscaping of buildings, fabric first approach, increased water resilience, low-carbon and renewable heating, electric charging points, bio-diversity measures in the building fabric, green roofs.

- Policy T1: Developing a comprehensive and high-quality cycle and footpath network.

Requirement for integrated walking and cycling network, which is also wheelchair friendly, for all residential and commercial development. Safe and convenient cycle storage at schools, local centres, and in close proximity to essential services and facilities.

- Policy E1: Starter Workshop Units

Supported on land with established or allocated employment use and brownfield land.

- Policy E2: Sustainable Diversification of Rural Buildings for Other Employment Uses

Support for diversification of traditional farm buildings to other employment uses, subject to alterations being minimal, appropriate, proportionate, sympathetic and unobtrusive. Parking and access should be satisfactory and walking, cycling and public transport encouraged.

- Policy E3: Retain Existing Employment Land/Buildings for Employment Usage.

Considerable efforts must be made to market buildings/land at a reasonable market value for two years; and change must be justified by a viability assessment, marketing strategy and explanation of why existing use is no longer necessary.

- Policy E4: Social Care Employment Opportunities

Support proposals for residential, nursing home or sheltered accommodation.

- Policy E5: Wider Roll-out of Broadband Connectivity

All new development, be it residential or employment/commercial, must support open access broadband infrastructure.

- Policy R1: Dark Skies

Support development which maintains and enhances dark skies. Lighting schemes must minimise light pollution through technology subject to meeting health and safety and crime prevention standards.

- Policy R2: Green Space and Wildlife

Protect, maintain, link, and enhance our existing green spaces, water, and woodland, for people and wildlife. New major development must provide new green space and wildlife areas, to meet local needs, minimise impacts and provide net-gains in biodiversity. It must also protect and create hedgerows, woodlands, orchards, and individual specimen trees.

- Policy R3: Flood Attenuation

Support strategic flood measures. On new residential development sites, renovations and extensions, support measures that include water management design features that minimise flooding, facilitate irrigation, and making habitats resilient against flooding and climate change.

- Policy R4: Recreation and Community Facilities

Major development to include new or expands recreation and community facilities.

- Policy R5: Local Green Spaces

Designation of green space that is demonstrably special to the local community and hold a particular significance, for example because of its beauty, historic significance, recreational value (including a playing field) tranquillity or richness of its wildlife. Development in these areas will be consistent with national Green Belt policy.

- Policy R6 Trees and hedgerows

All new developments are required to include an appropriate and generous amount tree planting and subsequent care to ensure their establishment. Appropriate species should be used (native/British grown), taking into account soil type and volume and the surrounding architecture.

- 4.13 As stated above, the Plan was put to a local referendum on 22 September 2022, with the outcome being 80% of those voting voted “yes” in support of the Plan (see annex) which therefore requires SWT to make the Plan as set out in [Section 38 of the Planning and Compulsory Purchase Act 2004](#). SWT does not consider that the making of the Plan would breach or otherwise be incompatible with any EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998

5 Links to Corporate Strategy

- 5.1 The Plan links with the Council’s [Corporate Strategy 2020-2024](#) in the following ways:

Objective 1 – Our Environment and Economy

- Item 1 - Work towards making our District carbon neutral by 2030... The Plan supports this via:
 - Policy H2: External Materials for Residential Development
 - Policy H5: Building and Climate Change
- Item 3 - Encourage wealth creation and economic growth throughout the District by attracting inward investment, enabling research and innovation, improving the skills of the local workforce and seeking to ensure the provision of adequate and affordable employment land to meet different business needs. The Plan supports this via:
 - Policy E1: Starter Workshop Units
 - Policy E2: Sustainable Diversification of Rural Buildings for other Employment Uses
 - Policy E3: Retain Existing Employment Land/Buildings for Employment Usage
 - Policy E4: Social Care Employment Opportunities
 - Policy E5: Wider Roll-out of Broadband Connectivity
- Item 4 - Improve recycling rates and reduce the amount of waste material that is not recycled... The Plan supports this via:
 - Policy H3: Refuse Bin [and recycling] Storage for Residential Development
- Item 5 - Provide and maintain green open spaces and parks, enhanced public

spaces, as well as additional opportunities to safely walk or cycle in order to encourage active and healthy lifestyles. The Plan supports this via:

- Policy T1: Developing A Comprehensive and High-Quality Cycle and Footpath Network
- Policy R2: Green Space and Wildlife
- Policy R4: Recreation and Community Facilities
- Policy R5: Local Green Spaces

