



Your Ref:

Our Ref: 332310746/TAU/JH/SH/ASm

05 December 2022

Puriton Parish Council

By email only to: clerk@puritonparishcouncil.org

Dear Sir or Madam

RE: PURITON NEIGHBOURHOOD PLAN – REGULATION 14 REPRESENTATIONS ON BEHALF OF THIS IS GRAVITY LTD

Stantec is instructed by This is Gravity Ltd. (Gravity) to prepare and submit representations during the Regulation 14 Consultation on the emerging Puriton Neighbourhood Plan (the Draft Plan). The opportunity to provide feedback on the consultation material is welcomed and Gravity looks forward to continued engagement in line with the proposed programme for development of the Plan and the statutory consultation processes prescribed within the Neighbourhood Planning (General) Regulations 2012 (the Neighbourhood Planning Regulations).

Gravity

Gravity is both the developer and the name of the smart campus at the former Royal Ordnance Factory Bridgwater and has already contributed significantly to the area through development, including the new link road off the A39, through financial contributions throughout Puriton and Woolavington Parishes, and through the delivery of Social Value in schools and colleges in the local and wider area. The site is the agreed Enterprise Zone (EZ) for the District, and is an integral part of Bridgwater Vision and the Sedgemoor Economic Development Strategy.

Gravity has an ambitious approach to sustainability and seeks to create a low carbon environment aligned to the delivery of the UK Industrial Strategy and the Local Industrial Strategy, specifically in relation to Clean Growth, AI, Data and the Future of Mobility with Advanced Manufacturing a key focus to deliver high quality, high value jobs on site, of which there is the potential to be up to approximately 7,500.

A Local Development Order (LDO) for the site was adopted by Sedgemoor District Council on 23 February 2022, effectively superseding the extant outline permission for 'Huntspill Energy Park' (ref. 42/13/00010) and granting permission for the development of:

- a. Commercial building or buildings with a total Gross External Area of up to 1,000,000m² which would sit within current Use Classes E(a) - (g), B2, B8 and sui generis floorspace uses;
- b. A range of buildings up to 100,000m² within use classes C1, C2, E (a) – (g), F, B8, including restaurants / cafes, shops, leisure, education, and sui generis uses; and
- c. Up to 750 homes in use class C3;
- d. Together with associated infrastructure including restoration of the railway line for passenger and freight services, rail infrastructure including terminals, sidings and operational infrastructure and

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change of use of land to operational rail land, multi-modal transport interchange, energy generation, energy distribution and management infrastructure, utilities and associated buildings and infrastructure, digital infrastructure, car parking, a site wide sustainable water management system and associated green infrastructure, access roads and landscaping.

Gravity and the Local Communities – obligations and collaboration

Gravity and the local communities enjoy a warm and constructive working relationship with regular liaison and communication on the project as well as through the existing 37 Sports and Social Club.

The Parish Councils are a key consultee in planning matters by being engaged through the District Council and have been positively included by Gravity during the LDO process and other planning applications on the site.

Gravity is progressing agreed obligations as part of its planning consent, including the Village Enhancement Scheme (VES) which is a traffic calming and footway scheme between Puriton and Woolavington which has been designed and has got planning permission. Working with the Villages Together project there is a plan to integrate a trim trail / exercise facilities to enhance the route.

Obligations exist to contribute sums towards village projects and leisure projects, triggered in future years. Both Puriton and Woolavington parishes are aware of the sums and they are actively considering how they would deploy them.

Gravity is pleased to be working in collaboration with the parish council to shape and progress initiatives in the village to support the community. They have agreed to fund a play area improvement project as part of the replacement facilities for the 37 Club, in Puriton, and have enhanced the facility to include a new trampoline facility. A contribution towards the Quiet Room has also been agreed in principle as a further part of the replacement of the 37 Club facilities.

Gravity is pleased to offer our ecologists, Ecological Solutions, to provide advice to the Parish Council on their proposed assault course initiative with that collaboration already being underway. We hope to continue to work with the Parish Council on bringing forward and investing in the assault course.

Gravity welcomes continuing this collaborative relationship with both parish councils, Puriton and Woolavington, as the smart campus is delivered and in doing so share the wider economic benefits with the community that the scheme will bring.

Summary of Issues

Overall we consider the Draft Plan is well-written and reflects a good understanding of the requirements of a Neighbourhood Plan. There are a number of policies and objectives supported by Gravity, but there are some areas where we consider it conflicts with what is an established and adopted LDO as well as some other matters which means that the Plan will not meet the basic conditions if submitted as is. Our overall comments can be summarised as follows:

1. It is not made clear that the adopted LDO constitutes part of the Development Plan and supersedes other Development Plan policies that came before it.
2. Policies are applied to the Gravity site which do not align with the consented development for the site and prejudice its delivery. These policies cannot be included in the Neighbourhood Plan in their current form because they are contrary to the adopted LDO and the ambitions of the EZ within the Sedgemoor Local Plan. They are therefore not in 'general conformity' with the strategic policies for the area.

