

Wells Neighbourhood Plan 2019-2029

Basic Conditions Statement



**Wells City
Council**

February 2023

Website: <https://www.wells.gov.uk/neighbourhood-plan>

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1. Introduction

Our Neighbourhood Plan has been produced by Wells City Council, as the “qualifying body” with overall responsibility for the preparation, consultation and submission of the Neighbourhood Plan. The development of the plan and management of the process has been marshalled by a Neighbourhood Plan Steering Group comprised of members of our community and City Councillors, advised by planning consultants Stuart Todd Associates Ltd and supported by our local planning authority (Mendip District Council). The city of Wells is situated in the Mendip local planning authority area.

It should be noted that from 1st April 2023, Mendip District Council and Somerset County Council, both referenced in this Statement, will no longer exist. A new single unitary local authority will replace these and other District Councils in Somerset. The new authority, Somerset Council, will be the Local Planning Authority from that date¹.

2. What are the Basic Conditions and why do we need this Statement?

The “Basic Conditions” are a set of conditions that the Neighbourhood Plan must pass in order for it to proceed to referendum. In relation to Neighbourhood Plans, the Plan will pass the basic conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the plan contributes to the achievement of sustainable development;
- the making of the plan is in general conformity² with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the plan does not breach, and is otherwise compatible with, EU obligations³; and,

¹ See <https://newsomersetcouncil.org.uk/> for further information.

² See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> “General conformity” is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following: whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with; the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy; whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and, the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”

³ According to the Government website (<https://www.gov.uk/guidance/neighbourhood-planning--2#EU-obligations-neighbourhood-planning>), “A neighbourhood plan or Order must be compatible with European Union obligations, as incorporated into UK law, in order to be legally compliant. There are 4 directives that may be of particular relevance to neighbourhood planning:

Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (often referred to as the Strategic Environmental Assessment (SEA) Directive). This seeks to provide a high level of protection of the environment by integrating environmental considerations into the process of preparing plans and programmes. It may be of relevance to neighbourhood plans.

Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment (often referred to as the Environmental Impact Assessment (EIA) Directive). Environmental Impact Assessment is a procedure to be followed for certain types of proposed development. This is to ensure that decisions are made in full knowledge of any likely significant effects on the environment and that the public are given early and effective opportunities to participate in the decision making procedures. It may be of relevance to Neighbourhood Development Orders.

Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC on the conservation of wild birds (often referred to as the Habitats and Wild Birds Directives respectively). These aim to protect and improve Europe’s most important habitats and species. They may be of relevance to both neighbourhood plans or Orders. Other European directives, such as the Waste Framework Directive (2008/98/EC), Air Quality Directive (2008/50/EC) or the Water Framework Directive (2000/60/EC) may apply to the particular circumstances of a draft neighbourhood plan or Order.”

- prescribed conditions are met in relation to the plan order and prescribed matters have been complied with in connection with the proposal for the plan.

These requirements (and those for neighbourhood development orders) are formally set out in of paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 Act. (as amended by the Localism Act 2011)⁴.

Regulation 32 of the Neighbourhood Planning (General) Regulations 2012 (as amended) set out a further basic condition for a Neighbourhood Development Plan in addition to those set out in the primary legislation, being that:

- the making of the neighbourhood plan is not likely to have a significant effect on a European site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European offshore marine site (as defined in the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007) (either alone or in combination with other plans or projects). (See Schedule 2 to the Neighbourhood Planning (General) Regulations 2012 (as amended) in relation to the examination of neighbourhood development plans.)

This Basic Conditions Statement is submitted alongside our proposed Neighbourhood Plan. In submitting the Statement, and through its content demonstrated how our plan meets the Basic Conditions, we have satisfied one of the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012. This Regulation sets out what the City Council, as the “qualifying body” responsible for producing the plan, must submit as part of the Neighbourhood Plan proposal. These are submitted, alongside this Statement. Regulation 15 (1) states⁵ that:

“(1) Where a qualifying body submits a plan proposal to the local planning authority, it must include—

- (a) a map or statement which identifies the area to which the proposed neighbourhood development plan relates;
- (b) a consultation statement;
- (c) the proposed neighbourhood development plan; and
- (d) *a statement explaining how the proposed neighbourhood development plan meets the requirements of paragraph 8 of Schedule 4B to the 1990 Act.*” (i.e. this Statement).

Following this introduction, the Statement sets out:

- where our Neighbourhood Area is and how this was established;
- a summary of why we need our Neighbourhood Plan;
- how we have complied with relevant legislation;
- a summary of the content of our Neighbourhood Plan proposal; and,
- an explanation of how our Neighbourhood Plan meets the Basic Conditions.

3. Our Neighbourhood Area

The first formal part of the process of developing our Neighbourhood Plan was the confirmation of our Neighbourhood Area, or the area for which the City Council, as the “qualifying body” for Neighbourhood Planning activity will have the right to produce a plan for. Following our application

The EU obligations have been incorporated into UK law.

⁴ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

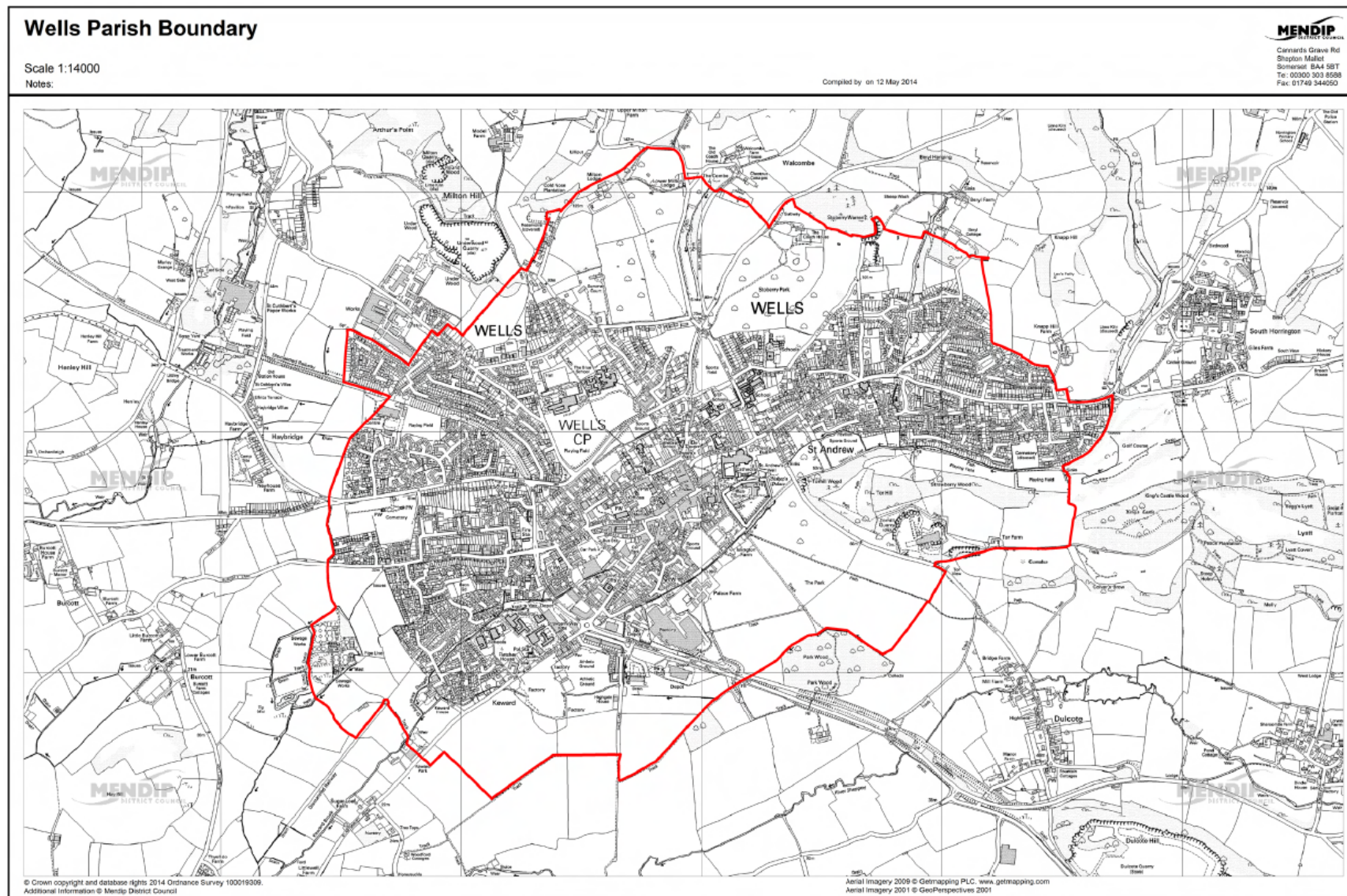
⁵ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/15/made>