Objective 3 – Homes and Communities

- Item 1 - Increase the number of affordable and social homes in our urban towns, rural and coastal communities... The Plan supports this via:
 - Policy H1: Housing Suitable for Older People
 - Policy H4: Affordable Housing
 - Policy E4: Social Care Employment Opportunities
- Item 6 - Support the delivery of strong sustainable transport infrastructure links including greater provision of public transport across the district, as well as solutions which remove barriers to people using public transport to access work, training and leisure opportunities. The Plan supports this via:
 - Policy T1: Developing A Comprehensive and High-Quality Cycle and Footpath Network

6 Finance / Resource Implications

- 6.1 Parishes with an adopted Neighbourhood Development Plan receive 25% of Community Infrastructure Levy (CIL) receipts, as opposed to 15% (capped at £10 per council tax dwelling) for those which do not. SWT is required to do this under [The Community Infrastructure Levy \(Amendment\) Regulations 2013](#).
- 6.2 West Monkton and Cheddon Fitzpaine parishes already have a Neighbourhood Plan in place and therefore already receive the 25% from CIL receipts.
- 6.3 Although it is not a regulatory part of Neighbourhood Plans the Parish Councils have used The Plan to set out their priorities for CIL spend. The Parish Councils also produce an annual report on the money they have received and spent. They must spend it in accordance with [The Community Infrastructure Levy \(Amendment\) Regulations 2013](#).

Unitary Council Financial Implications and S24 Direction Implications

- 6.4 There are no specific implications for the decisions in this report. The CIL Regulations 2010 (as amended) will apply to the new unitary Council from 1 April 2023 therefore the obligation to distribute CIL funds in accordance with the regulations will endure beyond

the life of SWT. In addition, if there is a boundary change as a result of the Community Governance Review in Taunton, the distribution of CIL will follow with the location of relevant development within the new boundaries. See *Finance / Resource Implications* section above.

7 Legal Implications

- 7.1 The entire process of making and reviewing Neighbourhood Plans is subject to detailed statutory provisions, which have been adhered to in the review process.
- 7.2 As stated above, SWT is legally obliged to make the Plan if the majority of those voting in the local referendum are in favour of the Plan unless the making of the Plan would breach or otherwise be incompatible with any EU obligation or any of the Convention rights within the meaning of the Human Rights Act 1998

8 Climate, Ecology and Sustainability Implications

- 8.1 The original Plan was reviewed partly because the West Monkton and Cheddon Fitzpaine Parishes made Climate Emergency Declarations in December 2019 and February 2020 respectively. The amendments to the NP Policies reflect the current position, and take into account SWT's [Climate Positive Planning: Interim Guidance Statement on Planning for the Climate and Ecological Emergency](#) dated February 2021.
- 8.2 The Plan was the subject of a Strategic Environmental Assessment (SEA) Screening, Scoping and Environmental Report which included consultation with the Statutory Consultees (Environment Agency, Natural England and Historic England) and the general public. The Report concluded negligible and positive residual impacts on the SEA Objective and that it is unlikely that the Plan will lead to any environmental effects.
- 8.3 The Plan was the subject of a Habitat Regulations Assessment (HRA) Screening and Appropriate Assessment which included consultation with the Statutory Consultees and general public. The AA concluded that the Plan would have no adverse impact on the integrity of any European site, either alone or in combination, the statutory consultees agreed.
- 8.4 Positive climate and ecology policies in [the Plan](#) as revised include:
- **Housing Policy H2: External Materials for Residential Development:** *Materials used should be high quality, energy efficient, climate resilient and sustainable, which maximise a) opportunities to reduce embodied carbon (e.g., through re-use and individual material properties and provenances), and b) carbon storing potential of buildings (e.g., through building with biomass)*
 - **Housing Policy H5: Building and Climate Change:** *New development, including extensions and restorations, should include appropriate measures both through design and materials that address the climate change emergency. Development proposals should provide information on performance and energy efficiency measures used. Proposals that are highly efficient and those which move towards zero carbon emission buildings will be supported.*

Measures which reduce Carbon Emissions will be supported, having regard to feasibility and viability:

[policy details: fabric first approach to efficiency; low carbon and renewable energy generation; electric charging points; maximising solar gain via orientation, massing and landscaping; green roofs; increased water resilience; ecological/biodiversity measures to support species retention and re-establishment]