3. The Draft Plan does not reflect the fact that the 37 Club facilities will be replaced through development of the Gravity smart campus - as already approved. There is an agreed obligation for a feasibility study into replacement facilities and discussions are underway with the Parish Council on which elements can be hosted in Puriton. It has already been agreed to fund and replace the play area/ garden/ family room into Puriton.
4. Proposed requirements in relation to the replacement of community facilities are not aligned with existing consents and are unreasonable and would therefore affect development viability of any proposals that may come forward outside the parameters of the LDO.
5. Assessment of Locally Valued Landscapes needs to be reviewed to ensure conformity with the Development Plan and the adopted Gravity LDO, including potentially removing viewpoints where they have already been assessed or sections of the associated Policy.
6. Policies often include the phrase 'no adverse impacts' as a maximum level of acceptable severity. This is not aligned with the LDO and the related environmental statement. In most cases, these proposed policies will prevent any form of development which, in greenfield locations, will have an inherent, perhaps only negligible, adverse impact which can be suitably mitigated. In their current form, these policies are negatively worded and counter to policies of the NPPF. They represent a risk to Gravity occupiers and delivery. In some cases, removal of these policies may be the most appropriate route to conformity of the Plan, in some case suggested revised wording is provide, which may make those policies acceptable as an alternative to removal.

We have prepared a detailed report in order to help us summarise the matters in this letter. That report is attached as Appendix A.

Ongoing Collaboration

We would welcome the opportunity to discuss our response with you in the hope that they will help and positively inform the next stages of the Neighbourhood Plan process for the better planning of the communities in which we all live and work.

If you have any initial comments or would like to take us up on our offer of discussing matters in more detail with you please contact Jane Hirst at the email address or via the mobile number set out below.

Yours sincerely



Jane Hirst
Director of Planning
on behalf of Stantec UK Ltd

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Enc: Appendix A: Puriton Neighbourhood Plan – Regulation 14 Response on behalf of Gravity

C.c Claire Pearce – This is Gravity Ltd.
Stuart Houlet – Sedgemoor District Council

Appendix A:

Puriton Neighbourhood Plan – Regulation 14 Response on behalf of Gravity



Puriton Neighbourhood Plan

Regulation 14 Representation

On behalf of **This is Gravity**

Gravity

Project Ref: 332310746/100 | Rev: AA | Date: December 2022

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1 Introduction

1.1 This representation

- 1.1.1 Stantec is instructed by This is Gravity Ltd. (Gravity) to prepare and submit this representation during the Regulation 14 Consultation on the emerging Puriton Neighbourhood Plan (the Draft Plan). The opportunity to provide feedback on the consultation material is welcomed and Gravity look forward to continued engagement in line with the proposed programme for development of the Plan and the statutory consultation processes prescribed within the Neighbourhood Planning (General) Regulations 2012 (the Neighbourhood Planning Regulations).
- 1.1.2 As the Parish will be aware, the Puriton Neighbourhood Plan will need to demonstrate that it has met the 'Basic Conditions' set out in Paragraph 8 (2) of Schedule 4B to the Town and Country Planning Act 1990, alongside general procedural compliance matters. In order to meet Basic Conditions, the Plan must:
- 8 (2) (a) Have regard to national policies and advice contained in guidance issued by the Secretary of State;
 - 8 (2) (d) Contribute to the achievement of sustainable development;
 - 8 (2) (e) Be in general conformity with the strategic policies of the development plan for the area;
 - 8 (2) (f) Be compatible with and not breach European Union (EU) obligations; and
 - 8 (2) (g) Meet prescribed conditions and comply with prescribed matters.
- 1.1.3 Having regard to the information set out within the 'Draft Neighbourhood Plan', 'Masterplan Site Design' and 'Appendices 2 and 3' documents, this representation is written with these Basic Conditions in mind, with reference to the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) where necessary.

1.2 This is Gravity

- 1.2.1 Gravity is the developer of a smart campus at the former Royal Ordnance Factory Bridgwater and has already contributed significantly to the place shaping of the area through development, including the remediation and management of the site, a new link road off the A39 (with landscaping implemented this planting season) and will continue to contribute through the agreed Village Enhancement Scheme and through agreed financial contributions to Puriton parish council. Puriton also benefits from a Social Value programme in schools and colleges in the local area: Bounce Forward, MOBIE and the current Gravity Sphero project to promote STEM to young people. Puriton parish will also be a key location to host and replace some of the facilities from the 37 club.
- 1.2.2 The site is the agreed Enterprise Zone (EZ) for the District, and is an integral part of Bridgwater Vision and the Sedgemoor Economic Development Strategy.
- 1.2.3 Gravity has an ambitious approach to sustainability and seeks to create a low carbon environment aligned to the delivery of the UK Industrial Strategy and the Local Industrial Strategy, specifically in relation to Clean Growth, AI, Data and the Future of Mobility with Advanced Manufacturing a key focus to deliver high quality, high value jobs on site, of which there are expected to be up to 7,500.

- 1.2.4 A Local Development Order for the site was adopted by Sedgemoor District Council on 23 February 2022, effectively superseding the extant outline permission for 'Huntspill Energy Park' (ref. 42/13/00010) and granting permission for the development of:
- a. Commercial building or buildings with a total Gross External Area of up to 1,000,000m² which would sit within current Use Classes E(a) - (g), B2, B8 and sui generis floorspace uses;
 - b. A range of buildings up to 100,000m² within use classes C1, C2, E (a) – (g), F, B8, including restaurants / cafes, shops, leisure, education, and sui generis uses; and
 - c. Up to 750 homes in use class C3;
 - d. Together with associated infrastructure including restoration of the railway line for passenger and freight services, rail infrastructure including terminals, sidings and operational infrastructure and change of use of land to operational rail land, multi- modal transport interchange, energy generation, energy distribution and management infrastructure, utilities and associated buildings and infrastructure, digital infrastructure, car parking, a site wide sustainable water management system and associated green infrastructure, access roads and landscaping.
- 1.2.5 On adoption the Gravity LDO became part of the Development Plan for the area as an adopted Development Plan document.

