

**From:** [Michael Gooch](#)  
**To:** [Strategy](#)  
**Cc:** [Elliot Jones](#)  
**Subject:** Cavanna Homes - Greenway Farm - Bishops Lydeard - Somerset West and Taunton Local Plan 2040 -  
**Date:** 16 March 2020 13:33:26

**Importance:** High

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Dear Sir/Madam,

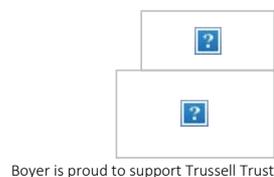
On behalf of our client, Cavanna Homes (South-West) Ltd., please find attached formal representations to the Council's public consultation regarding the Somerset West and Taunton Local Plan 2040 Issues and Options.

If you could please confirm that these representations have been received and will be considered accordingly, I would be very grateful. In the meantime, if you require anything else, please do not hesitate to contact me.

Many thanks and kind regards,  
Michael

**Michael Gooch**  
Principal Planner

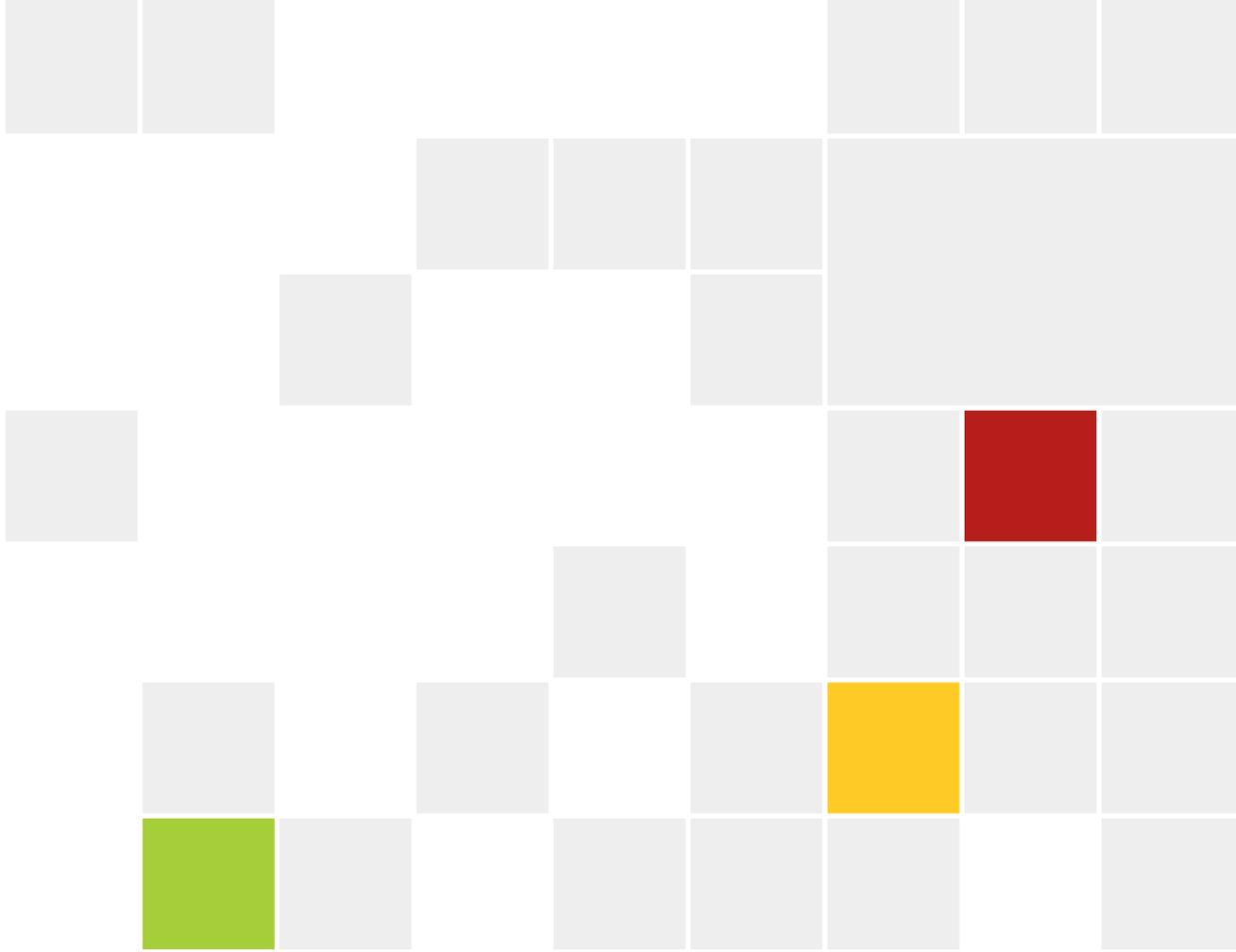
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# Somerset West and Taunton Local Plan 2020 Issues and Options Consultation