to the local planning authority to designate the Neighbourhood Area, as required by Regulation 5 of the Neighbourhood Planning (General) Regulations 2012, following a public consultation, our Neighbourhood Area was formally approved by the local planning authority on 8th September 2014. Our approved Neighbourhood Area is set out below in Figure 1.

The local planning authority's approval / decision notice can be seen on its website⁶.

⁶ See <https://www.mendip.gov.uk/article/7779/City-of-Wells>

Figure 1 – Approved Neighbourhood Area



4. Why do we need a Neighbourhood Plan?

Our justification for producing the Plan is set out in the introductory sections of the Plan itself culminating in the Vision, Aims and Objectives which have been developed and shaped from evidence and community consultation. In summary, the main reasons for producing a Neighbourhood Plan were as follows:

- We wanted to have some control over local planning matters and decisions and our community wanted to develop its own local planning policies so that we can have an influence over the location, type, scale, design and form of development which may come forward in the city during the Plan period;
- We wanted to protect the built character, heritage and historic environment of the city;
- We wanted to develop a Plan which protects and enhances our countryside and natural environment within the boundary;
- We wanted to have a say in shaping the future of the city, including how locally valued facilities and spaces are protected, maintained and enhanced;
- We wished to support the city's local economy; and,
- We wanted to respond to issues, concerns and challenges identified by the local community.

Having explored the issues and identified the key messages and things of importance to the community, our Plan has set out a clear Vision, Aims and Objectives, reproduced below.

Wells Vision

1. *Wells will continue to be an attractive place to live, work and visit; sufficiently compact to retain its distinctive identity whilst accommodating the growth necessary to ensure its economic viability.*
2. *Wells will have accommodated its additional residents in housing that not only matches their material and economic needs, but which also contributes to the distinctive nature of its surroundings and incorporates high standards of design, energy efficiency and sustainability.*
3. *Parking will be made available where possible to meet the needs of residents and visitors while ensuring that the historic character of the city is not compromised.*
4. *The increase in population will sustain and develop the service and employment base in Wells, providing the necessary economic growth and reducing the need for in-commuting.*
5. *The additional population will have good access to health and education facilities.*
6. *The city centre will be thriving and vibrant, providing a range of retail and other services and facilities.*
7. *The character of the City's heritage and its landscape setting will be protected and enhanced.*
8. *The people of Wells will have good access to open spaces, play equipment and recreation facilities.*
9. *The visitor economy will have developed sustainably to be a strong sector, with employment opportunities and attracting sufficient investment to sustain the visitor attractions.*
10. *Wells will have achieved, or be close to achieving, carbon neutrality. Businesses and residents of Wells will have knowledge and understanding of the steps necessary to prevent catastrophic climate change and biodiversity loss.*

| Aim | Objectives |
|--|---|
| Heritage and the Built Environment | |
| To ensure that the character of Wells and its heritage assets are protected and enhanced. | <ul style="list-style-type: none"> i) Seek to protect and enhance the heritage assets of Wells. ii) To protect and enhance those buildings and features of the historic fabric and identity of the city which are not currently listed. |
| Housing | |
| To ensure the provision of the right kind of housing for a diverse community of varying ages and financial resources which respects Wells' character and reduces the impact on climate change. | <ul style="list-style-type: none"> i) Seek to match the housing needs of our diverse community and of our ageing population by providing: <ul style="list-style-type: none"> a) greater priority for smaller homes, including starter and smaller homes for purchase or rent, smaller homes for the elderly to facilitate downsizing, sheltered housing or housing with care and affordable housing for rent or shared ownership; b) lower priority for large homes; some achieved through inclusion to ensure viability of allocated sites and deliver a minimum percentage of affordable homes; and, c) accessible and adaptable housing to suit the needs of its residents. ii) Establish design principles so that new development is designed with regard to the existing character and context of Wells. iii) Proposals for new housing shall take account of the aspirations set out in the Climate Emergency Declaration passed by Wells City Council. |
| Moving Around | |
| To ensure the provision of effective links into, out of and around the City which also encourage the use of sustainable alternatives to motor vehicles. | <ul style="list-style-type: none"> i) Improve safe accessibility into and out of the City's centre and to and from new development for pedestrians and cyclists. ii) Maintain and enhance access into and around the High Street which benefits pedestrians (shoppers), retailers and other businesses. iii) Encourage improved management of City centre car parking provision and opportunities for parking solutions including "park and walk". iv) Support the improvement of public and community transport options (including frequency) in and around Wells. |
| Retail and Commercial Buildings | |
| To maintain and regenerate the local economy of the city centre and promote its vitality and viability by not | <ul style="list-style-type: none"> i) Maintain the unique character of the historic city centre which accommodates smaller retail units which in turn are attractive to independent traders |