1.3 Summary of issues

- 1.3.1 Overall, the document is well-written and reflects an understanding of the requirements of a Neighbourhood Plan. There are also a number of policies and objectives which are supported by Gravity. Nonetheless, there are some fundamental issues which prejudice delivery of the approved LDO, as well as some wider issues which indicate the Plan will not meet the Basic Conditions if submitted as-is. These are listed below and elaborated upon throughout this representation, in addition to some other minor comments.
- a. It is not made clear that the adopted LDO constitutes part of the Development Plan and supersedes other Development Plan policies that came before it.
 - b. Policies are applied to the Gravity site which do not align with the consented development for the site and prejudice its delivery. These policies cannot be included in the Neighbourhood Plan in their current form because they are contrary to the adopted LDO and the ambitions of the EZ within the Sedgemoor Local Plan. They are therefore not in 'general conformity' with the strategic policies for the area.
 - c. The Draft Plan does not reflect the fact that the 37 Club facilities will be replaced through development of the Gravity smart campus - as already approved. There is an agreed obligation for a feasibility study into replacement facilities and discussions are underway with the Parish Council on which elements can be hosted in Puriton. It has already been agreed to fund and replace the play area/ garden/ family room into Puriton.
 - d. Proposed requirements in relation to the replacement of community facilities are not aligned with existing consents and are unreasonable and would therefore affect development viability of any proposals that may come forward outside the parameters of the LDO.
 - e. Assessment of Locally Valued Landscapes needs to be reviewed to ensure conformity with the Development Plan and the adopted Gravity LDO, including potentially removing viewpoints where they have already been assessed or sections of the associated Policy.

- f. Policies often include the phrase ‘no adverse impacts’ as a maximum level of acceptable severity. This is not aligned with the LDO and the related environmental statement. In most cases, these proposed policies will prevent any form of development which, in greenfield locations, will have an inherent, perhaps only negligible, adverse impact which can be suitably mitigated. In their current form, these policies are negatively worded and counter to policies of the NPPF. They represent a risk to Gravity occupiers and delivery. In some cases, removal of these policies may be the most appropriate route to conformity of the Plan, in some case suggested revised wording is provide, which may make those policies acceptable as an alternative to removal.

1.4 Structure of this representation

1.4.1 The issues listed above are discussed in the context of relevant sections of the Draft Neighbourhood Plan document. These are as follows:

- 1 Introduction
 - 1.1 What is the Plan's Remit?
 - 1.3 National and Local Policy
 - 1.9 A Note About Planning Policies
- 4 Delivering Development, Facilities & Infrastructure
- 5 Housing
 - 5.1 Introduction
 - Map 3: Land South of Woolavington Road (Allocated Site)
- 6 Highways, Transport and Accessibility
 - 6.1 Introduction
- 7 Local Facilities and Amenities
 - Policy LFA1: Protecting Community Facilities, Amenities and Assets
- 8 Employment
 - Objectives
 - 8.1 Introduction
 - 8.3 Former Royal Ordnance Factory (ROF) / Gravity Redevelopment Site
 - Policy E1: Redevelopment of the Former Royal Ordnance Factory (ROF) / Gravity Site (outwith the Local Development Order)
 - Policy E2: Maximising the Benefits from the Development of the Former Royal Ordnance Factory (ROF) / Gravity Site (outwith the Local Development Order)
- 9 Built and Natural Environment
 - 9.5 Locally Valued Landscapes

- Policy BNE3: Locally Valued Landscapes (and Views)

2 Section 1 – ‘Introduction’ Comments

2.1 General introductory text

2.1.1 The introduction introduces the Neighbourhood Plan as one of two parts of the Development Plan for the Parish. There are in fact three parts to the Development Plan within the Neighbourhood Plan area, because the LDO is an adopted Development Plan document. The Neighbourhood Plan will need to support the LDO for this reason, and this is elaborated upon later in Section 8. Consequently, this will require some textual amendments throughout the Draft Plan.

2.1.2 A separate minor comment we have would be to amend some the of introductory text as follows:

This Neighbourhood Plan has been prepared to ~~be in alignment with~~ support the strategic policies of the Local Plan and introduces policies to shape development outside of those strategic policies’

2.1.3 This would ensure that the description better reflects Paragraph 13 of the NPPF.

2.2 What is the Plan’s Remit?

2.2.1 Again, we only have a minor comment in relation to this part of the Plan which relates purely to semantics. We would suggest an amendment as follows:

It ~~puts~~ gives us, as a community, ~~in the driving seat~~ substantially more input into ~~when it comes to having a say over~~ what, how and where development should take place where it requires planning permission.

2.2.2 The only reason we recommend this change is because ultimately, in the short term, Sedgemoor District Council (SDC) will be the decision-taking authority for applications in the area, as the LPA, and our suggested amendment would avoid any confusion around who can decide on a planning application. Subsequent decisions from 1.4.23 will be a matter for the new Somerset unitary as the LPA.