Representations on behalf of Cavanna Homes (South-West Ltd)



# Boyer

## Report Control

|                 |  |
|-----------------|--|
| Project:        | Land at Greenway Farm, Bishops Lydeard |
| Client:         | Cavanna Homes (South-West) Ltd.        |
| Reference:      | 19.8040                                |
| Primary Authors | Michael Gooch                          |
| Checked By:     | Elliot Jones                           |

| <i>Issue</i> | <i>Date</i> | <i>Status</i> | <i>Checked By</i> |
|--------------|-------------|---------------|-------------------|
| 1.0          | 12.03.2020  | Draft         | Elliot Jones      |
| 2.0          | 16.03.2020  | Final         | Elliot Jones      |

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## 1. Introduction

- 1.1 These representations have been prepared by Boyer on behalf of Cavanna Homes (South-West) Ltd in response to the SWTC Local Plan 2040 Issues and Options Consultation Document (January 2020).
- 1.2 Cavanna Homes (South West) Limited have an interest in the Land at Greenway Farm, south of Greenway Road, Bishops Lydeard. The land measures approximately 8.8ha in area and forms part of Strategic Housing Land Available Assessment (SHLAA) site MAJ013 (BL), which was considered by the SHLAA in 2018 to be 'potentially developable'.
- 1.3 Informal discussions were held with SWTC regarding the site's potential to accommodate residential development on the site and the submission of these representations forms part of this process. Through these representations (and previous discussions), it demonstrates Cavanna Homes desire to bring the site forward for new housing and that the site is deliverable and developable during this plan period.

## 2. Responses to Consultation

2.1 This section sets out the responses on behalf of Cavanna Homes with respect to the questions contained within the Issues and Options Consultation Document.

2.2 Where we have no comments to make in respect of a question, these questions have been omitted from these representations.

***Question 1a: Should we aim to require that all new development is 'zero carbon' by as soon as possible (e.g. by 2025) or give slightly more time (e.g. by 2030) for developers to adapt their design approaches, materials and suppliers?***

2.3 Although we recognise the critical importance of climate change and its potential impacts on society, both timeframes for achieving carbon-neutral development presented within Option 1a (i.e. five to ten years) are considered unrealistic and unachievable.

2.4 Indeed, Cavanna Homes has made great strides in reducing their carbon footprint, introducing features within their homes that will limit environment impact and ensuring that sustainability is central to their design and development process. Research undertaken by Cavanna Homes has demonstrated that they exceed current Buildings Regulation requirements and consistently produce more energy efficient housing than many housebuilders.

2.5 However, in order to achieve such a stringent target, it would be necessary for Cavanna Homes and other developers to change the majority, if not all, of their construction practices, designs, materials, supply and contractor chains, which would have considerable impacts on the viability and deliverability of new development given the knock-on effects particularly within such a short timeframe.

2.6 Moreover, to make all new development carbon-neutral would require wider changes to society and the economy that are outside the control of both prospective applicants and the Local Authority including, for example, improved regional or national infrastructure for electric or low-carbon vehicles (both private and commercial), material manufacturing processes undertaken elsewhere or the wider uptake of renewable energy sources. It is not realistic or feasible to expect that all of this can be undertaken on a site-by-site basis, particularly within a single Local Authority area and within such short timescales.

2.7 Additionally, although the need to undertake action with respect to climate change is fully recognised, new build housing would only represent a small proportion of the overall housing stock and would therefore make a minimal contribution towards reducing overall carbon emissions. Actions must also be proportionate and should not have a detrimental effect on new housebuilding, which forms a significant part of the economy and keeps housing affordability in check.