| | |
|---|--|
| only protecting the retail economy and encouraging traders but also encouraging alternative uses which permit residential use and attract the local community to meet, eat and drink together. | <ul style="list-style-type: none"> ii) Support independent retailing in the city centre (including the twice weekly markets) to enable people to source local produce and services, maintain the local identity of the city centre and encourage the visitor economy iii) Encourage residential use of the city centre and also alternative uses which attract the local community to meet, eat and drink together. iv) Support the provision of small and flexible workspaces for micro, small and medium-sized businesses and those working from home as their main place of work. |
| To help respond positively to the pressures of climate change in commercial, retail and business developments. | <ul style="list-style-type: none"> i) Encourage new commercial, retail and business premises to exceed Building Regulations standards to limit and reduce carbon emissions. |
| Tourism | |
| To support the visitor economy with a wide range of attractions and accommodation, strong links between major visitor attractions and other partners, and support for a wide range of cultural events and festivals. | <ul style="list-style-type: none"> i) Support new developments which promote the visitor economy and extend the stay time of visitors ii) Promote and encourage links between the major visitor attractions within the City. iii) Promote and encourage cultural events and festivals within the City. |
| Environment | |
| To develop, protect and enhance a green infrastructure network, which provides woodland, riparian (streams and brooks), grassland and hedgerow habitats and corridors for wildlife thus enhancing the linkages of the City to the surrounding countryside, and provides accessible open green space for people in the City and on its rural fringe. | <ul style="list-style-type: none"> i) To ensure that planned development respects the landscape of Wells including, in particular, views of its heritage assets and rural context. In addition, to ensure that development on the edge of Wells is sensitive to its impact on both the rural landscape and the character of the historic settlement. ii) Preserving the green spaces within the city is important, whether informal or designated play areas. There is national recognition that green spaces enhance well-being and are beneficial to health. iii) Environment policies will protect and enhance existing natural space and create new wild spaces for the benefit of wildlife and people. |

5. Summary of Compliance with Legislation

This section sets out how our Neighbourhood Plan and process has complied with the requirements set out in the Neighbourhood Plan Regulations.

Qualifying Body

A “qualifying body” is defined by Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁷ as “a parish council, or an organisation or body designated as a neighbourhood forum, authorised for the purposes of a neighbourhood development plan to act in relation to a neighbourhood area...”. The City Council is a properly constituted body and is a “parish council” for the purposes of the definition in the Act.

Section 38A(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act⁸ sets out the qualifying body’s entitlement to prepare a Neighbourhood Plan. It states that:

“(1) Any qualifying body is entitled to initiate a process for the purpose of requiring a local planning authority in England to make a neighbourhood development plan.”

We confirm that the Neighbourhood Plan has been prepared by Wells City Council as the “qualifying body” for the purposes of Neighbourhood Planning.

Neighbourhood Area

The Neighbourhood Area (as shown in Figure 1 above) was applied for and approved through the process set out in the Neighbourhood Planning (General) Regulations 2012 (Regulations 5 to 7)⁹. The approval / decision notice can be seen on the local planning authority’s website¹⁰.

What a Neighbourhood Plan is and the Content of the Neighbourhood Plan

Section 38A(2) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹¹ sets out the meaning of “neighbourhood development plan”. It states that:

“(2) A “neighbourhood development plan” is a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.”

Section 38B(1) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹² sets out what the Plan may include. It states that:

“(1) A neighbourhood development plan—

- (a) must specify the period for which it is to have effect,
- (b) may not include provision about development that is excluded development, and
- (c) may not relate to more than one neighbourhood area.”

⁷ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁸ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

⁹ See <http://www.legislation.gov.uk/uksi/2012/637/regulation/5/made>

¹⁰ See <https://www.mendip.gov.uk/article/7779/City-of-Wells>

¹¹ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹² See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

“Excluded development” is defined in Section 68K of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act¹³ as:

- “(a) development that consists of a county matter within paragraph 1(1)(a) to (h) of Schedule 1,
- (b) development that consists of the carrying out of any operation, or class of operation, prescribed under paragraph 1(j) of that Schedule (waste development) but that does not consist of development of a prescribed description,
- (c) development that falls within Annex 1 to Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (as amended from time to time),
- (d) development that consists (whether wholly or partly) of a nationally significant infrastructure project (within the meaning of the Planning Act 2008),
- (e) prescribed development or development of a prescribed description, and
- (f) development in a prescribed area or an area of a prescribed description.”

Section 38B(2)¹⁴ states that:

“(2) Only one neighbourhood development plan may be made for each neighbourhood area.”

In response to these requirements, we confirm that:

- our Neighbourhood Plan covers the period 2019 to 2029 aligning with the plan period of the adopted Mendip Local Plan;
- our Neighbourhood Plan is the only Neighbourhood Plan for the Parish (City) of Wells;
- our Neighbourhood Plan does not contain policies relating to “excluded development”;
- our Neighbourhood Plan relates only to the defined Neighbourhood Area set out in Figure 1 above; and,
- our Neighbourhood Plan sets out policies in relation to the development and use of land.

Submission Documents

As referred to earlier in this Statement, all of the documents required for submission by Regulation 15(1) of the Neighbourhood Planning (General) Regulations are included in the submission package for the Neighbourhood Plan.

Basic Conditions

As referred to earlier in this Statement, we consider that all of the Basic Conditions (set out in of paragraph 8(2) of Schedule 4B to the 1990 Act (as amended) by the Localism Act 2011.¹⁵) have been met, as demonstrated in this Statement.

¹³ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹⁴ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

¹⁵ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/10/enacted> They are also set out in the National Planning Practice Guidance at <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/the-basic-conditions-that-a-draft-neighbourhood-plan-or-order-must-meet-if-it-is-to-proceed-to-referendum/>

6. Content of Our Neighbourhood Plan Proposal

To comply with the requirements of Regulation 15 (1) of the Neighbourhood Planning (General) Regulations 2012¹⁶, and to provide sufficient material to help demonstrate that the Basic Conditions have been met, the following documents have been submitted to the local authority:

- The Neighbourhood Plan (which includes a map and statement which identifies the area to which our plan relates);
- Our Consultation Statement;
- Our Basic Conditions Statement (this document); and,
- Our Strategic Environmental Assessment (SEA) and Habitats Regulation Assessment (HRA) local planning authority screening opinion report, concluding that none is necessary.

The Neighbourhood Plan includes appendices and weblinks to reports which elaborate and support our policy justification and content. All evidence base documents are available to view on the Neighbourhood Plan webpages here - <https://www.wells.gov.uk/neighbourhood-plan>.

7. How our Neighbourhood Plan meets the Basic Conditions

The following section sets out how we believe the Plan meets the Basic Conditions.

A. Having regard to national policies and advice contained in guidance issued by the Secretary of State

We have undertaken the Plan's development in a way consistent with good practice:

- considering other made Plans in the local planning authority area;
- receiving advice from the local planning authority;
- receiving advice from our planning consultant's experience supporting other groups and of the planning system;
- considering various Locality produced guidance notes (such as the Roadmap¹⁷); and,
- also following the guidance on process and legal requirements set out in the Government's National Planning Practice Guidance¹⁸.

In developing our evidence base we have sought to:

- i) understand the planning policy framework within which we have had to work; and,
- ii) find or develop evidence to support the Aims and Objectives identified through local community consultation.

This has then been applied to the development of our policies, which were in turn, scrutinised by the local planning authority officers to provide comments on alignment with the policies in the adopted Local Plan documents prior to finalising the draft Neighbourhood Plan.

Our consultation process fulfils the requirements set out in Neighbourhood Planning Regulations (as detailed in our Consultation Statement).