3 Section 4 – ‘Delivering Development, Facilities & Infrastructure’ Comments

3.1 CIL priorities

- 3.1.1 Gravity notes the CIL priorities of the Neighbourhood Plan Steering Group (NPSG) summarised on page 27. It is noted that ‘Street lighting and footpath on the Puriton to Woolavington road (Woolavington Road)’ is included as a CIL priority. The Village Enhancement Scheme being delivered by Gravity under a S106 obligation of the LDO includes a lit pedestrian / cycle route between the two villages (planning ref: 42/20/00022). While not directly alongside Woolavington Road, it does follow a similar route and will fulfil the purpose of the CIL priority. As such, there is the potential to redirect CIL monies away from this priority and into others.

4 Section 5 – ‘Housing’ Comments

4.1 Introduction

- 4.1.1 The context for the Housing section of the Plan is well evidenced and is laid out clearly and informatively. It should be clarified in this section however, that the ‘up to 750 dwellings’ granted through the LDO will not be considered by Sedgemoor District Council to contribute to their housing delivery for the District or the Puriton Neighbourhood Plan Area. This is because the housing will be designed (with regard to mix, layout, appearance, etc) to meet the requirements of commercial operator(s) on site, rather than as prescribed by policy, and will not be put to the open market. This would require a new consent.
- 4.1.2 To confirm, it is our view that dwellings that emerge from the LDO cannot be included in any housing trajectory for the District, or local area and will not be subject to policies in the adopted Development Plan including this emerging Plan.

4.2 Map 3: Land South of Woolavington Road (Allocated Site)

- 4.2.1 This comment is made in relation to Map 3 but is also applicable to most plans included within the Draft Plan. It would be good to see the Gravity Link Road off the A39 included in all plans throughout the Plan so that it can reflect the most accurate and up to date spatial information.

5 Section 6 – ‘Highways, Transport and Accessibility’ Comments

5.1 Introduction

5.1.1 The Draft Plan states that:

The pedestrian route from the village to the 37 Club requires improvement, being the most favoured improvement with controls on traffic speed making up just over one quarter of community survey responses.

5.1.2 Again, it seems remiss not to discuss the approved Village Enhancement Scheme here, which will deliver a new pedestrian route between Puriton and Woolavington including up to the location of the 37 Club.

5.1.3 Furthermore, the 37 Club will remain open as long as possible on the existing site. Future leisure facilities may be provided once new commercial uses come forward on the Gravity smart campus and they define their workforce needs. In the meantime, provision will be made for replacement facilities to be agreed elsewhere to ensure there is effective transition and evolution of facilities. It is the expectation that the replacement of existing facilities off site and provision of new leisure facilities on site will improve the range and availability of local sports and leisure facilities for the local community.

5.1.4 This is a requirement of the section 106 – a legal planning obligation tied to the planning permission granted by the LDO. Replacement facilities will be in place prior to demolition of the 37 Club and the agreement makes provision for Gravity to complete a feasibility study into the replacement of the 37 Club facilities before replacing them. A two-stage approach to replacement is proposed:

- a. To replace existing facilities, working with existing local organisations to expand their functions and improve their diversity and the sustainability of services to meet local sports and social needs; and
- b. To encourage the market to provide a new leisure facility as an integral part of the Gravity smart campus. The LDO makes provision for leisure facilities as part of the smart campus and these will come forward at a future date when a primary occupier is known and when Gravity explores business need to attract and retain a high value workforce and integrate within the campus and community.

5.1.5 This would enable the retention of facilities and continuity as well as enhancement for both existing members and indeed wider members of the local community. Gravity met with Puriton Parish Council and Woolavington Parish Council on 14 November 2022 to discuss the Feasibility Study.

5.1.6 In effect, given the long-term nature of Development Plans, it should be clearer throughout the Plan that the 37 Club will be replaced and demolished sometime in the future. Currently, a reader of the Plan would be surprised to discover this, particularly as it is designated under Draft Policy LFA1 – which will be discussed in more detail in Section 7 below.

6 Section 7 – ‘Local Facilities and Amenities’ Comments

6.1 Draft Policy LFA1: Protecting community facilities, amenities and assets and Draft Policy LFA2: Maintaining and enhancing community facilities, amenities and assets

6.1.1 Draft Policy LFA1 and LFA2 are inherently linked through LFA1 Part 2(iv) and are therefore discussed together throughout this section.