2.8 In June 2019, the Climate Change Act 2008 was amended by the UK Government to include a legal requirement for the UK to effectively be 'carbon-neutral' by 2050. This target date was arrived at following much consideration, including balancing the need to respond to the 'climate

emergency' with the ability of society and industry to radically adapt to the challenges of achieving carbon-neutral development.

- 2.9 Consequently, we consider that it would be inappropriate to adopt different targets at a Local Authority level to those that have been enacted by national government.

***Question 1c: Do you have any comments on these policy approaches?***

- 2.10 Further to our comments above, and in relation to the requirement to 'future-proof' the design of new developments, it is considered that a more appropriate approach would be work in tandem with government guidance such as Building Regulations and bring forward such requirements at the appropriate time.
- 2.11 To do this effectively, we would suggest that the design of new development should be sufficiently flexible to accommodate future requirements. This would allow new development to accommodate new infrastructure by third parties later.
- 2.12 For instance, the infrastructure for the charging and use of electric cars is constantly evolving and improving. Currently, most electric cars can be charged at home by using mains electricity via standard three-pin plug sockets but it is anticipated that proposals will be brought forward by the Government to include the requirement for new developments to provide electric vehicle charging points within amended Building Regulations.
- 2.13 Given this, we consider that the policy approach should be developed in accordance with wider national and regional guidance. By putting in place higher environmental or climate change targets in advance, it may mean that the local requirements are superseded, which could have an impact on the viability of developments if they are asked to meet higher local targets, which then become superfluous over the course of time.

***Question 2a: Do you agree with the tiers that identifies Taunton followed by 6 tiers covering the other settlements. If not, what changes would you make and why?***

- 2.14 We agree, in principle, with the settlement tier set out in Option 2a, including the identification of Bishops Lydeard as a Rural Centre, as this recognises the sustainability and importance of the settlement. In this regard, it is important to reiterate that the settlement includes a rail station, a significant employment area at Westridge Way, as well as a number of services, shops and business, including a GP surgery, pharmacy, primary school, post office and several public houses.
- 2.15 It is noted that the rail station at Bishops Lydeard is only accessible by national trains on particular days or during special occasions. However, consideration should be given to the sustainability and economic benefits of improving the feasibility of more frequent connections that could become viable by increasing the catchment population at the settlement.
- 2.16 In addition, an existing bus route provides regular connections between Taunton and Minehead.

***Question 2b: Do you think Watchet and Williton should be seen as associated settlements for the purposes of the Local Plan due to their close proximity and in complementing the services of each other (and therefore be in a higher tier to Bishops Lydeard and Wiveliscombe)?***

- 2.17 We disagree with the suggestion that Watchet and Williton should be seen as ‘associated settlements’, which would see them jointly re-categorised to a higher settlement tier than Bishops Lydeard.
- 2.18 This is because we consider it is clear that the two settlements not only have distinct, separate identities but are physically separated by at least 750m ‘as the crow flies’, with the only pedestrian connection along the rural Five Bells Lane, which results in a total walking distance between the two centres of around 3km. There is, therefore, little functional relationship between the two settlements, while each settlement is largely self-sufficient in terms of services and facilities.
- 2.19 Additionally, the implication that services within one settlement complement those in the other is considered unjustified due to the subsequent need for unsustainable modes of travel between the two settlements. To place the settlements higher within the settlement hierarchy would also imply that they could be apportioned a greater provision of new housing, which would reduce the number that could be located at other settlements with similar levels of infrastructure.
- 2.20 We have also demonstrated in our comments that Bishops Lydeard should be regarded as a sustainable location for new development. This is due to the provision of existing facilities within the settlement itself, as well as its proximity to Taunton, which contains a far greater provision of services, facilities and employment provision and is the District’s focus for strategic growth. Moreover, Taunton can be accessed via sustainable public transport links from Bishops Lydeard.