¹⁶ See <http://www.legislation.gov.uk/ukxi/2012/637/regulation/15/made>

¹⁷ See <http://locality.org.uk/resources/neighbourhood-planning-roadmap-guide/>

¹⁸ See <https://www.gov.uk/guidance/neighbourhood-planning--2>

We believe that our Plan meets the requirements and objectives of the National Planning Policy Framework (NPPF), has had regard to national policy and advice and, in alignment with paragraph 15 in the NPPF is a “succinct and up-to-date” Plan which provides “...a positive vision for the future of...[our]...area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings.”

Our Plan also responds to the NPPF’s direction, set out in paragraph 16, that “Plans should:

- a) be prepared with the objective of contributing to the achievement of sustainable development;
- b) be prepared positively, in a way that is aspirational but deliverable;
- c) be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;
- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;
- e) be accessible through the use of digital tools to assist public involvement and policy presentation; and
- f) serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).”

A positive vision has been developed through consultation, which in turn were identified through local consultation and analysis of written evidence. Our consultation has provided local people with the opportunity to engage with the process of developing the Plan, from its inception through to the drafting of the policies and Plan itself. We have drafted our policies in a way which provides positive criteria to aid the practical consideration of planning applications whilst also setting out a clear framework of how our high quality and valued environment should be respected and enhanced now and in the future.

The wording of our policies has been ‘tested’ by planning officers at the local planning authority, and we anticipate therefore, that they can be used effectively as a practical framework in the planning system’s decision-making process.

The following table sets out how we consider the Plan has had regard to national policies by setting out the key paragraphs from the NPPF (wording abridged) which relate to what our policies are seeking to achieve.

For ease of reference, a composite of our Plan policies is appended to this Statement (see Appendix 1).

| Neighbourhood Plan Policies | Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policy | Reasoning: how the policies contribute to the NPPF key paragraphs |
|--|---|---|
| Policy HBE1: Heritage and the Built Environment and Policy HBE2: Local Heritage Assets | <p>8c. ...protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>189. Heritage assets range from sites and buildings of local historic value to those of the highest significance such as World Heritage Sites, which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.</p> | The policy seeks to provide protection to the City's heritage assets and their setting and encourage proposals to enhance the built environment accordingly, to a high quality. |
| Policy H1: Responding to Local Housing Demand and Needs | <p>8b. ...to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations...</p> <p>62 ...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies...</p> | The policy encourages proposals to meet local housing needs, providing a good and appropriate range of dwellings, which will support a strong, vibrant and healthy community in the City. The policy draws attention to the specific needs in the City. |
| Policy H2: High-quality Housing Design and Policy H3: Housing Fit for the Future | <p>8b. ...support strong, vibrant and healthy communities...by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being.</p> <p>8c. Mitigating and adapting to climate change, including moving to a low carbon economy...</p> <p>Section 12. Achieving well-designed places.</p> <p>126. The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement</p> | The policies encourage high quality design in the City, now and for the future, critical in a settlement with so much rich heritage and history, which includes the specific need to respond positively to the Wells Design Guide and encouraging measures which will help to accelerate progress towards net zero. |

| Neighbourhood Plan Policies | Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policy | Reasoning: how the policies contribute to the NPPF key paragraphs |
|---|---|--|
| | <p>between applicants, communities, local planning authorities and other interests throughout the process...</p> <p>128. ...Design guides and codes provide a local framework for creating beautiful and distinctive places with a consistent and high quality standard of design. Their geographic coverage, level of detail and degree of prescription should be tailored to the circumstances and scale of change in each place, and should allow a suitable degree of variety...</p> <p>129. Design guides and codes can be prepared at an area-wide, neighbourhood or site-specific scale, and to carry weight in decision-making should be produced either as part of a plan or as supplementary planning documents...</p> <p>130. Planning policies and decisions should ensure that developments:</p> <p>c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.</p> | |
| Policy MA1: Constraints and Opportunities on the Local Highway, Cycleway and Footpath Network | <p>104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <p>a) the potential impacts of development on transport networks can be addressed;</p> <p>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;</p> <p>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</p> <p>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</p> <p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p> | <p>The policy signposts a Transport Plan. It reflects serious and early consideration of key transport issues which the Plan supports and helps to overcome, should the projects come forward. The policy helps to improve accessibility by a variety of modes, recognising the need to decarbonise transport options and help move the City and its community up the sustainable transport pyramid towards greater use of lower carbon and more active travel solutions than use of the [private car, particularly in relation to short trips. Improved accessibility</p> |

| Neighbourhood Plan Policies | Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policy | Reasoning: how the policies contribute to the NPPF key paragraphs |
|--|---|---|
| | <p>106. Planning policies should: d) provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking (drawing on Local Cycling and Walking Infrastructure Plans)...</p> <p>100. Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</p> <p>8c. ...protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p> | <p>also supports those working and visiting the City as well as its residents. The policy also seeks to support transport improvements while not compromising the high quality of the urban and natural environment.</p> |
| Policy RCB1: New Development within the Primary Frontages | <p>86. Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.</p> | <p>The policy presents a balance, to protect the local City centre economy while supporting change where that change benefits the local economy and protects heritage assets and the historic core of the City. The policy references the importance of good design when altering shop fronts to help ensure that the core of the centre of Wells is enhanced where the opportunity arises.</p> |
| Policy RCB2: Commercial Development and Responding to Climate Change | <p>153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures...</p> | <p>The policy encourages high quality design in commercial development, with particular focus on striving towards lower carbon development to help progress towards net zero targets.</p> |

| Neighbourhood Plan Policies | Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policy | Reasoning: how the policies contribute to the NPPF key paragraphs |
|---|---|--|
| Policy RCB3: Supporting the Local Economy through provision of Small Employment Premises and Workspace Hubs | <p>81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.</p> <p>82. Planning policies should: a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration...</p> | The policy provides a specific local response to support an identified sector and opportunities within the local economy. It also emphasises that proposals which demonstrate that they will also support community access and use will be particularly welcomed. |
| Policy TOU1: Tourism | <p>8c. Protect and enhance our natural, built and historic environment...</p> <p>81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.</p> | The policy supports extension of the main tourist season and therefore broadening of the local economy across the whole year, while also seeking to protect the historic environment. |
| Policy ENV1: Protecting the Character of the Landscape, Views and Setting | <p>8c. ...protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.</p> <p>174a, b and d. Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</p> | The policies seek to protect the highly valued and locally important landscape and historic setting of Wells, and the views it frames. They also seek to protect biodiversity and habitats and provide support to retaining and enhancing the critical nature recovery network, recognising the importance, also, of trees and the wide role they play in our environments, including, but not limited to, carbon capture. |
| Policy ENV2: Nature Recovery Network (including protected areas of biodiversity, geodiversity and habitat) | <p>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</p> <p>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures...</p> | |

| Neighbourhood Plan Policies | Summary of key NPPF paragraphs which are responded to by the Neighbourhood Plan policy | Reasoning: how the policies contribute to the NPPF key paragraphs |
|--------------------------------|--|---|
| | <p>179. To protect and enhance biodiversity and geodiversity, plans should:...b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity...</p> <p>153. Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures...</p> | |
| Policy ENV3: Local Green Space | <p>8b. fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being...</p> <p>101. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them...</p> <p>102. The Local Green Space designation should only be used where the green space is: a) in reasonably close proximity to the community it serves; b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and, c) local in character and is not an extensive tract of land.</p> <p>103. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.</p> | <p>The Local Green Spaces proposed in the Plan have been determined through consideration of all criteria identified in the NPPF and from local consultation, which supports their designation. The views of landowners of the proposed sites have also been taken into account in arriving at the final list of proposed Local Green Spaces.</p> |

B. The making of the Plan contributes to the achievement of sustainable development

The Neighbourhood Plan has been developed within the context of the definition of sustainable development in the National Planning Policy Framework and that in the Local Plan. The NPPF sets three overarching objectives which set the direction of travel of the delivery of sustainable development in the planning system. These are reproduced below from paragraph 8.

8. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
 - b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

We have produced a sustainability matrix which tests the policies of the Plan against the broad social, economic and environmental sustainability objectives of the NPPF set out in paragraph 8. Consideration and testing of the Plan in this way helps us demonstrate that we have paid close attention to the achievement of sustainable development, and supplement the Strategic Environmental Assessment (SEA) screening report which focused on environmental issues and the need or not for a full SEA to be undertaken.

The assessment uses a traffic light system to indicate the degree of contribution to the objectives of sustainable development. It is important to note that any testing done in this way will have a degree of subjectivity attached and the traffic light system presents a “direction of travel”.

The key is as follows.

| | |
|-----|---|
| ++ | Strongly supports the objective |
| + | Supports the objective |
| N | Is neutral in effect |
| - | Potentially works against the objective |
| -- | Strongly works against the objective |
| +/- | Effects uncertain * |

* this can reflect an assessment that the policy could work either positively or negatively, or in a neutral way, against the objective, depending on the type and / or location of proposal to which the policy is applied.

| Policy | Objective | | | Reasoning: how the policies contribute to the achievement of sustainable development |
|---|-----------|---------------|----------|--|
| | Social | Environmental | Economic | |
| Policy HBE1: Heritage and the Built Environment | | | | Our heritage and the built environment policies seek to deliver the objectives for this topic in the Plan. They look to protect the character of the historic city and its local heritage assets from inappropriate development and change, and take opportunities to enhance the built environment. |
| Policy HBE2: Local Heritage Assets | | | | Considering them against the three NPPF sustainability objectives, they are particularly responsive in a positive way to the environment and social objectives and, on balance, neutral in relation to the economic objective. |
| Policy H1: Responding to Local Housing Demand and Needs | | | | Our housing policies seek to deliver the objectives for this topic in the Plan. They focus on adding value to strategic policies in the Local Plan, responding to specific issues of concern and focus for the city. Policy H1 seeks to localise provision against the focus of need for the city. Policies H2 and H3 strive to ensure that housing “goes beyond” current regulations to contribute more quickly to achieving net zero and is the very high quality which we would expect to see come forward in our historic city. Considering them against the three NPPF sustainability objectives, they are responsive in a positive way to the all objectives, particularly so for Policy H2 and H3 in relation to the social and environmental objectives respectively. Policy H1 is neutral in effect in relation to the environmental objective, as while it is not proposing housing sites which could suggest a negative response, it does not seek to prevent housing or address environmental issues. |
| Policy H2: High-quality Housing Design | | | | |
| Policy H3: Housing Fit for the Future | | | | |
| Policy MA1: Constraints and Opportunities on the Local | | | | Our moving around policy seeks to deliver the objectives for this topic in the Plan. It should aid the delivery of a variety of improvements to |

| Policy | Objective | | | Reasoning: how the policies contribute to the achievement of sustainable development |
|---|-----------|---------------|----------|--|
| | Social | Environmental | Economic | |
| Highway, Cycleway and Footpath Network | | | | <p>accessibility in the city, focused on improving accessibility for pedestrians and cyclists. In turn this can play a part in encouraging more and safer travel by foot and bicycle, therefore contributing to improving health and decarbonisation.</p> <p>Considering them against the three NPPF sustainability objectives they are positive in response to the environmental and social objectives and neither positive nor negative in relation to the economic objective.</p> |
| Policy RCB1: New Development within the Primary Frontages | | | | <p>Our retail and commercial buildings policies seek to deliver the objectives for this topic in the Plan. They help to protect the heritage and historic value of the city's character, while seeking to enable change to primary frontages, employment and commercial properties where necessary and where it meets the requirements of other development plan policies and takes the opportunity to contribute positively to the impact of climate change.</p> |
| Policy RCB2: Commercial Development and Responding to Climate Change | | | | <p>Considering them against the three NPPF sustainability objectives, they are particularly positive in relation to the economic objective, as is to be expected, given their focus. Likewise, RCB2 is neutral in response to the social objective, as it does not relate strongly to the objective. RCB2 is supportive of the social objective given its reference to support for employment proposals to incorporate community facilities or access. RCB1, however, responds positively to the social objective given the focus of the policy on protecting the built environment. RCB2 is particularly strong in support of the environmental objective, given its focus on reacting to the climate change challenge, RCB1 supportive and RCB3 neutral given that it leaves other policies to deal with other issues away from its area of specificity.</p> |
| Policy RCB3: Supporting the Local Economy through provision of Small Employment Premises and Workspace Hubs | | | | |

| Policy | Objective | | | Reasoning: how the policies contribute to the achievement of sustainable development |
|--|-----------|---------------|----------|---|
| | Social | Environmental | Economic | |
| Policy TOU1: Tourism | | | | <p>Our tourism policy seeks to deliver the objectives for this topic in the Plan. It supports the development of a more diverse tourism sector and local economy, while ensuring that the character of the city is protected.</p> <p>Considering it against the three NPPF sustainability objectives, the policy is positive in relation to all NPPF objectives – it supports the economy, protects the city’s built and historic character and in doing so seeks to ensure that proposals are well-designed.</p> |
| Policy ENV1: Protecting the Character of the Landscape, Views and Setting | | | | <p>Our environment policies seek to deliver the objectives for this topic in the Plan. They help to ensure that the local natural environment and its habitats are protected both within the city and in its rural hinterland.</p> |
| Policy ENV2: Nature Recovery Network (including protected areas of biodiversity, geodiversity and habitat) | | | | <p>Considering them against the three NPPF sustainability objectives, they are particularly responsive in a positive way to the environmental and social objectives, strongly supporting the environmental objective and also supporting the social objective. On balance, there is a neutral impact on the economic objective as protection of the environment does support the local economy, although the policy does not actively reference or support it.</p> |
| Policy ENV3: Local Green Space | | | | |

We have demonstrated how our Plan's policies fit with and support the sustainability objectives of the NPPF. It follows, therefore, that our policies also align with the sustainable development policy in the adopted Local Plan (Part 1) reproduced below.

This is reinforced by the local planning authority not identifying any issues of alignment or policies not being in general conformity with either the sustainable development policies in the adopted Local Plan, nor with any other strategic policies.