6.1.2 Draft Policy LFA1 seeks to protect community facilities, amenities and assets by indicating that their loss will not normally be supported unless a large number of criteria are all satisfied (paraphrased below):

there is no reasonable prospect of viable continued use of the existing building or facility;

a need for their proposed change is demonstrated;

there would be no adverse impact on the character of the area’s natural and built environments;

the proposal is for the replacement of the existing facility and meets the requirements in Policy LFA2 (which are listed below):

the proposal would not have significant adverse impacts on the amenity of nearby residents

the proposal would not have significant adverse impacts on the surrounding local environment

the proposal would not have unacceptable impacts on the local road network

the proposed use will be dedicated, where appropriate, to community use in perpetuity

the proposal will be easily accessible to all residents

the proposal meets the requirements of Local Plan Policy D35 (which are listed below)

there is appropriate alternative provision available locally

there is no longer a demand for the use and / or it is not viable

the facility is no longer fit for purpose

there is evidence of community consultation and consideration of alternative ways of delivering the service

6.1.3 There are two fundamental issues with the wording of Draft Policy LFA1 in respect of the 37 Club. Firstly, it has already been demonstrated that there is no reasonable prospect of viable continued use of the 37 Club through adoption of the Local Development Order. While appreciating its value to the community and a relatively small group of members, it is a dated post war structure in poor condition and its current limited operation is not commercially viable and is not a sustainable, future facing operating model. The 37 Club is currently located in a prime location on the Enterprise Zone site and, if retained in situ, may create a barrier to a large-scale occupier. The current facility is also not the right quality of facility to support a high

value manufacturing campus to help attract and retain a workforce. It therefore represents a risk to the delivery of the Gravity smart campus, in a manner that aligns with the ambitions of the Sedgemoor Local Plan and the adopted LDO.

- 6.1.4 It will therefore be essential to conformity that the 37 Club is removed from the list of protected facilities because not only has it already satisfied a test that features in Draft Policy LFA1 and Local Plan Policy D35, its protection does not support the implementation of the Local Development Order, or the Local Plan as a whole, which specifically states at paragraph 5.7 that the overall approach of the plan is to promote and support the delivery of the identified projects in the Bridgwater Vision, including Gravity. Fundamentally, it must also be considered that the tests laid out in Local Plan Policy D35 were considered in the adoption of the Local Development Order and, through the adoption therein, satisfied the Policy as part of the Development Plan. The LDO was accompanied by a S106 legal agreement, which includes the obligation to undertake a feasibility study into its replacement.
- 6.1.5 The second issue is shared between the two Draft Policies. 'Impacts on the surrounding local environment' feature in two separate requirements, each with different 'triggers' or necessary limitations of impact. That is, 'no adverse impact' at Draft Policy LFA1 Part 2 and no 'significant adverse impact' at Draft Policy LFA2 Part 1(i).
- 6.1.6 Gravity appreciates that the Neighbourhood Plan can add value to the Development Plan in this respect, as Policy D35 does not discuss environmental impacts in the replacement of local community services. Nonetheless, 'no adverse impact' is not positive policy wording because it does not allow for a proposal to come forward in which the benefits outweigh an adverse impact of **any** severity, even negligible. While 'no significant adverse impact' is somewhat more positive, it still does not consider that proposals can deliver benefits which outweigh adverse impacts, which is a recurring theme throughout the NPPF.
- 6.1.7 The trigger featuring in Draft Policy LFA1 Part 2 and LFA2 Part 1(i) must be consistent and should indicate that adverse impacts will be considered in the balance of benefits. The wording below may be suitable:

Any adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits, when assessed against the policies in this Plan and the Development Plan as a whole.

- 6.1.8 While the NPSG may not decide to make the above suggested change verbatim, what absolutely must be avoided is the use of 'no adverse impact', as a development proposal will inherently have at least a negligible adverse impact on the environment (in respect of biodiversity, wildlife habitats or landscape character) which would either need to be mitigated or compensated for.
- 6.1.9 Furthermore, by indicating that benefits can outweigh adverse impacts, it provides clarity around what is meant by 'will not normally be supported'. In its current wording, it can be implied but is not specifically stated that proposals with substantial benefits may be supported.
- 6.1.10 Thirdly, it is unclear what is meant by 'accessible by all residents' at Draft Policy LFA2 Part 1(v). Does this refer to all residents of Puriton Parish, or all people who currently use the facility? The latter would be the most sensible because, for example, the 37 Club currently draws more members from Bridgwater (99) than Puriton (73), while a further 71 live in Woolavington and 121 from other locations in Sedgemoor. Community does not always mean a group of people who share a local geographic area, but can also include groups connected by a common cause or activity, for example: a church community or sporting community.
- 6.1.11 Gravity therefore suggests a minor amendment to the text as follows:

"are easily accessible to current users of the facility where the proposal includes replacement facilities, and all residents of Puriton Parish where the proposal includes new facilities"

- 6.1.12 This would allow replacement facilities to best serve their existing communities, while new facilities could be designed to primarily serve the Parish, which is understood to be the purpose of the policy.
- 6.1.13 It is important to reiterate that mitigation has already been agreed in the context of the LDO regarding the loss of the 37 Club in its current location and form.

7 Section 8 – ‘Employment’ Comments

7.1 Objectives

- 7.1.1 The essence of the objectives listed here are understood and it makes sense for the Parish to seek to capture some planning benefit from significant economic development in the area, as well as to potentially support local small and start-up businesses which are evidenced to be the most likely to emerge over the Plan period. Indeed, these types of business are likely to be supported through the Gravity Business Charter adopted as part of the LDO. There are though some changes that should be made to the wording to ensure conformity.
- 7.1.2 ‘Does not give rise to any adverse impact’ is not implementable and has already been assessed through the LDO. In respect of Gravity, there is no realistic way that the entire Former ROF site can be developed without causing even negligible adverse impacts on the setting of the village, and this has previously been assessed within the Gravity LDO Environmental Statement as part of the adopted LDO. That is not to say that those adverse impacts cannot be mitigated, and enhancements provided, that, on balance, would actually **improve** the amenity of residents or setting of the village, but that the current wording indicates, perhaps unintentionally, a restriction on any development of the uses already consented as part of the Gravity LDO.
- 7.1.3 As such, it is the case that the Gravity LDO has already been assessed in terms of impacts on the locality (*nearby residents and the character and appearance of the setting of the village*) and found to be acceptable in planning terms, with appropriate mitigation set out within the adopted LDO. Therefore, it is recommended, to ensure conformity, that the first sentence of the objectives is removed from the Plan, leaving the two subsequent sentences only as the objectives of this section.