***Question 2c: Do you think we should carry on with the way housing is currently distributed across our area or should we be doing something different, such as one of the three options suggested above?***

- 2.21 We generally support the existing spatial strategy in terms of the distribution of new housing, as this represents the optimum balance in terms of providing new housing where it is needed, in addition, to ensuring environmental sustainability and maintaining the deliverability of housing.
- 2.22 In terms of the alternatives presented within the Issues and Options Consultation Document, we consider that to focus a higher proportion of new housing at Taunton or other, specific settlements, such as Wellington, Watchet or Williton, would result in an imbalance between the provision of housing and the location of need and demand.
- 2.23 Moreover, such a strategy would fail to recognise that there might be more sites at smaller settlements, which are actually more sustainably located in terms of their immediate location compared to other sites at the settlements referenced. The additional housing at the smaller settlements will help support local services, will prevent out-commuting to the larger settlements by ensuring that there is a workforce for local employment uses and reduce pressure on the infrastructure in larger settlements such as Taunton. In this regard, the NPPF promotes sustainable development in rural areas by stating that planning policies should identify opportunities for villages to grow and thrive (para 78).

- 2.24 We therefore consider that development should continue to be broadly distributed across the district in order to balance environmental sustainability with the need to provide housing where it is needed most and to ensure the vitality of rural settlements.

***Question 3a: Should our housing requirement figure match the Government's minimum figure of 702 dwellings per year or should we have a higher figure?***

- 2.25 Given that the calculation using the Government's 'standard method' is acknowledged as representing a 'minimum' requirement, there should be a robust consideration for the benefits of planning for a higher growth figure.
- 2.26 This is confirmed in Planning Practice Guidance (PPG), which states that the minimum annual housing need figure provided by the standard method is just a minimum starting point in determining the number of homes needed for an area and that there will be circumstances where it is appropriate to consider whether actual housing need than the standard method dictates (Ref. ID: 2a-010-20190220).
- 2.27 Several positive reasons for doing so are recognised within the Consultation Document itself, including the ability to deliver greater economic growth, additional infrastructure improvements, provide additional affordable housing, as well as the direct social and economic benefits of new investment and growth. To consciously plan for greater growth would also ensure there is maximum flexibility in terms of the supply of new land for housing and alignment with the Government's aim to significantly boosting the supply of housing set out in the NPPF (Para. 59).
- 2.28 In this regard, figures provided by the Office for National Statistics (ONS) show that, with respect to the former Taunton Deane Council area (figures are not provided for the former West Somerset area), the housing affordability ratio (median house prices to median gross annual workplace-based earnings ratio) in 2018 stood at 8.53. This is a 100% increase on the ratio in 1999 (4.12). Although the Government's standard method makes an allowance for affordability issues, the formula utilised is subject to revision and so it is within the Local Authority's remit to make further adjustments to account for affordability issues.
- 2.29 NPPF Para. 60 adds that any unmet needs arising from neighbouring authorities that cannot be met within their own areas should also be planned for. Additionally, the Localism Act 2011 sets out a 'duty to co-operate' between Local Authorities. There should therefore be further, strategic dialogue with adjoining authorities, in particular Exmoor National Park Authority, regarding the potential for Somerset West and Taunton to contribute towards neighbouring housing requirements.
- 2.30 It is therefore considered that further assessment work should be undertaken in relation to final housing requirement for the Local Plan 2040, rather than falling back on the figure derived by the standard method, which is explicitly set out as a minimum 'starting point' figure.

***Question 3c: Should we require all new housing developments to make sure that a percentage of the new homes are designed to be accessible, adaptable and wheelchair accessible?***

- 2.31 We support, in principle, the potential requirement for all new housing developments to provide a certain percentage of dwellings to be designed to be accessible, adaptable and wheelchair accessible in line with the former 'Lifetime Homes' standards.
- 2.32 In this regard, we would refer to our earlier comments on ensuring that there is alignment with national guidance on such matters. This would include Buildings Regulations Part M and the National Described Space Standards. We would suggest that the Local Plan is in accordance with these standards in order to ensure that it is not superseded in future and thus we would propose that this requirement is worded flexibly

***Question 3d: Should we allocate sites and/or make sure a percentage of housing developments are for self-built plots for people wanting to build their own homes? Should we allow self-build plots on Rural Exceptions sites provided that they are affordable?***