Presumption in Favour of Sustainable Development

When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to seek solutions which mean that proposals secure development that improves the economic, social and environmental conditions in the area.

- 1. Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.**
- 2. Where there are no policies relevant to the application or relevant policies are out-of-date at the time of making the decision, the Council will grant permission - unless material considerations indicate otherwise – taking into account whether:**
 - Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**
 - Specific policies in that Framework indicate that development should be restricted.**

The Neighbourhood Plan's policies provide the local detail necessary to enable effective application of national and strategic policies at the local level. Our policies establish a positive local policy framework to help ensure that proposals result in sustainable development outcomes in the city. Our Plan and its policies contribute positively to the achievement of sustainable development.

C. The making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

This section sets out our interpretation of how our policies are in general conformity¹⁹ with the strategic policies of the Local Plan.

¹⁹ See <https://www.gov.uk/guidance/neighbourhood-planning--2#General-conformity-with-strategic-policies> "General conformity" is defined there (in National Planning Practice Guidance, paragraph 74, reference ID 41-074-20140306, revision date 06-03-14) as "When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following: whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with; the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy; whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy; and, the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach."

Our Plan’s policies uphold and support the general principle of the Local Plan’s strategic policies identified below, demonstrate no conflict with the strategic policies to which they relate, and provide added value and local specificity.

Our Plan clearly sets out the rationale behind our evidence-based policies (our evidence base comprising local studies, written data and research and local and strategic consultation responses).

Throughout the process of Plan and policy development we have kept close liaison with officers at the local planning authority to help ensure that our policies are in general conformity with the strategic policies of the Local Plan. At no point has the local planning authority indicated that the policies in this Submission version of the Plan are not in general conformity with the adopted Local Plan (Parts 1 and 2).

The following table “maps” each of our policies alongside the relevant strategic policy of the Local Plan. We have suggested how we consider that the Neighbourhood Plan policy is in general conformity with the strategic policies (and alignment with non-strategic policies) to which it relates.

The table below does not seek to reiterate the rationale behind our policies, which is clearly expressed in the Plan itself.

We consider that all of our policies are in general conformity with the strategic policies of the Local Plan.

| Most relevant Strategic Policies of the Local Plan | Neighbourhood Plan Policies | How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies? | | |
|---|---|---|--|---|
| | | <i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i> | <i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i> | <i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i> |
| DP1: Local Identity and Distinctiveness DP3: Heritage Conservation DP7: Design and Amenity of New Development DP8: Environmental Protection CP10: Wells City Strategy | Policy HBE1: Heritage and the Built Environment | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which references Wells' unique historic character and need for proposals to respect this in terms of their design and amenity. |
| DP1: Local Identity and Distinctiveness DP3: Heritage Conservation CP10: Wells City Strategy | Policy HBE2: Local Heritage Assets | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which seeks to protect non-designated local heritage assets against harm. |
| DP11: Affordable Housing DP14: Housing Mix and Type CP10: Wells City Strategy | Policy H1: Responding to Local Housing Demand and Needs | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which references the Wells Housing Needs Assessment, articulating what local needs mean in the Wells context. |
| DP7: Design and Amenity of New Development DP8: Environmental Protection | Policy H2: High-quality Housing Design | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which requires proposals to reflect the Wells Design Guide and signposts the local authority's Net Zero Carbon |

| Most relevant Strategic Policies of the Local Plan | Neighbourhood Plan Policies | How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies? | | |
|--|---|---|--|--|
| | | <i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i> | <i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i> | <i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i> |
| DP9: Transport Impact of New Development CP10: Wells City Strategy | | | | Toolkit and national design guidance. It highlights specific criteria to which proposals should pay particular regard, which have been identified as particularly important in Wells. |
| DP7: Design and Amenity of New Development DP8: Environmental Protection CP10: Wells City Strategy | Policy H3: Housing Fit for the Future | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which encourages proposals to respond as positively as possible to the challenges posed by the changing climate. |
| CP10: Wells City Strategy | Policy MA1: Constraints and Opportunities on the Local Highway, Cycleway and Footpath Network | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which introduces a series of projects which, if delivered, will help to enhance the pedestrian and cyclist experience at key known areas of transport conflict. |
| DP3: Heritage Conservation DP21: Managing Town Centre Uses CP10: Wells City Strategy | Policy RCB1: New Development within the Primary Frontages | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which is supportive of improvements and change in the city centre's primary frontages where it respects the historic character of the building and setting. |
| DP7: Design and Amenity of New Development | Policy RCB2: Commercial Development and Responding to Climate Change | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which looks to enhance the contribution that commercial |

| Most relevant Strategic Policies of the Local Plan | Neighbourhood Plan Policies | How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies? | | |
|---|---|---|--|--|
| | | <i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i> | <i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i> | <i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i> |
| DP8: Environmental Protection CP3: Supporting Business Development and Growth CP10: Wells City Strategy | | | | development can make to decarbonisation and combatting the impact of the changing climate. |
| CP3: Supporting Business Development and Growth CP10: Wells City Strategy | Policy RCB3: Supporting the Local Economy through provision of Small Employment Premises and Workspace Hubs | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which provides particular support in response to issues identified locally in the local economy. It complements larger scale strategic policy support for the economy by identifying specific local need for businesses and people working in the city and looks for proposals to support community access where relevant and possible. |
| CP3: Supporting Business Development and Growth CP10: Wells City Strategy | Policy TOU1: Tourism | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which supports a broadening of the local tourist / visitor economy while being clear about the need to protect the historic character of the city and its surrounding environment. |
| DP4: Mendip's Landscapes CP10: Wells City Strategy | Policy ENV1: Protecting the Character of the Landscape, Views and Setting | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which |

| Most relevant Strategic Policies of the Local Plan | Neighbourhood Plan Policies | How does the Neighbourhood Plan demonstrate that it is in general conformity with the strategic policies? | | |
|---|--|---|--|--|
| | | <i>Policy supports and upholds the general principle that the strategic policy is concerned with?</i> | <i>Degree, if any, of conflict between the neighbourhood plan policy and the strategic policy?</i> | <i>Whether the neighbourhood plan policy provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy?</i> |
| | | | | identifies local areas of special landscape character and the views they frame and form for protection. |
| DP5: Biodiversity and Ecological Networks CP10: Wells City Strategy | Policy ENV2: Nature Recovery Network (including protected areas of biodiversity, geodiversity and habitat) | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which seeks to protect the nature recovery network within the Plan area. |
| DP1: Local Identity and Distinctiveness DP2: Open Spaces of Areas Significance DP16: Open Space and Green Infrastructure CP10: Wells City Strategy | Policy ENV3: Local Green Space | Yes | None | Yes. The policy aligns with the strategic policy. It provides a locally specific layer of policy which identifies specific areas of land which qualify as local green space under the NPPF criteria. |

Rationale for the approach taken and the evidence to justify that approach

The fourth question regarding general conformity is a question of justifying the approach and setting out the rationale behind Neighbourhood Plan policies. The response is the same in relation to all of our policies. The Plan and its policies have been developed following due process, good practice and legislative requirements. Between this Statement, the Consultation Statement and the supporting / justification text in the Plan itself, we have clearly set out the rationale behind the policies and the approach taken and the evidence we have gathered to justify them, which is available on the neighbourhood plan website²⁰.