7.2 Introduction

- 7.2.1 On the description of Gravity in this introduction section, while it is expected and is the ambition of the Gravity smart campus, it cannot be said that it ‘is going to provide 4,000 new jobs’ for certain. ‘Is expected to provide up to 7,500 jobs’ would be more suitable in alignment with the LDO.

7.3 Former Royal Ordnance Factory (ROF) / Gravity Redevelopment Site

- 7.3.1 The role of Gravity in delivering strategic benefits to the local, regional and national economies is well reflected in this section and it is good to see a large part of the plan dedicated to it. Nonetheless, the influence this Plan can have over the scheme is minimal at best given that the LDO has been adopted for the uses set out within it.
- 7.3.2 The approach taken by the NPSG in drafting policies that effect development **only** when it falls outside of the parameters of the LDO is understood as they could affect future proposals not yet granted planning permission. It should be noted though that the likelihood of this occurring is miniscule considering that Gravity owns the site and has led the creation of the LDO. Fundamentally, and notwithstanding these comments, the LPA may determine that the most appropriate way to ensure a plan led approach to any future development of the site beyond and outside of the adopted LDO is for this to be considered as part of a future Local Plan review, rather than attempts to establish a planning framework set at a neighbourhood plan level.
- 7.3.3 Be that as it may, Section 8.3 is generally confused and does not accurately reflect the various planning parameters on the site. The LDO is an adopted component of the Development Plan for the area, with a lifetime of 15 years, and while there is an extant planning permission for an energy park on the site as well as a strategic policy in the Local Plan and Bridgwater Vision,

these are all superseded by the adopted LDO. Starting the section by discussing the Local Plan Policy, and by using plans from the extant planning permission, does not relay this clearly to the reader. Images from the historic consent should be replaced with LDO plans and documents, for example.

- 7.3.4 The legislation that underpins this is Section 38 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act), which states at subsection 5 that:

“if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan [i.e. the LDO conflicting with Bridgwater Vision Policy B1] the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan”

- 7.3.5 We therefore suggest that the LDO takes precedence in the structure of Section 8.3, as it defines the most up to date planning parameters and the latest assessment of impacts for any development proposed for the site. As such, in simple terms, Plans and images throughout the Section should also be extracted from the LDO to avoid confusion. It could still be reasonable to follow a description of the LDO with context around what came before it (i.e. the HEP planning permission and Bridgwater Vision Policy B1).

- 7.3.6 Some text changes should also be made to clarify the above, to ensure conformity and that Draft Policies E1 and E2 will not affect proposals permitted by the LDO or consents that come later within assessed levels of impact of the LDO. It appears this is understood by the Parish but could be clearer.

- 7.3.7 Reference in p.65 to the LDO's 5th year review seem to suggest that as the final timeframe for LDO implementation, which is incorrect and should be clarified. The LDO has a timeframe of 15 years and whilst the LPA has the option to review the document at year 5, there are multiple options for the next steps at that point, including making no change and allowing the market to continue to respond for a further 5 years. This text should be altered to confirm the 15 year lifespan of the LDO and realistically represent the options for implementation during that longer period. Further minor changes suggested to text on p.65 are also recommend as follows:

“While not likely, there is ~~also~~ still the potential that proposals could come forward outside of the parameters of ~~set-out in~~ the LDO.”

“...we consider that there is still a need to have planning policies in place which can be used to guide and respond to any proposals that do not yet have planning permission or fall outside of the parameters of the LDO.”

“Our policies E1 to E3 therefore provide a positive planning framework in order to have influence over the details of ~~the development~~ future planning applications on the site, and how they impact on Puriton village in particular, should the LDO not be in place after its 5th year, after its 15 year lifespan or proposals come forward ~~which are not covered~~ outside the of the parameters of the LDO.”

- 7.3.8 In the justification for Policy E1, the Plan indicates that the next consenting phase for the site will be the submission of “reserved matters” applications, which is not the case. Rather, Applications for Compliance with the LDO will be submitted. This differs from reserved matters applications because reserved matters applications would be considered within the framework of the Development Plan as a whole and are made pursuant to outline planning permissions rather than development consented by the adopted LDO.

- 7.3.9 Once any development commences in accordance with the LDO, permission 42/13/00010 will no longer be permitted as is set out in Section 9 of the S106 agreement. Reserved matters applications cannot be made after such time. We would be happy to meet with the Parish Council to provide more information around these processes should they wish.

7.4 Policy E1: Redevelopment of the Former Royal Ordnance Factory (ROF) / Gravity site (outwith Local Development Order)

7.4.1 As mentioned above, and notwithstanding these comments, the LPA may determine that the most appropriate way to ensure a plan led approach to any future development of Gravity beyond and outside of the adopted LDO is for this to be considered as part of a future Local Plan review, rather than attempts to establish a planning framework set at a neighbourhood plan level. In any event, the adopted LDO, and its assessment through the ES, forms the last document to become part of the development plan and should therefore form part of any future policy and consenting consideration for Gravity.