- 2.33 Cavanna Homes does not feel that making provision for a percentage of self-build plots on housing developments would be appropriate, as this would take delivery away from national developers, who have significant skills and experience in housing building.
- 2.34 We would advise that self-build plots should also not form part of the provision on large market/affordable housing sites due to the conflicts that arise during the delivery stage between individuals building their homes and larger house builders. This view is taken due to the long lead-in times for such sites to come forward, the lack of affordable housing provision and the difficulties in developing wider infrastructure to support such development.
- 2.35 If the Local Authority was minded to still make provision for self-build opportunities, the allocation of purely self-build plots should not be at the expense of housing allocations for market and affordable housing. They should be seen as additional source of housing rather than a fundamental provider.

***Question 3e: Do you have any comments on these policy approaches?***

- 2.36 While we agree that affordable housing should be required on sites of 10 dwellings (or 0.5ha) or more, in the first instance, and that the proportion required should be based on an assessment of viability, there should be a recognition that there may be occasions where on-site provision of affordable housing would be either unviable or inappropriate. Accordingly, such provision should be determined on a site-by-site basis.
- 2.37 In terms of housing size and mix (3e/4), we feel that the Local Plan should address this matter but that flexibility should be central to its drafting. The need for a flexible approach is that it would allow house builders to be able to respond to constantly changing market requirements. NPPF Paragraph 11 confirms that plans should be 'sufficiently flexible' to adapt to 'rapid change'. As such, we consider that either a Supplementary Planning Document or Technical Advice Note would add another unnecessary tier of guidance.

- 2.38 Concerning internal space standards (3e/6), we do not consider that it is necessary to prescribe the Government's technical housing standards into the Local Plan. We consider that such matters would already be satisfactorily addressed and that they would have to be met at the relevant stage of the planning application process in any event.

***Question 4b: Should we keep all of our existing employment sites and allocations in employment use or should we allow the loss of some to other uses? How should we decide which ones to lose?***

- 2.39 For instances where previously allocated sites have not come forward for employment uses, there should be a robust consideration of why these sites have not been developed and whether it would still be appropriate to restrict them for such uses, or, whether there would be more suitable for alternative uses.
- 2.40 Such considerations should include whether there is any realistic prospect of these sites being developed for employment uses, whether there is still sufficient market demand for the previously proposed uses and whether such uses remain viable. This should also apply to existing employment sites already in use as their redevelopment could have greater benefits in terms of their relationship with the existing community.
- 2.41 There should therefore be a flexible policy approach, which would set out specific criteria to determine whether certain employment uses should be redeveloped on a case-by-case basis, which would be able to respond to market pressures and uncertainties. This is reflected in NPPF Para. 121, which states that Local Authorities should take a positive approach to proposals for alternative uses of land to help meet identified development needs, potentially including the use of employment land for housing in areas of high housing demand.

***Question 5a: On what infrastructure should we prioritise developer contributions?***

- 2.42 We would consider that this is a matter for the Council to set the parameters given their holistic view of the Local Plan area. It is not for developers to set out their view, as inevitably they will be skewed towards the promotion of their own sites.
- 2.43 However, a key consideration in establishing the level of infrastructure required to support new development in the Local Plan area will be the anticipated costs involved. It is not clear yet whether the Council is to pursue of the introduction (or continuation) of a Community Infrastructure Levy for the Plan area or to deal with such matters on an application-by-application basis via section 106. In either option, it will be critical to ensure that development remains viable and that additional infrastructure costs are not applied that make schemes undeliverable.
- 2.44 This is supported in Paragraph 34 of the NPPF, which states that plans should set out the contributions expected from development. Such policies should not undermine the deliverability of the plan. As such, any infrastructure costs should not have a negative effect of not bringing forward sites and that there should remain sufficient incentive for a reasonable landowner to bring forward their land for development.

**Question 5b: Do you have any comments on these policy approaches?**

- 2.45 We support the provision of additional guidance on the approach to be taken in relation to viability assessments and infrastructure provision via Section 106 contributions or Community Infrastructure Levy (CIL). The additional clarity would provide greater certainty for developers at an early stage with respect to demonstrating that sites are viable and deliverable.