- **Transport Policy T1: Developing a comprehensive and high-quality cycle and footpath network:** *New residential and employment/commercial development must meet our goal to provide fully integrated walking and cycling networks* which are user friendly for all with wheelchair access included to ensure they provide door to door connectivity within new developments and to key destinations such as education, workplaces and retail; lit in accordance with the Dark Skies Policy R1; in place at the earliest opportunity. [policy details: development must provide interconnected, safe and convenient public cycle and footpaths; ensure safe and convenient cycle and footpath connections to key points (i.e. schools, local centre) from residential and employment areas; secure, easy to use covered cycle parking at public places]*
- **Recreation and Environment Policy R1: Dark Skies:** *Otherwise acceptable development proposals which include measures to maintain and enhance dark skies within the NP area will be supported. Applications for new development requiring a lighting scheme, and new external lighting on premises should show how dark skies will be protected and must seek to minimise additional light pollution. Schemes such as dimming technology, running part-time lighting schemes (in consultation with the local community*) or replacing street lighting with new fixtures and fittings to meet or exceed current best practice will be supported, subject to meeting health and safety and crime prevention standards.*
- **Recreation and Environment Policy R2: Green Space and Wildlife:** *New major* residential developments of 10 or more net additional dwellings (or if the site area is more than 0.5 hectares if dwelling numbers are yet to be agreed) must provide new green space** and wildlife areas to meet local needs and/or minimise impacts on local biodiversity and provide net gains in biodiversity. [policy details: maintaining, linking, and enhancing existing green and blue spaces for people and wildlife; new habitats and networks]*
- **Recreation and Environment Policy R3: Flood Attenuation:** *...seeks to achieve substantial environmental change, improved biodiversity, reduction in run-off from impermeable areas into combined sewers, amenity improvements and higher water quality.*

Any major development should holistically demonstrate environmental net gain.

[policy details: Strategic flood works will be delivered in conformity with the Taunton Strategic Flood Alleviation Improvements Scheme; effective Water

management features in buildings and public spaces; nature-based solutions to flooding]

- **Recreation and Environment Policy R4: Recreation and Community Facilities:** *Subject to a viability assessment new major* residential development of 10 or more net additional dwellings (or if the site area is more than 0.5 hectares if dwelling numbers are yet to be agreed) will only be supported if proposals for new recreation and, or, community facilities are included to meet demonstrated local needs.*

[policy details: provision of or contribution to new play areas and public open spaces, playing fields, baseball park, skate and bmx/cycle parks, tennis courts and all-weather 5 a-side pitches, or the improvement and enhancement of existing facilities which will continue to meet a local need; new allotments; Improvements along the Bridgwater & Taunton canal; linkages between sites; improved rights of way networks].

- **Recreation and Environment Policy R5: Local Green Spaces (Highway Triangles and Recreational Sites):** *...areas, as shown broadly on Map 20 and in more detail on maps 21-44, are designated as Local Green Space... Development in the Local Green Spaces will be consistent with national policy for Green Belts. [Policy details and designates 17 LGS's]*
- **Recreation and Environment Policy R6 Trees and hedgerows:** *All new developments are required to include an appropriate and generous amount tree planting and subsequent care to ensure their establishment. Appropriate species should be used (native/British grown), taking into account soil type and volume and the surrounding architecture... [policy details: replacement provision; new provision as part of development; retention of existing tree's and significant shrub and hedge masses]*

9 Equality and Diversity Implications

- 9.1 The Vision and Objective of the Plan is to successfully accommodate the significant growth planned for the area and to ensure a high quality of design with the creation of sustainable places with excellent community facilities for local people to enjoy. The intended outcomes of this NDP will be beneficial to all current and future residents of the area, including people sharing personal characteristics.
- 9.2 See attached Equalities Impact Assessment (EIA) for examples of some specific policies which directly help protected characteristics.

10 Health and Wellbeing Implications

- 10.1 The Plan will have a positive effect on Health & Wellbeing through the implementation of its policies. Examples of some specific policies which directly help are:
- 10.2 People, families and communities taking responsibility for their own health and wellbeing:

- **Policy T1: Developing a comprehensive and high-quality cycle and footpath network:** *New residential and employment/commercial development must meet our goal to provide fully integrated walking and cycling networks* which are user friendly for all with wheelchair access included to ensure they provide door to door connectivity within new developments and to key destinations such as education, workplaces and retail*
- **Policy R2 Green Space and Wildlife:** *New major* residential developments...Access to quality and interconnected green space must be provided. Local access to green space is known to have positive physical and mental health outcomes.*
- **Policy R4 Recreation and Community Facilities:** provision of local services and facilities which provide a range of services: Allotments for low-cost grow your own food; play areas, sports pitches, courts and tracks for children and young persons activities as well as adults.
- **Policy R5 Local Green Spaces:** protecting green spaces of local importance, green space is known to have positive physical and mental health outcomes.