7.4.2 Turning to the detail here and reflecting what has recurred throughout this representation thus far, one of the principal issues with this policy is that it states 'any adverse impact' which is effectively restrictive to any development due to the inherent (but potentially only negligible) effects it would have. It would be more appropriate to attach a scale (i.e. significant, less than significant, or minor) or state that adverse impacts will be considered in balance with associated benefits brought about by development. This has been stated in Draft Policy E1 Part 2, so it is Gravity's view that these two policies should be combined as follows:

"1. Development proposals (within the Plan area) which come forward and which meet the requirements of the Local Development Order (LDO) are supported in principle. Proposals which fall outside of the LDO, in terms of use or the LDO area, and which occur if the LDO expires, and proposals for any additional or alternative development of the site should not result in significant ~~any~~ adverse impacts on the following:

i) The amenity enjoyed by neighbouring uses or residents, including, but not limited to light, air quality and noise pollution;

ii) The landscape setting of the site, with particular regard to the landscape character on edge of the village and the built character of the village; and,

iii) The retail and service provision provided within Puriton village, where any new retail or service offer on the ROF site could result in loss of current provision of a similar offer in the village or lead to an increase in short journeys made by private motor vehicles out of the village,

~~*2. Proposals which fall outside of the LDO, in terms of use or the LDO area, and which occur if the LDO expires, and proposals for any additional or alternative development of the site and which result in adverse impacts will not be supported*~~

unless such impacts can be satisfactorily mitigated."

7.5 Policy E2: Maximising the benefits from the development of the Former Royal Ordnance Factory (ROF) / Gravity site (outwith Local Development Order)

7.5.1 Gravity's only further comment regarding Draft Policy E2 is made in relation to the proposed requirement, where provision responding to demand is considered to be better located elsewhere (outside of the Plan area) and a financial contribution is paid, that land within the site shall be retained for an alternative community use.

7.5.2 Notwithstanding the fact the LDO already provides for community / leisure uses to come forward should these be proposed, it is unreasonable that a developer would make a financial contribution **and** make a further contribution in the form of land where the demand for such a use is found to be outside of the Plan Area rather than within it. It is only reasonable that community uses are provided where there is demand, and should this be outside of the Plan Area, a financial contribution towards the expansion or provision of new uses, or development

of those uses, outside of the Plan Area is an appropriate response. Otherwise, there might be substantial risk to the viability of any development which falls outside of the LDO in terms of use.

- 7.5.3 To be clear, and to ensure conformity, in the context of Gravity it is not considered appropriate or acceptable for a neighbourhood plan to retrospectively seek to retain land for community use within the LDO consent. Part 2. of Policy E2 is out of step with the LDO as an approved part of the development plan and will create confusion and uncertainty to prospective occupiers, which in turn creates a risk to overall deliverability.
- 7.5.4 Replacement facilities for the 37 Club are subject to a separate feasibility study and obligation within the LDO, therefore Gravity suggests the Draft Policy E2 Part 2 is deleted or at the very least substantially amended.
- 7.5.5 Leisure facilities on site will be designed primarily for the smart campus and its workforce and some community use will be encouraged but will be a matter for occupiers.
- 7.5.6 If removal in full is not taken forward, as the preferred solution to ensuring conformity, Gravity suggests revised wording for Draft Policy E2 Part 2 as follows:

“2. Proposals for community, leisure and sports facilities provided on the site which fall outside of the LDO, in terms of use or the LDO area, and which occur if the LDO expires should demonstrate that they are located and designed for the community of Puriton to be able to easily access, if appropriate.”