**Question 6b: Do you have any comments on these policy approaches?**

- 2.46 We would note that Sport England's active design guidelines are only intended as guidance to be interpreted by Local Authorities when considering other planning considerations. It is therefore considered that any policies for open space or active design principles should contain a degree of flexibility to allow proposals to appropriately and sustainably respond to the unique context of a development site. This includes the potential for contributing towards existing infrastructure, which may have greater benefits for health and amenity than the provision of new open spaces.
- 2.47 The provision of telecommunications infrastructure is not within the remit of residential developers, as this is reliant upon the agreement of, and delivery by, third parties. This is particularly the case in rural areas where telecommunications companies have not yet upgraded or expanded the rest of their digital network.
- 2.48 In any case, to require the provision of this level of infrastructure would represent a significant cost that would affect upon the viability of development and the amount of funding that may be available for other infrastructure or contributions. Moreover, Building Regulations already provides certain requirements for digital infrastructure and there is felt to be no justification for going over and above these national requirements.

**Question 7b : Do you have any comments on Policy Approach 7b/1 : Maintain and enhance biodiversity, taking into account climate change and the need for habitats and species to adapt to it. Requirement of a net gain in biodiversity from new development using the Somerset Habitat Evaluation Procedure, which could include re-wilding and tree planting?**

- 2.49 In this regard, and further to our comments to some of the other questions, it is our view that the Council should not deviate from national policy. The Government requires a mandatory 10% biodiversity gain after development compared to the level of biodiversity prior to the development as measured by a metric set out by DEFRA.
- 2.50 We would consider that such an approach would be appropriate for the Local Plan and that consideration is given within other policies in the plan to the implications of providing for the net gain in biodiversity required of new development. As such, there is additional flexibility applied to the assessments of viability, infrastructure costs and provision.

**Question 8a: Should we keep or remove settlement boundaries? Alternatively, should we have settlement boundaries in areas where there is higher pressure from development i.e. closer to Taunton, Wellington and Wiveliscombe but remove them in more remote areas to provide more options for development?**

- 2.51 Although settlement boundaries have been historically used to distinguish between areas where development is considered acceptable and the open countryside where development should be restricted, it is considered that such boundaries are often arbitrary both in terms of their particular locations in terms of their application.
- 2.52 It would also be non-conducive to achieving sustainable development by creating arbitrary delineations between areas where development is considered acceptable, in principle, and where it would not be. There is nothing fundamental that would make a potential development site on one side of an arbitrary boundary sustainable or not.
- 2.53 Instead, development proposals and potential development sites should be considered on their own merits in terms of their benefits and harm, being judged against the strategic and development management policies of the Local Plan and the NPPF. This would allow an appropriate balance between encouraging growth and sustainable development, whilst being able to exercise control of the type and location of new development.

**Question 9a: Do you have any comments on Policy Approach 9a/1: Ensure the consideration of healthy place shaping from the outset by requiring Health Impact Assessments (HIA) from larger developments (threshold to be determined) to demonstrate how the design incorporates Active Design measures?**

- 2.54 Our only comment in relation to the provision of Health Impact Assessments is that they need to be justified and supported by evidence while a 'proportionate approach' should be adopted to the level of information and detailed required as part of this process. Indeed, it is suggest that such assessment should only be required for large strategic developments.