10.3 Families and communities are thriving and resilient:

- **Policy H2: External Materials for Residential Development:** *Materials used should be high quality, energy efficient, climate resilient and sustainable, which maximise a) opportunities to reduce embodied carbon (e.g., through re-use and individual material properties and provenances), and b) carbon storing potential of buildings (e.g., through building with biomass).*
- **Policy H5: Building and Climate Change:** *New development, including extensions and restorations, should include appropriate measures both through design and materials that address the climate change emergency. Development proposals should provide information on performance and energy efficiency measures used.* policy details include: a fabric first approach to efficiency; low carbon and renewable energy generation; electric charging points; maximising solar gain via orientation, massing and landscaping; green roofs; increased water resilience; ecological/biodiversity measures to support species retention and re-establishment
- **Policy E5 Broadband Connectivity:** Open access broadband infrastructure supported. All new development, be it residential or employment/commercial, must demonstrate how it supports this...It is expected that all new buildings will be supplied with fibre to the premises.

10.4 Somerset people are able to live independently:

- **Policy H1 Housing Suitable for Older People:** *subject to viability, 10% of development to be 1,2 or 3 bed, and within easy access of local facilities and services. Also supports supported-living accommodation.*

- **Policy H4 Affordable Housing:** A tenure split of 80% social rented and 20% intermediate housing or affordable rent on affordable housing provision of three affordable dwellings or more* is encouraged. This is a higher ratio than TDBC Aff Housing SPD. Policy also includes Affordable Self-Build.
- **Policy E4: Social Care Employment Opportunities:** support proposals for residential, nursing homes or sheltered accommodation.

11 Consultation

11.1 The production of a Neighbourhood Plan is subject to engagement and consultation at key stages in its development. The formal consultation stages in the production of the Plan were:

- Designation of the Neighbourhood Area: proposals were subject to public consultation between Friday 18 September and 30 October 2015, in accordance with Regulation 6 of the [Neighbourhood Plans \(General\) Regulations 2012](#). All statutory consultees and interested parties were consulted.
- Development of the Plan:
 - A survey was sent to all households and businesses in the Neighbourhood Area towards the end of 2019. It was publicised at Parish Council meetings and in village publications/notices.
 - Targeted pre-submission consultation took place Winter 2021 with statutory consultees.
 - Pre-submission (Regulation 14) consultation. The Plan and its associated documents, with details of how representations were on Parish Notice Boards, in Village Magazines and reported at Parish Council Meetings, took place 26 February to 30 April 2021. All statutory consultees and interested parties.
- Submission of the Plan:
 - The Plan and its associated documents, with details of how representations might be made was published for representations between 5 November and 17 December 2021. All statutory consultees, interested parties and those who'd previously submitted representations during the Plans development were invited to comment.
- Referendum: a local referendum on 22 September 2022. The amended Plan and its associated documents, with details of who was eligible to vote, were published 10 August 2022.

Democratic Path:

- **Scrutiny / Audit and Governance Committee – No**

- Executive – No
- Full Council – Yes (25 October 2022)

Reporting Frequency: Once only

List of Appendices (background papers to the report) (delete if not applicable)

Appendix A	Referendum Result
Appendix B	EIA
Appendix C	West Monkton & Cheddon Fitzpaine Neighbourhood Development Plan

Contact Officers

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Appendix A Referendum Result

A local referendum was held on Thursday 22 September 2022. The referendum was conducted in accordance with procedures similar to those used at local government elections. It was arranged and managed by SWT Electoral Services Team.

To vote in a local referendum you must:

- be [registered to vote](#)
- be 18 or over on the day of the election ('polling day')
- be a British, Commonwealth or EU citizen
- be resident at an address in the area you wish to vote in
- not be legally excluded from voting

The number of persons entitled to vote in the local referendum on the West Monkton & Cheddon Fitzpaine Neighborhood Plan is: 6,199.