8 Section 9 – ‘Built and Natural Environment’ Comments

8.1 Locally Valued Landscapes

- 8.1.1 The principles of Section 9 are understood and reflect the objective of the plan in relation to the Built and Natural Environment. Conservation, protection and enhancement of these environs in general are a key principle of the Sedgemoor Local Plan and NPPF so it is good to see them reflected at the neighbourhood level.
- 8.1.2 The NPPF sets out that strategic policies should set out an overall strategy for the conservation and enhancement of landscapes (paragraph 20), while other development plan policies may protect and enhance valued landscapes (paragraph 174).
- 8.1.3 The LDO and its assessment and adoption has undertaken a significant landscape assessment through a detailed and comprehensive LVIA and this has further informed a mitigation strategy adopted as part of the LDO. Therefore, there is some concern that the attempted introduction of an additional layer of local assessment post adoption of the LDO is confusing and not aligned to impact assessment or the compliance process. This would undermine conformity of the Plan.
- 8.1.4 The Draft Plan includes protected Locally Valued Landscapes and Views which should, as stated in 9.5.1, be uninterrupted and not obstructed in whole or in part. It is stated that these should be protected. These are underpinned by an Assessment of Locally Valued Views. However, at the time of writing this assessment and the evidence base behind it did not appear to be available on the consultation website. This assessment is requested and we reserve the right to make further comments once that evidence has been received and assessed.
- 8.1.5 It is asserted in 9.5.1 that ‘the value of openness is as relevant in policy terms in our rural location as it is in greenbelt areas’. While the essence of this statement is appreciated, given the type of landscape in which Puriton is sited, it is fundamentally untrue. The site itself is a former industrial, contaminated site and is brownfield redevelopment site, designated as an enterprise zone. The Green Belt is an ‘asset of particular importance’ (NPPF footnote 7) on par with, inter alia, Areas of Outstanding Natural Beauty, National Parks and Heritage Coasts and the value of openness is therefore much more significant, because anything that causes it detriment would in turn cause detriment to a national asset of particular importance, rather than ‘open countryside’. 9.5.1 should be amended to accurately describe the area in this context.
- 8.1.6 Map 21: Our Locally Valued Views and Landscape Areas includes two view splays (Photo 5 and Photo 13) over the Gravity smart campus site. Photo 5 however, does not line up with the splays at all. It is unclear what is proposed as a designated Locally Valued View and Landscape Area because the photo looks northwest along Rye, whereas the splay looks northeast over Gravity. It is recommended that further work is undertaken with respect of this part of the Plan to ensure alignment with the Gravity LDO ES / LVIA in terms of landscape impact, taking account of the findings of the LDO ES and mitigation set out therein, to ensure conformity of the Plan. It may be that those views over the Gravity site should be removed from those on Map 21 to ensure conformity of the Plan.
- 8.1.7 Fundamentally, the policy justification states that these views should be uninterrupted and not obstructed in whole or in part, with significant value attached to openness. This cannot be implemented and will not allow the Plan to achieve conformity given that the LDO grants permission for development at the former Royal Ordnance Factory, although its impacts can be suitably mitigated. In principle, these designations are in direct conflict with strategic

policies of the development plan (i.e. the LDO which permits development on the site and Policy B1 of the Local Plan for the delivery of the Gravity development). These designations are therefore counter to the Basic Conditions and if kept as proposed will prevent the Neighbourhood Plan from progressing to referendum.

8.2 Policy BNE3: Locally Valued Landscapes (and Views)

- 8.2.1 Designating a view over the Gravity site and then stating at Draft Policy BNE3 Part 2 that these areas **will be protected** is unachievable, counter to strategic development plan policies and will prevent the plan from progressing to referendum because it will be unable to meet the Basic Conditions. The landscape impact of the Gravity LDO has been assessed and has suitable mitigation included within it. It is therefore recommended, to ensure conformity of the Plan, that Photos / Viewpoints 5 and 13 are removed from Map 21 (as appropriate views have already been assessed as part of the LDO) and that Part 2 of BNE3 is also deleted.

9 Conclusion

9.1 Closing remarks and summary of issues

- 9.1.1 In summary, Gravity supports the production of a Neighbourhood Plan for Puriton, which will add value to the Development Plan as a whole for existing and future communities in the Plan Area, and welcomes the opportunity to provide comments.
- 9.1.2 In order for the Draft Plan to progress through independent examination to referendum, a number of changes will be required to ensure compliance with the Basic Conditions prescribed within the Neighbourhood Planning (General) Regulations 2012 (the Neighbourhood Planning Regulations). This representation has made constructive comments, predominantly in respect of delivery of the Gravity smart campus and implementation of the adopted LDO and Policy B1 of the Sedgemoor Local Plan, to help Puriton Parish Council bring the Draft Plan into force.
- 9.1.3 These comments are, in summary, made in relation to the following issues, in addition to some other minor comments.
- a. It is not made clear that the adopted LDO constitutes part of the Development Plan and supersedes other Development Plan policies that came before it.
 - b. Policies are applied to the Gravity site which do not align with the consented development for the site and prejudice its delivery. These policies cannot be included in the Neighbourhood Plan in their current form because they are contrary to the adopted LDO and the ambitions of the EZ within the Sedgemoor Local Plan. They are therefore not in 'general conformity' with the strategic policies for the area.
 - c. The Draft Plan does not reflect the fact that the 37 Club facilities will be replaced through development of the Gravity smart campus - as already approved. There is an agreed obligation for a feasibility study into replacement facilities and discussions are underway with the Parish Council on which elements can be hosted in Puriton. It has already been agreed to fund and replace the play area/ garden/ family room into Puriton.
 - d. Proposed requirements in relation to the replacement of community facilities are not aligned with existing consents and are unreasonable and would therefore affect development viability of any proposals that may come forward outside the parameters of the LDO.
 - e. Assessment of Locally Valued Landscapes needs to be reviewed to ensure conformity with the Development Plan and the adopted Gravity LDO, including potentially removing viewpoints where they have already been assessed or sections of the associated Policy.
 - f. Policies often include the phrase 'no adverse impacts' as a maximum level of acceptable severity. This is not aligned with the LDO and the related environmental statement. In most cases, these proposed policies will prevent any form of development which, in greenfield locations, will have an inherent, perhaps only negligible, adverse impact which can be suitably mitigated. In their current form, these policies are negatively worded and counter to policies of the NPPF. They represent a risk to Gravity occupiers and delivery. In some cases, removal of these policies may be the most appropriate route to conformity of the Plan, in some case suggested revised wording is provide, which may make those policies acceptable as an alternative to removal.
- 9.1.4 Gravity extends its offer to meet with the Steering Group and discuss any of the points raised in this representation, and is delighted to continue to play a role in the development of the area.