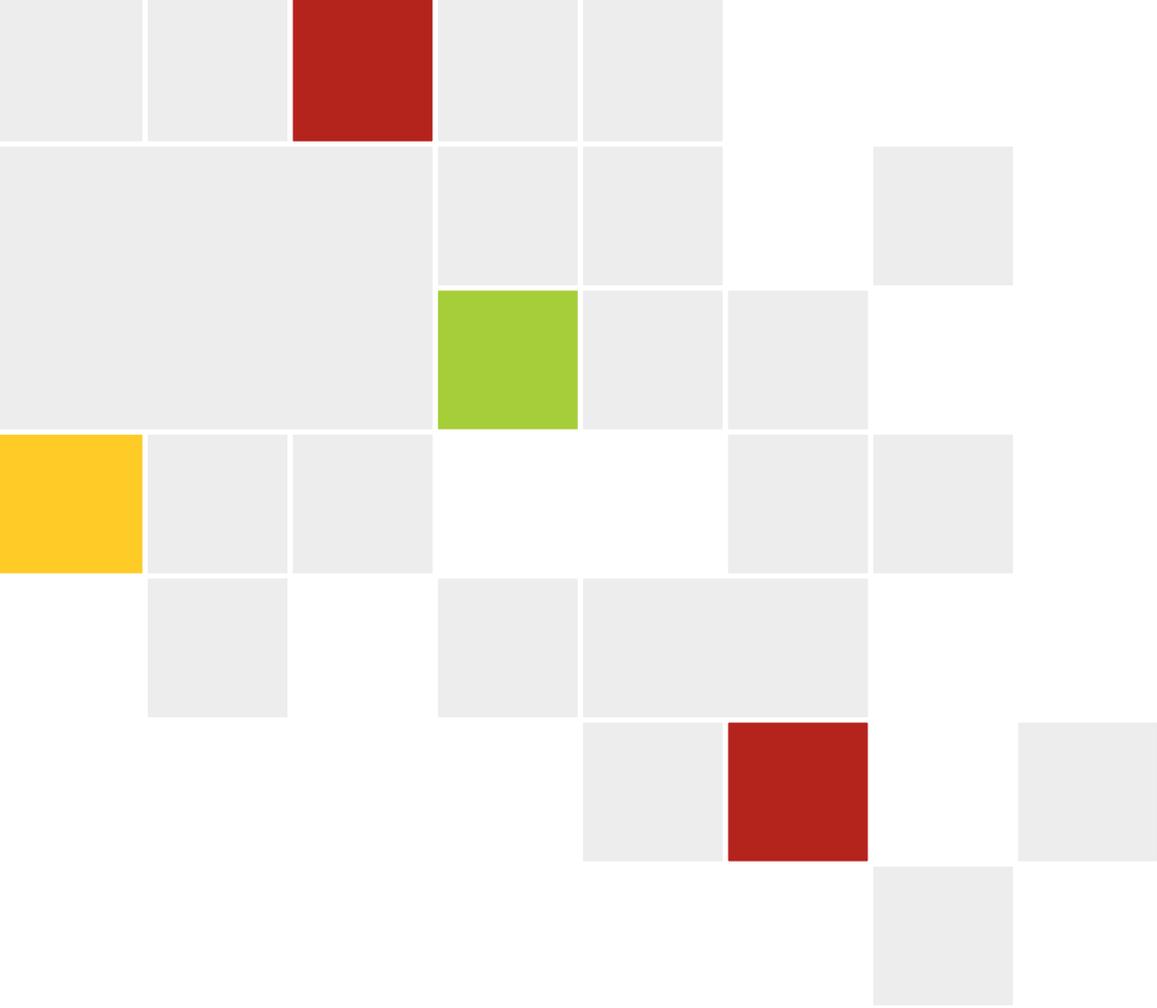
**Question 9a: Do you have any comments on Policy Approach 9a/2: Require high quality design from all developments to reflect the site and its context, including existing topography, landscape features and the historic environment and potentially requiring character appraisals to support proposals. The Council will be producing a Supplementary Planning Document (SPD) on Design and will set out design principles/design codes for key development sites?**

- 2.55 We consider that the matter of design should be considered in the Local Plan as part of the development management policies. The Council should not devolve such policy matters to a SPD. SPDs do not form part of the Development Plan and are therefore not subject to the same level of scrutiny and debate.
- 2.56 As defined in 2019 NPPF Glossary, an SPD is capable of being a material consideration in planning decisions but is not part of the Local Plan. It does not have the same status as the Local Plan.

### **3. Summary**

- 3.1 These representations have been prepared by Boyer on behalf of our client, Cavanna Homes (South-West) Ltd in response to SWTC's Local Plan 2040 Issues and Options Consultation Document (January 2020).
- 3.2 Cavanna Homes control Land at Greenway Farm, south of Greenway Road, Bishops Lydeard. The land measures approximately 8.8ha in area and forms part of SHLAA site MAJ013 (BL), which was considered by the SHLAA 2018 to be 'potentially developable'.
- 3.3 These representations set out our client's views regarding the Issues and Options that should be considered in the further preparation of the emerging Local Plan 2040 and are made without prejudice to our ability to make additional comments in the future.





# Boyer

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