Our vision, aims and objectives were based on identification of the key issues of concern for residents in the city and informed by the evidence base material we gathered on planning policies, constraints and designations and our understanding, as a City Council, of the key planning issues facing us in recent years and the challenges posed for the future. We have paid close attention to the Local Plan (Parts 1 and 2) and have been advised on general conformity of the Neighbourhood Plan policies with the strategic policies, and alignment with national policies, by both our consultants and officers at the District Council.

D. The making of the plan does not breach, and is otherwise compatible with, EU obligations

It is our understanding that the EU obligations specified have been transposed into UK law and until replaced specifically by a UK Act of Parliament, still apply as set out in the EU obligations.

The local planning authority was formally asked for its opinion of whether the Plan required a Strategic Environmental Assessment (SEA) and / or Habitats Regulation Assessment (HRA).

A screening process was carried out by the local planning authority to determine whether a Strategic Environment Assessment (SEA) and / or a Habitats Regulation Assessment (HRA) would be required.

Habitats Regulation Assessment

In screening the draft Plan for HRA, the local planning authority concluded in January 2022 that our Plan did not require Appropriate Assessment. The report setting out the process of screening and the conclusion is available to view on our website²¹.

Strategic Environmental Assessment

Based on the policies in the draft Plan, the local planning authority concluded that our Plan did not require SEA in January 2022. The report setting out the process of screening and the conclusion is available to view on our website²².

²⁰ The Plan's evidence base is available to view at <https://www.wells.gov.uk/neighbourhood-plan> and there are numerous references to other sources of evidence used in the Plan to support its policies in the policy justification sections.

²¹ See <https://www.wells.gov.uk/neighbourhood-plan>

²² See <https://www.wells.gov.uk/neighbourhood-plan>

European Convention on Human Rights

The Neighbourhood Plan has regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights²³ and complies with the Human Rights Act 1998²⁴.

E. The prescribed conditions are met in relation to the plan and prescribed matters complied with in connection with the proposal for the plan

Section 38A(12) of the Town and Country Planning Act 1990 as amended by Schedule 9 of the Localism Act²⁵ sets out the definition of “prescribed”. It means conditions prescribed by regulations made by the Secretary of State. We understand that, currently, there are no additional relevant prescribed conditions which the Neighbourhood Plan needs to meet.

²³ These are the right to life, the right to a fair hearing, the right to respect for private and family life, freedom of expression, freedom of thought, conscience and religion and the protection of property.

²⁴ See <https://www.legislation.gov.uk/ukpga/1998/42/contents>

²⁵ See <http://www.legislation.gov.uk/ukpga/2011/20/schedule/9/enacted>

Appendices

Appendix 1: Composite of Neighbourhood Plan Policies

Policy HBE1: Heritage and the Built Environment

1. All new development should be of high-quality design detail and materials, complementing the local vernacular, enhancing visual amenity and minimising any adverse impacts on the historic environment and neighbouring amenity.

2. Within the context of Local Plan policy DP3: Heritage Conservation and DP1: Local Identity and Distinctiveness, for proposals to be considered high quality in the Wells context, they should demonstrate how they have had positive regard to the:

- i) Wells Design Guide (Appendix 1);**
- ii) Wells Conservation Area Appraisal; and,**
- iii) National Design Guide 2019.**

HBE2: Local Heritage Assets

Non designated local heritage assets will be selected against the criteria set out in Appendix 2. Planning applications for demolition, development or alterations of buildings or structures recognised as local heritage assets will be expected to show what consideration has been given to retaining:

- i) the asset itself;**
- ii) its most distinctive and important features;**
- iii) the positive elements of its setting and immediate surrounds; and,**
- iv) the contribution the asset and its setting make to the character of the local area (whether in a Conservation Area or not).**

Policy H1: Responding to Local Housing Demand and Needs

- 1. To help ensure a locally appropriate supply of dwelling types and sizes, development proposals which demonstrate how they meet the local needs, demand and demographic profile of Wells City as supported by evidence in an up to date Housing Needs Assessment will be encouraged. This should include consideration of demand for dwellings suitable for young people and families wishing to form new households from within the City and retired and older people wishing to downsize and remain in the City.**
- 2. Proposals for accommodation for older people, the disabled and others with mobility constraints should take into account the mobility of residents and be located within easy access (close proximity / short distance and on level ground) to local facilities, services and public transport. Developers are encouraged to provide as much housing as viable following Building Regulation Part M4(2) standards.**
- 3. Developers are encouraged to provide dwelling types in the following approximate proportions across tenures to help deliver a balance in supply to meet local demand, where feasible and viable; and unless it can be demonstrated that other up-to-date evidence indicates alternative proportions:**
 - i) 20% 1 bedroom dwellings;**
 - ii) 30% 2 bedroom dwellings;**
 - iii) 30% 3 bedroom dwellings;**
 - iv) 10 % 4 bedroom dwellings; and,**
 - v) 10% 5 bedroomed dwellings.**
- 4. Proposers of major housing development (on sites of 10 or more dwellings) should engage with the local community and City Council, prior to submission of a planning application to the local planning authority, to help ensure that proposals take into account both this plan's aims and objectives and the views of the local community.**

Policy H2: High Quality Housing Design

- 1. All new development should be of high-quality design, complementing the local vernacular, enhancing visual amenity and minimising any adverse impacts on the built environment and neighbouring amenity.**
- 2. For proposals to be considered high quality in the Wells context, they should meet the requirements of the Wells Design Guide (Appendix 1), Local Plan Policy DP7: Design and Amenity of New Development and the associated Net Zero Carbon Toolkit, and the National Design Guide and Code. They should have particular regard to the following considerations, where feasible, viable and applicable:**

- i) be well-related to scale, form, density and character of the settlement / built-up area and of its setting;**
- ii) respect and have no significant harm on historic buildings, character and heritage assets and their setting;**
- iii) have no adverse impact on the amenity of neighbouring uses (factors such as noise, tranquility, light pollution, enjoyment of space);**
- iv) ensure good and safe accessibility for refuse, emergency and delivery vehicles, where feasible, taking into account likely levels of on-street parking by residents and / or employees;**
- v) provide safe and easy access for pedestrians and cyclists onto existing pedestrian footpaths and cycle lanes and, where feasible provide segregated, direct, safe routes to enable good connectivity to local facilities and amenities. Pedestrian and cycle routes should ensure permeability and “desire line” point to point access into and out of the development;**
- vi) have boundary treatment well-related to those of nearby dwellings and other buildings to complement the character of its setting;**
- vii) provide publicly accessible green infrastructure which plays a multi-functional role at the heart of the development to enable safe and easy access for health, leisure and recreation purposes**
- viii) delivers a net gain of a minimum of 10% in biodiversity and across the site in accordance with the British Standard for Biodiversity (BS 8683) improves interpretation of geodiversity and makes a positive contribution to help mitigate and adapt to the impacts of climate change by encouraging the efficient use of energy and where appropriate micro-scale onsite/distributed renewable energy generation; and,**
- ix) for proposals for dwellings, provide private amenity space (gardens) appropriate to dwelling type and size and to inform consideration of the appropriateness of a proposal’s suitability in relation to the character of the built environment and the site’s setting, applicants should provide an analysis of proposal’s plot size(s) and building footprint in relation to garden areas of the dwellings in the surrounding area.**

3. Where development proposals do not meet the design requirements above and those set out in the Wells Design Guide, applicants are required to demonstrate (as part of a Planning Statement) why the proposal cannot meet requirements due to feasibility, viability and applicability.