The results were:

For – 488 persons, 80% of those voting

Against – 121 persons, 20% of those voting

Spoilt Ballots – 0 persons, 0% of those voting

Somerset Equality Impact Assessment

The [EIA guidance notes](#) will help you complete this assessment.

Organisation prepared for	Somerset West and Taunton Council		
Version	1	Date Completed	09/08/2022
Description of what proposed change or policy is being impact assessed			
<p>West Monkton and Cheddon Fitzpaine Neighbourhood Development Plan (The Plan). This is a community led planning policy document that is Made (adopted) by SWT as a Development Plan Document following successful Independent Examination and Referendum. The Examination includes a check that the Plan does not breach European Convention Rights.</p>			
Evidence			
<p>What data/information have you used to assess how this policy/service might impact on protected groups? Sources such as the Office of National Statistics, Somerset Intelligence Partnership, Somerset's Joint Strategic Needs Analysis (JSNA), Staff and/ or area profiles,, should be detailed here</p>			
<p>The Plan includes an Area Profile which looked at [inter alia] population, employment, health, and ethnicity. Data sources include [inter alia] Somerset Intelligence Network (SINE); ONS, including Census and population projections; Rural Services Network; Partnership Intelligence Unit (SCC); Joint Strategic Needs Assessment (JSNA). (see the Plan)</p>			
<p>Who have you consulted with to assess possible impact on protected groups? If you have not consulted other people, please explain why?</p>			
<p>In addition to an Area Profile, consultation was undertaken at various stages of the Plan with members of the public and specialist groups and organisations such as: Clinical Commissioning Group; Education; Social Care; Disability Groups; Business Groups, Libraries, Diversity Groups; Multicultural Groups; Religious Groups; Voluntary Groups; Schools; Village Halls; Clubs; Social Landlords; Sport England. (See the Plan's Consultation Statement, questionnaires, Reg14 and Reg16 responses, and the Plan).</p>			

Analysis of impact on protected groups				
The Public Sector Equality Duty requires us to eliminate discrimination, advance equality of opportunity and foster good relations with protected groups. Consider how this policy/service will achieve these aims. In the table below, using the evidence outlined above and your own understanding, detail what considerations and potential impacts against each of the three aims of the Public Sector Equality Duty. Based on this information, make an assessment of the likely outcome, before you have implemented any mitigation.				
Protected group	Summary of impact	Negative outcome	Neutral outcome	Positive outcome
Age	<ul style="list-style-type: none"> Older persons: <u>Policy H1 Housing Suitable for Older People</u>: <i>subject to viability, 10% of development to be 1,2 or 3 bed, and within easy access of local facilities and services.</i> Also supports supported-living accommodation. Older persons: <u>Policy E4: Social Care Employment Opportunities</u>: <i>support proposals for residential, nursing homes or sheltered accommodation.</i> Younger Persons: <u>Policy R4 Recreation and Community Facilities</u>: includes requirement for provision, protection and improvement of new play areas for a range or young person and youth facilities. 	☐	☐	☒
Disability	<ul style="list-style-type: none"> <u>Policy T1 comprehensive high-quality cycle and footpath network</u>: inclusion of wheelchair accessibility to ensure door to door connectivity within new developments and to key destinations. <u>Policy R4 Recreation and Community Facilities</u>: includes requirement for community facilities to be wheelchair accessible. <u>Policy R1 – Dark Skies</u>: has the potential to inhibit access for those with impaired vision. In applying this policy, in addition to health and safety and crime prevention standards, accessibility for visually impaired people should be considered as part of any detailed proposals brought forward. 	☐	☐	☒

Gender reassignment	<ul style="list-style-type: none"> No disproportionate impacts have been identified for people sharing this Protected Characteristic. The Vision and Objective of the NDP is to successfully accommodate the significant growth planned for the area and to ensure a high quality of design with the creation of sustainable places with excellent community facilities for local people to enjoy. It can be anticipated that the intended outcomes of this NDP will be beneficial to all current and future residents of the area, including people sharing this personal characteristic. 	□	□	☒
Marriage and civil partnership	<ul style="list-style-type: none"> No disproportionate impacts have been identified for people sharing this Protected Characteristic. The Vision and Objective of the NDP is to successfully accommodate the significant growth planned for the area and to ensure a high quality of design with the creation of sustainable places with excellent community facilities for local people to enjoy. It can be anticipated that the intended outcomes of this NDP will be beneficial to all current and future residents of the area, including people sharing this personal characteristic 	□	□	☒
Pregnancy and maternity	<ul style="list-style-type: none"> No disproportionate impacts have been identified for people sharing this Protected Characteristic. It can be anticipated that the intended outcomes of this NDP will be beneficial to all current and future residents of the area, including people sharing this personal characteristic. Specifically, policies <u>T1 Developing a comprehensive and high-quality cycle and footpath network</u> and <u>R4 Recreation and Community Facilities</u>: both ensuring accessibility for wheelchair users are likely to have equally beneficial impacts for recent mothers when transporting babies and toddlers in pushchairs and buggies 	□	□	☒
Race and ethnicity	<ul style="list-style-type: none"> No disproportionate impacts have been identified for people sharing this Protected Characteristic. The Vision and Objective of the NDP is to successfully accommodate the significant growth 	□	□	☒

	<p>planned for the area and to ensure a high quality of design with the creation of sustainable places with excellent community facilities for local people to enjoy. It can be anticipated that the intended outcomes of this NDP will be beneficial to all current and future residents of the area, including people sharing this personal characteristic.</p>			
Religion or belief	<ul style="list-style-type: none"> No disproportionate impacts have been identified for people sharing this Protected Characteristic. The Vision and Objective of the NDP is to successfully accommodate the significant growth planned for the area and to ensure a high quality of design with the creation of sustainable places with excellent community facilities for local people to enjoy. It can be anticipated that the intended outcomes of this NDP will be beneficial to all current and future residents of the area, including people sharing this personal characteristic. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sex	<ul style="list-style-type: none"> <u>Policy R1 Dark Skies</u>: had the potential to increase the fear of crime, or the risk of crime, for women and girls in particular. The policy therefore includes a requirement that lighting schemes will be subject to meeting appropriate crime prevention standards in order to mitigate concerns around public safety It can be anticipated that the intended outcomes of this NDP will be beneficial to all current and future residents of the area, including people sharing this personal characteristic. 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<ul style="list-style-type: none"> No disproportionate impacts have been identified for people sharing this Protected Characteristic. The Vision and Objective of the NDP is to successfully accommodate the significant growth planned for the area and to ensure a high quality of design with the creation of sustainable places with excellent community facilities for local people to enjoy. It can be anticipated that the intended outcomes of this NDP will be beneficial to all current and 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	<p>future residents of the area, including people sharing this personal characteristic.</p>			
<p>Other, e.g. carers, veterans, homeless, low income, rurality/isolation, etc.</p>	<ul style="list-style-type: none"> • Low Income: <u>Policy H4 Affordable Housing</u>: <i>A tenure split of 80% social rented and 20% intermediate housing or affordable rent on affordable housing provision of three affordable dwellings or more* is encouraged. This is a higher ratio than TDBC Aff Housing SPD. Policy also includes Affordable Self-Build.</i> • Rurality: <u>Policy E2 Sustainable Diversification of Rural Buildings for other Employment Uses</u>: <i>diversification of farming buildings to other employment uses. Supporting rural economy.</i> • Rurality: <u>Policy E5 Broadband Connectivity</u>: <i>Open access broadband infrastructure supported. All new development, be it residential or employment/commercial, must demonstrate how it supports this...It is expected that all new buildings will be supplied with fibre to the premises.</i> • Health & Wellbeing: <u>Policy R2 Green Space and Wildlife</u>: <i>New major* residential developments...Access to quality and interconnected green space must be provided. Local access to green space is known to have positive physical and mental health outcomes.</i> • Health & Wellbeing: <u>Policy R4 Recreation and Community Facilities</u>: <i>provision of local services and facilities which provide a range of services: Allotments for low-cost grow your own food; play areas, sports pitches, courts and tracks for children and young persons activities as well as adults.</i> • Health & Wellbeing: <u>Policy R5 Local Green Spaces</u>: <i>protecting green spaces of local importance, green space is known to have positive physical and mental health outcomes.</i> 	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Negative outcomes action plan

Where you have ascertained that there will potentially be negative outcomes, you are required to mitigate the impact of these. Please detail below the actions that you intend to take.

Action taken/to be taken	Date	Person responsible	How will it be monitored?	Action complete
N/A	Select date	N/A	N/A	<input type="checkbox"/>

If negative impacts remain, please provide an explanation below.

N/A

Completed by:

Ann Rhodes

Date

10/08/2022

Equality Lead/Manager sign off date:

Paul Harding

Date

11/08/2022