4. Proposals for major development should aim to have gone through a design review process prior to the submission of a planning application.

Policy H3: Housing Fit for the Future

- 1. Applications for residential developments should incorporate design measures to maximise energy efficiency through the siting, layout and design of the scheme.**
- 2. Proposals should include all practical measures to incorporate sustainable construction techniques, renewable energy generation, landscaping for shade and shelter, water efficiency measures, waste minimization and to reduce embodied energy in construction materials.**
- 3. Measures to reduce carbon emissions through the above measures should be informed by the Wells Design Guide.**

MA1: Constraints and Opportunities on the Local Highway, Cycleway and Footpath Network

- 1. Our Transport Plan, as set out on Maps 5 and Maps 5A to 5E (inclusive), identifies the key transport and accessibility constraints, opportunities and the network's key features contributing to the character of Wells.**
- 2. Where relevant, development proposals will be supported which:**
 - i) deliver identified opportunities and projects and / or make a financial contribution to costs and / or resolve identified constraints. Where financial contributions are made, they should be secured through community infrastructure levy or section 106 obligation; and / or,**
 - ii) do not erode the built and landscape character of Wells and the proposal's setting; and / or,**
 - iii) demonstrate how they respond positively to the Wells Design Guide and Conservation Area Appraisal; and / or,**
 - iv) do not exacerbate identified constraints or satisfactorily mitigate adverse impacts which arise from the proposal.**

RCB1: New Development within the Primary Frontages

- 1. Proposals for new development within the Primary Frontages defined in the Local Plan Part 1 and within Use Class E will be encouraged to not only acknowledge the importance of retail uses in the Market Place and High Street but also to the extent that other appropriate uses demonstrate that they are:**
 - i) likely to enhance the vibrancy of the city centre; and,**
 - ii) will enhance and complement the City's historic core.**
- 2. Proposals for changes and alterations to shopfronts should be framed by and respond positively to the Mendip Shopfront Design Guidance published in 2013.**

Policy RCB2: Commercial Development and Responding to Climate Change

1. Development proposals for all new commercial developments should demonstrate, through a Design and Access Statement, how measures have been taken to design energy efficient buildings and should aim to achieve at least one of the following:

- i) Passivhaus certification or equivalent; or,
- ii) BREEAM Excellent or higher and achieve BREEAM Outstanding for the energy section of the assessment. Developments should also demonstrate how they have been designed to take into consideration building orientation, solar gain, high levels of insulation and airtightness as best practice for a Passivhaus design approach, which aims for zero carbon emissions; or,
- iii) BREEAM Excellent in combination with achieving a minimum of AECB Silver Standard.

2. Development proposals for the refurbishment of existing buildings should, where feasible and viable, achieve energy efficiency and carbon emissions standards beyond those set in Building regulation.

Policy RCB3: Supporting the Local Economy through Provision of Small Employment Premises and Workspace Hubs

- 1. Development proposals for the creation of flexible workspaces, business and community hubs, workshops and other business premises to support micro, small and medium sized local businesses and people using their home as a place of work, will be supported in principle within the settlement boundary, subject to other policies in the development plan.
- 2. The local amenity enjoyed by existing neighbouring uses and residents should not be compromised.
- 3. Proposals which also provide community access or facilities will be particularly welcomed.

TOU1: Tourism

Development proposals which provide a wider range of visitor attractions and accommodation and extend stay time will be supported where they are of an appropriate scale so as not to have an adverse effect on the character of Wells and the immediate environment and infrastructure can accommodate the visitor impact.

Policy ENV1: Protecting the Character of the Landscape, Views and Setting

Development proposals on land within or immediately adjacent to the view cones listed above and identified on the maps above will only be supported where they do not compromise the special landscape character exemplified in

- a) the 1996 Mendip Landscape Character Assessment
 - b) the 2020 Landscape Character Assessment and
 - c) the statutory listing of Palace Fields as a Grade 2* garden
- as referred to above.

Policy ENV2: Wells Nature Recovery Network (including protected areas of biodiversity, geodiversity and habitat)

1. Our locally valued areas of biodiversity, geodiversity and habitat form the Wells Nature Recovery Network. This network is defined on Maps 8 - 12.

2. The Network and its constituent parts will be protected to support wildlife habitats, biodiversity and geodiversity and the role they play within the wider network of green infrastructure. Opportunities should be taken to enhance biodiversity, habitats and landscape settings of these areas. Their loss will not normally be supported.

3. Development should, where relevant, aim to:

- i) demonstrate how it contributes to the enhancement of nature recovery networks, green infrastructure and local wildlife corridors;
- ii) maintain the visual and biodiversity value of hedgerows, banks and groups of trees which provide connectivity as green corridors for wildlife (achieving a net gain in biodiversity);
- iii) retain and integrate existing individual green assets, within and on the edge of the site, including mature trees and hedgerows;
- iv) replace trees unavoidably lost to development with trees native to the Wells area of equivalent “massing”, leaf “volume” canopy and cover to mitigate loss and capacity of carbon capture achieved by the lost tree. Where possible, replacement trees should also be resilient to anticipated changing weather conditions resulting from climate change;
- v) create, where appropriate, ponds and other wetland habitats planted with native wetland plant species as part of open green space provision and / or open SuDS system; and,
- vi) incorporate mitigation strategies including (but not limited to) the installation of bat and bird (Swift/House Martin) boxes and hedgehog routes to encourage wildlife into developments.

4. Proposals which result in significant harm to biodiversity (in whole or in part) will only be supported where they demonstrate that:

- i) there is no significant damage to the assets identified in the Wells Nature Recovery Network;**
- ii) the value of the areas (quality, land area and habitat, biodiversity and / or geodiversity value) can be satisfactorily replaced on-site and / or in close proximity to their original location with demonstrable net gains in biodiversity;**
- iii) a funded management and maintenance plan is agreed to ensure that net gains in biodiversity are realised; and,**
- iv) the proposal would not have significant adverse impacts on the site's wider setting (with regard to biodiversity, geodiversity and habitat) or such impacts can be satisfactorily mitigated.**

Policy ENV3: Local Green Space

- 1. The areas defined on Map 13 and in Appendix 4 are designated as Local Green Space in accordance with the requirements of the National Planning Policy Framework.**
- 2. Development that would harm the openness or special character of a Local Green Space or its significance and value to the local community will not be permitted unless the proposal can demonstrate very special circumstances that outweigh the harm to the Local Green Space.**
- 3. Any development of such areas will be managed in accordance with national policy for Green Belt.**